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7	MARYLAND TRANSPORTATION AUTHORITY
8	PHASE 1 SOUTH TOLL RATE RANGE SETTING PROCESS
9	AMERICAN LEGION BRIDGE - I-270 to I-370
10	PUBLIC HEARING - EVENING SESSION
11	JULY 14, 2021
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18	Transcription Services By: CRC Salomon
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20	Proceedings recorded by electronic sound recording;
21	Transcript produced by transcription service.

PROCEEDINGS

HEARING OFFICER: Good evening. I'm Andrew Bing and I will be the Hearing Officer for tonight's hearing for the Maryland Transportation Authority, abbreviated as MDTA. The MDTA is conducting the second of two call-in testimony sessions of the Tolling Rate Range for Phase 1 South American Legion Bridge I270 to I370. As the Hearing Officer response for running tonight's public hearing and on behalf of the MDTA, I welcome you.

The purpose of this public hearing is for interested parties to provide official testimony and comments for the public record of the Tolling Proposal for Phase 1, South American Legion Bridge I270 to I370, which includes proposed toll rate ranges, soft rate apps, and the escalation process and discounts.

We hope you've had the chance to review the public hearing materials related to this Tolling Proposal on the project webpage at MDTA.maryland.gov/alb270tollsetting.

Tonight we will introduce the MDTA Board Members present for the public hearing, explain Title VI and the Civil Rights act of 1964 and identify ways for you to

1 comment on the Tolling Proposal. I will then review the 2 hearing procedures and open the phone line for live 3 testimony. Tonight's public hearing is being live streamed 4 via the internet and phone and audio recorded. The official 5 transcript of the public hearing testimony become part of 6 the project record. It will be available for public review 7 on the MDTA's Phase 1 South American Legion Bridge, I270, 8 I370 Toll Rate Range Setting webpage. 9 I would like now to introduce the Executive Director 10 of the MDTA, Tim Ports. Executive Director Ports will 11 introduce the MDTA Board. 12 Thank you, Andrew. As he mentioned, my MR. PORTS: 13 name is Tim Ports. I'm the Executive Director for the MDTA 14 and I want to thank everyone tonight for joining this and 15 for your participation in this hearing. I will now 16 introduce the MDTA Board Members who are in attendance for 17 today's hearing. 18 MDTA ACTING CHAIRMAN: Sean Powell. 19 MDTA BOARD MEMBER: Dante Carol. 20 MDTA BOARD MEMBER: William Cox. 21 MDTA BOARD MEMBER: Lee Gaines.

1 MDTA BOARD MEMBER: Mario Gangemi.

2 MDTA BOARD MEMBER: Cynthia Penny-Ardinger.

MR. PORTS: Thank you, Andrew, and please continue with the remaining instructions for our hearing tonight.

MR. BING: On behalf of the MDTA Title VI officer, I will explain the significance of Title VI and how it relates to the Tolling Proposal. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color, or natural origin. To support the act, the United States government designated additional statutes, laws, regulations, and executive orders to provide guidance for the effective execution of the objectives of Title VI. MDTA is responsible for upholding the principals of Title VI of the Civil Rights Act of 1964 and related guidance. MDTA's policies and programs should not discriminate against people on the grounds of race, color, natural origin, sex, age, income level, or disability. MDTA's policies and programs should avoid disproportionately high or adverse impacts on minority populations and low-income populations.

MDTA seeks to provide citizens, stakeholder groups and other interested parties with reasonable opportunity to be

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involved in the Toll Rate Range Setting process. Title VI information can be found on the project webpage.

MDTA.maryland.gov/alb270tollsetting. If you have questions or need assistance call 410-537-6720. We invite you to take our voluntary demographic survey online to help us ensure that we are reaching the communities that are affected by the Toll Rate Range Setting process. For more information regarding Title VI and the Civil Rights Act of 1964 and other non-discrimination laws, please review the Civil Rights under Title VI Brochure.

Any member of the public has the right to file a discrimination complaint against the MDTA, if they feel the MDTA does not comply with Title VI of the Civil Rights Act of 1964 and the related statues.

There are multiple ways to comment on the Toll Rate

Range Proposal. You can provide verbal testimony for this

public hearing testimony session. You may also provide

call-in testimony by calling 855-701-1977 and leaving a

voicemail message that is limited to three minutes.

Additionally, comment forms may be completed online or sent

to the MDTA via email or U.S. mail. More details on ways to

1 | comment can be found on the MDTA website at:

will be given equal consideration.

mdta.maryland.gov/alb270tollsetting. Comments must be
received before 5:00 p.m. on Thursday, August 12, 2021. All
comments received, whether hearing through verbal testimony
or other methods such as comment form email or U.S. mail,

Again, the purpose of this hearing is to allow interested parties to provide public comments on the toll rate range proposal for phase one South American Legion Bridge I270 to I370. Today's public hearing is being broadcast via the Internet livestream and by phone. The MDTA Board Members will be listening to all public testimony.

My role as the Hearing Officer is to run a professional and orderly public hearing. I understand how important the issues are, related to the Tolling Proposal and I take my role as Hearing Officer seriously. I am committed to providing members of the public opportunity to provide comments in a fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues the call will be ended or the speaker will be disconnected. I also want to let everyone

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know that we will not be answering any questions to any comments made during the hearing. If you have joined us today to listen to the Public Hearing and would like to provide live testimony but have not yet registered; please go to MDTA's website at mdta.maryland.gov/alb270tollsetting or call 443-359-6218 to register.

We are interested in hearing comments from everyone. Please remember that the hearing is being recorded directly and clearly into your phone; and provide your full name, address, and any organization you may represent. To ensure time for all to be heard, there will be a three minute time limit for the public testimony and a five minute time limit for elected officials. The time will start after you introduce yourself. When providing testimony, a single tone will sound when there are 30 seconds remaining, a double tone will sound when you have 10 seconds remaining. At this point you should wrap up your testimony. Hearing Officer, if you are unable to conclude your comments at the end of your time period, I will ask you to wrap up your testimony and then I will move on to the next person in the queue.

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I would like to provide additional to help get callers into the speaker queue. Once you call 855-925-2801 and enter your access code, please listen to the entire Welcome Message. Once the Welcome Message ends, you will hear, for more options press star. At that point, press the star button and when prompted, press three to enter the Speaker View. At this time, I will on the first person in the Speaker, here to provide comments. As a courtesy, elected officials will be given priority to speak and, as noted earlier, will be given five minutes to provide testimony.

Okay, that wraps up my opening remarks. We are now

Okay, that wraps up my opening remarks. We are now going to go to the speaker to provide testimony. Um, again, I do want to just repeat a couple things because I think it will help with people getting into the Speaker Queue. Again the number to dial is 855-925-2801. You will then need to enter your access code. After the access code, you must listen to the entire Welcome Message. After the Welcome Message ends, you will hear for more options. Press star. Press the star button and then press the number three to enter the Speaker's Queue. We're going to going to go to our first caller. Our first caller will be Milton Hallin.

Our second caller will be Andrew Gallant. Milton, after the automated message, please state your name, spell your name, provide your address and any organization that you may be representing.

Thank you, my name is Milton Hallin. MR. HALLIN: M-I-L-T-O-N H-A-L-L-I-N. I live at 3240 Centennial Way in Urbana, Maryland. And I strongly oppose this project, it's just another highway boondoggle that will only increase costs for the average taxpayer and not relieve any traffic congestion or reduce our pollution, which is the number one source of greenhouse gas emission in Maryland now is from transportation. The National Capitol Region Transportation Planning Board recently voted to remove the project from the region's long range transportation plan. It seems to me like this is not a project worth pursuing. There's really no interest group that I can find that is in favor of it other than people who want to make a lot of money for themselves. So, there's no -- no drivers want it. Pedestrians don't want it, (indiscernible) don't want it. I think it's just work. Forgetting about it and focusing our efforts as a state on providing more bike lanes, more

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pedestrian options, more public transit options. Anything that will meet the need for people to travel by car on roads in the first place. We've seen throughout the entire history of highway expansion that it never actually reduces traffic or reduces travel time. It just increases traffic. So, it's always kind of astounded me that we keep trying to push these plans forward but there's really no need. There is the issue of induced demand, which means that the more lanes of highway you build, the more cars are going to just fill them. So, there really is no benefit to this project and it's going to be really expensive. I think one study said it's going to cost \$2 per mile to drive. And that's like 200 times the national average.

So, what benefits are any of us as the driving public getting from this project? I really can't see it. Even though it's supposed to pay for itself with tolls, that keeps coming down and coming down, and now it looks like there's a (indiscernible) or between a half a million and a billion dollars. And I don't really think that my taxes should go to pay for that. If you want to build more roads, you know, build them where people are.

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And, if you want to reduce traffic congestion, build housing and make it cheap enough that people can live near where they work. So, yeah, I live across the street from my job and there's no traffic. I live that close. So make it easier for people to live close to where they work and we won't have to have any need for traffic (indiscernible) in the first place. Yeah, cancel this project please. It's no good.

MR. BING: Okay. Thank you for your testimony and we're now going to go on to our next caller, which is Andrew Gallant. After Andrew will be John Decker. Mr. Gallant, after the automated message, please state your name, spelling your name, provide your address and any organization that you may be representing.

MR. GALLANT: Good evening, my name is Andrew Gallant. Spelled A-N-D-R-E-W-G-A-L-L-A-N-T. I live at 664 Azelea Drive, spelled A-Z-E-L-E-A, in Rockville. Thank you to the MDTA Board for these hearings. In brief, I cannot support the results to date of the Toll Range Setting process. Here are some specific examples of deficiencies in the supporting materials. First, FAQ Item 25, when a commuter could expect

1 to pay, it says, "The toll rate could be as low as \$2.40 for 2 the 12 miles." But where is the expected total toll for an 3 end-to-end trip during a typical rush hour? 4 Next FAQ item 32 about excess toll revenues. Ιt 5 mentions the equity internal rate of return and profit 6 margins. But these figures are not available to the public 7 nor is sharing of excess revenues if any described. Does 8 Maryland receive any of the excess revenue? 9 Next, in the Virtual Information Room packet on page 10 30, there is small print that says "Toll rates are for 11 illustrative purposes only." And "Actual toll rates will be 12 set in the future by the Phase 1 South Section developer." 13 How does this support an informed decision? 14 Next, the October 20, 2020 preliminary due diligence 15 document, states on page 3. "The rate can be set to 16 maximize throughput or reckoned and in order to achieve the 17 P3 program goal, the rate must be set to maximize revenues." 18 What are the actual P3 program goals? And how does 19 maximizing revenue serve the public interest? 20 Last, the March 12, 2021 preliminary due diligence 21 report on pages 9, 10, and 11 mentions in small print the

Capital Beltway Accord, but no version of this document has ever been made available to the public.

Finally, I wish to comment on the behavior of some of the supporters of the P3 Project. It does not help when the governor accuses those with legitimate issues of being, and I quote, "Far left, pro-traffic activists." And it does not help when an MDOT Deputy Secretary threatens jurisdictions with law (indiscernible) the P3 Project.

In closing, I urge the Board to reset the entire Toll Setting process. I oppose the current proposal as it stands. Thank you.

MR. BING: Okay thank you for your testimony. We're now going to go to John Becker. After John will be Nasir Naumaan. John, after the automated message please state your name and spell your name and your address and any organization that you may be representing.

MR. BECKER: Good evening, my name is John Becker and it's spelled J-O-H-N B-E-C-K-E-R. I live at 148 Monroe Street on Americana Center Condominium, which is across the street from the Rockville Metro Station, Zip code is 20850. In following along with the comments previously stated, the

1 toll situation and the rates and their construction and what 2 their final amounts will be, is all up in the air. 3 times are changing. We may not have the same amount of 4 people projected to be commuting because of the recent 5 pandemic. The volume may be less. I know the thing is, 6 planning for the future; as far as increase the amount of 7 people over hundreds of thousands, whatever. But the thing 8 is, this is going to be a very expensive proposition. And 9 whether they'll cover the cost or not, there are too many 10 unknowns. I think along with the county executive of 11 Maryland, as far as Montgomery County's concerned, I would 12 strongly support the reversal lane thing first, before 13 charging any tolls. Again, it's going to be a reverse 14 kind of taxation here on the poor people versus those that 15 can afford it. And with that said, I am complete with my 16 comments. Thank you very much. 17 MR. BING: Okay. Thank you for your comments. We're 18 now going to go to Nasir Naumaan. Please say your name, 19 spell your name, provide your address and the name of any 20 organization that you may be representing.

MR. NASIR:

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Yes, good evening everyone.

My name is

1 Naumaan, last name Nasir, spelled N-A-U-M-A-A-N N-A-S-I-R.

My address is 243 East Fayette Street, Baltimore, Maryland and I'm the President, CEO of Nasir & Associate.

We're an AISC certified steel fabricator and supplier primarily serving the heavy highway and commercial construction industry, in the Mid-Atlantic regions. have locations in both Baltimore, Maryland and Northern Virginia, so on both sides of this project. For all businesses including mine, time is money. Currently, the heavily congested conditions on these highways, make estimating our time travel a total crap-shoot. never know if it's going to take us five minutes to get there, 15 minutes to get there, or 45 minutes to get there. And that waste of time is expensive and drives up our costs with every trip. Whether that be an employee getting the work, a truck driver delivering a product, an inspector coming to our facility. If you consider the hourly rate made in our industry, having the option of spending, you know, \$4. And that's important because the (indiscernible) job is mandatory. Having the option to spend, you know, \$4 3.95 to save 30 minutes to an hour of your day, to some

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1 people it's well worth it. Having our employees, 2 subcontractors or materials, sitting on the road for 3 excessive amounts of time unnecessary time hurts -- our 4 And not to mention the impact that this has on business. 5 our personal lives, as well as our health. It's known as 6 one of the worst traffic areas in the United States. 7 business owner and resident of the area, I urge you to move 8 forward with this project for the long-term betterment of 9 the area from both an economic and residential perspective. 10 MR. BING: Thank you very much. Okay. I thank you, 11 and I do apologize for getting your name backwards there. 12 So, I apologize. 13 MR. NASIR: That's okay. 14 All righty. So, at this point we do not MR. BING: 15 have any additional callers that have entered the Speaker's 16 queue. We do have some people who have registered to provide 17 testimony. 18 But they have not called in yet to provide testimony. 19 So we are going to go into recess. Before I do that, I want

codes.

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So that anyone listening to this call, if they are

to give some information. I am going to provide the access

interested to provide testimony I'm going to provide them all the information they need to do this. This will bypass the need to have to go onto the website to register, they can just call in to provide testimony. The phone number you would use is 855-925-2801. Let me repeat that: 855-925-The access code that you will need to enter is 9134 and then the pound sign. 9134 and then the pound sign. must listen to the entire Welcome Message. When that ends, you'll be prompted to hit the star button and then the number three button and that will get you into the Speaker Queue and I will bring you on to provide your testimony. Right now it is 6:23 and this hearing will remain open until 8:00 p.m. tonight. For right now we are going to go into recess and I will come back on at 6:40. 6:40, I will come back on with an update or sooner if we get someone that comes on in the Speaker Queue. Right now, we are in recess. [RECESS] MR. BING: Okay, we're back. We do have someone who has entered the Speaker's Queue, so we are going to go to that person to provide their testimony. I do want to let

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Mr. Ellison, who I'll be bringing on here in a second that

you do have three minutes to provide your testimony. There will be a tone that sounds when there is 30 seconds remaining, and another tone that sounds when there's 10 seconds remaining, just so you know how much time you have left and that you need to wrap it up when you start hearing those tones. At this point we are going to hear from Mr. Ollie Ellison. Mr. Ellison, after the automated message please state your name, spell your name, provide your address and any organization that you may be representing. MR. ELLISON: Good evening, my name is Ollie Ellison. I'm a resident at 836 Spelled O-L-L-I-E E-L-L-I-S-O-N. Azalea Drive in Rockville, Maryland. This is my testimony. A P3 partnership is by design a high profit mark in social revenue for the private partner. The source of a profit margin will be obviously from the public. Conditions will favor members of the public who can afford the \$40 to \$50 price tag in order to use the tolls. Public members unable to or unwilling to pay the extra transportation fee will legally be bound to use more congested side roads or local neighborhood avenues. The private partner will reap greater profit margin from greater participation in the

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public partnership and are not bound by the public's best interests in achieving financial situations. This plan does not create additional capacity. It only rearranges truck capacity into a profitable venture. Although public payments are made through MDTA, which is a subsidiary of MDOT, pre-agreement contract guarantees a profit margin for the private partner. This has the effect of the State of Maryland enforcing a conditional burden on Maryland residents to the benefit of a non-elected partner in the governing body. There may be little legal redress that can be sought by the citizens of Maryland once the contract is put into effect. Lower and middle class citizens may find their opportunity outside of the state, particularly if saddled with the deprivation during economic downturns in the future. If this condition is realized, it could have obvious consequences to the Maryland tax base. This ends my testimony. MR. BING: Okay, thank you, Mr. Ellison. We're now going to go to our next caller, who is Fran Miller Oh, Ms. Okay, so we do have Ms. Miller, who is Miller's not there. trying to get into the speaker queue but I think is not

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there yet, so I will just point out Ms. Miller and to anyone else out there and I guess I shouldn't assume it's Ms. it could be Mr. The name is Fran Miller that after you enter the phone number and enter your access code, which is 9134 and then pound, listen to entire welcome message. Once the welcome message ends, you will be prompted to hit the star button and then the number 3 to actually enter the speaker's queue. Right now I don't believe we have anyone else in the speaker's queue, so we are going to go to recess. We do have some people who have registered but they have not actually called in to enter the speaker's queue.

This hearing will continue to 8:00 tonight so there's plenty of time to call in and provide their testimony. Also I want to remind people that the public comment period will remain open until August 12th. 5:00 p.m. on August 12th. Even after this hearing ends tonight, there is still plenty of time that people can submit a written comment on the Toll Setting Proposal. With that it is 6:43. We're going to go into recess until 7:00. I'll come back at 7:00 or sooner to get a caller enter the speaker queue. We are in recess.

[RECESS]

1	MR. BING: Thank you for attending the MDOT Toll Rate
2	Range Ranging Setting process public hearings. Today's
3	sessions are from 2 p.m. to 4 p.m. and 6 pm. To 8 pm.
4	MR. BING: Okay, it is 8:00 p.m. This is the end
5	point for this call in session public hearing. I think
6	everyone over the course of two days of public hearings both
7	on Monday at the in-person hearings in Rockville, and today
8	during the call in sessions, we thank everyone who took the
9	time to provide public testimony. We also thank Director
10	Ports and the entire MDTA Board for listening to all of the
11	thoughtful testimony that was provided. At this point
12	again, it is 8:00 and this concludes this testimony session.
13	As a reminder, the public comment period will remain open
14	until 5:00 p.m. on August 12th.
15	Good night and thank you.
16	(Whereupon, the hearing was concluded).
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1	TRANSCRIBER'S CERTIFICATE
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3	I, Vivian Saxe, hereby certify that I transcribed
4	from audio file the proceedings to the best of my ability
5	in the foregoing-entitled matter; and I further certify that
6	the foregoing is a full, true and correct transcript of the
7	audio files produced.
8	IN WITNESS THEREOF, I have subscribed my name on
9	July 29, 2021.
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12	Vivian Sage
13	Vivian Saxe
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16	
17	
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WORD INDEX	443-359-6218	additional 4:10	automated 9:2	bound 18: <i>19</i>
	7:6	8:1 16:15 19:3	11:12 13:14	19: <i>1</i>
<\$>	45 15: <i>13</i>	Additionally	18:7	BRIDGE 1:9
\$2 10: <i>12</i>		5:20	available 3:6	2:7, 13 3:7 6:9
\$2.40 12: <i>1</i>	< 5 >	address 7:10	12:6 13:2	brief 11:18
\$4 15:19, 20	5:00 6:3 20:15	9: <i>3</i> 11: <i>13</i>	avenues 18:20	bring 17:11
\$40 18: <i>16</i>	21:14	13:15 14:19	average 9:9	bringing 17:21
\$50 18: <i>16</i>		15:2 18:9	10:13	broadcast 6:10
7	<6>	adverse 4:18	avoid 4:18	Brochure 5:10
<1>	6 21:3	afford 14:15	Azalea 18:12	build 10:9, 20,
1 1:8 2:6, 12	6:23 17: <i>12</i>	18:16	Azelea 11:16	21 11:1
3:7 12:12	6:40 17:14	age 4:17	A-Z-E-L-E-A	burden 19:8
10 7:16 12:21	6:43 20:18	air 14:2	11:17	business 16:4, 7
18:3	664 11:16	AISC 15:4	11.17	businesses 15:9
10.5 11 12:21	11.10	allow 6:7	< B >	button 8:6, 19
12 6:3 12:2, 20	<7>	allowed 6:19	back 17:14, 15,	17:9, 10 20:7
12 0.3 12.2, 20 12th 20:15	7:00 20:19	AMERICAN	18 20:19	bypass 17:2
21: <i>14</i>	7:00 20:19			bypass 17.2
	40.	1:9 2:7, 13 3:7	backwards	
14 1: <i>11</i>	<8>	6:9	16: <i>11</i>	<c></c>
148 13: <i>18</i>	8 21:3	Americana	Baltimore 15:2,	call 5:4 6:20
15 15: <i>13</i>	8:00 17: <i>13</i>	13:19	7	7:5 8:2 16:21
1964 2:21 4:8,	20:12 21:4, 12	amount 14:3, 6	base 19:16	17:4 20:13
14 5:8, 14	836 18: <i>11</i>	amounts 14:2	basis 4:9	21:5, 8
	855-701-1977	16: <i>3</i>	Becker 13:13,	called 16:18
< 2 >	5:18	Andrew 2:2	17	20:11
2 21: <i>3</i>	855-925 17:5	3:12 4:3 9:1	B-E-C-K-E-R	caller 8:21 9:1
20 12: <i>14</i>	855-925-2801	11:11, 15	13:18	11:10 19:19
200 10: <i>13</i>	8:2, 15 17:5	A-N-D-R-E-W-	behalf 2:8 4:5	20:20
2020 12: <i>14</i>		G-A-L-L-A-N-T	behavior 13:3	callers 8:1
2021 1: <i>11</i> 6: <i>3</i>	<9>	11: <i>16</i>	believe 20:8	16: <i>15</i>
12:20 22:9	9 12:2 <i>1</i>	answering 7:1	Beltway 13: <i>1</i>	call-in 2:5 5:18
20850 13:20	9134 17:6, 7	apologize 16:11,	benefit 10:10	calling 5:18
243 15:2	20:4	12	19:9	cancel 11:7
25 11:2 <i>1</i>		apps 2:14	benefits 10: <i>14</i>	capacity 19: <i>3</i> , <i>4</i>
2801 17:6	< A >	area 16:7, 9	best 19:1 22:4	Capital 13:1
29 22:9	abbreviated 2:4	areas 16:6	betterment 16:8	Capitol 9:12
	ability 22:4	assistance 5:4	bike 9:21	car 10:2
<3>	access 8:3, 16	Associate 15:3	billion 10:19	Carol 3:19
3 12:15 20:7	16:20 17:6	assume 20:2	Bing 2:2 4:5	cars 10:9
3.95 15:21	20:4	astounded 10:6	11:9 13:12	Centennial 9:6
30 7:15 12:10	Accord 13:1	attendance 3:16	14:17 16:10, 14	Center 13:19
15:21 18:2	accuses 13:5	attending 21:1	17:18 19:18	CEO 15:3
32 12: <i>4</i>	achieve 12:16	audio 3:4 22:4,	21:1, 4	CERTIFICATE
3240 9:6	achieving 19:2	7	Board 2:19	22:1
2=10 2.0	act 2:21 4:7, 9,	August 6:3	3:11, 16, 19, 20,	certified 15:4
<4>	14 5:8, 13	20:15 21:14	21 4:1, 2 6:11	certify 22:3, 5
4 21:3	ACTING 3:18	AUTHORITY	9:13 11:18	CHAIRMAN
410-537-6720	activists 13:6	1:7 2:4	13:9 21:10	3:18
5: <i>4</i>	Actual 12:11, 18	1./ 2.7	body 19:10	chance 2:16
J. 4	Actual 12.11, 10		boondoggle 9:8	CHAILCE 2.10
	l		Doundoggie 9.0	I

Changing 14:13 Charles 13:19 Chang 11:2 Chizens 4:20 19:14 13:19 Cheap 11:2 Chizens 4:20 Chizens 4:40 Chizens 4:40 Chizens 4:41 Chizens 4:20 Chizens 4:20 Chizens 4:40 Chizen					
charging 14:13 cheap 11:2 conducting 2:5 chording 14:13 cheap 11:2 cheap	changing 14:3	Condominium	deprivation	8:8	4:6
Conducting 2:5 Congested Congested			_	electronic 1:20	extra 18:18
citizens 4:20	0 0	conducting 2:5	Deputy 13:7		
19:11, 12	_				< F >
Civil 2:21 4:7,	19:11, 12	•		1 '	fabricator 15:4
14 5:8, 9, 13 11:7 consequences 19:16 consider 15:17 clastry 19:16 consider 15:17 closing 13:9 code 13:3, 16 construction 20:42 codes 16:21 continue 4:3 continue 4:4 continue 4:3 continue 4:4 continue 4:3 continue 4:4 continue 4:3 continue 4:4 continue 4:		congestion 9:10			facility 15:17
Class 19:12 Consequences 19:16 Gilla 8:15 Gillingence 12:12 Gilla 8:15 Gillingence 12:14 Consider 15:17 Construction 13:20 17:6 Construction C				email 5:21 6:5	•
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$		consequences	developer 12:12		
Close 11:4, 5 consideration code 8:3, 16 6:6 directly 7:8 codes 16:21 continue 4:3 disability 4:17 come 17:14 continue 6:20 contract 19:6, comes 17:16 contract 19:6, cost 10:12 14:9 discriminate contract 19:6, cost 10:12 14:9 discrimination cost 10:12 14:9 discrimination cost 10:12 14:9 discrimination country 14:10 discrimination 15:11 discrimination country 14:11 discrimination country 14:11 discrimination country 14:11 discrimination country 14:11 deficion country 14:11 deficion count	clearly 7:9	_	_	employee 15: <i>15</i>	_
Colosing 13:9 Consideration 6:6 6:6 directly 7:8 ended 6:20 directly 7:8 ended 8:3, 16 13:20 17:6 construction Director 3:9, 17:8 19:16 18:16 Fayette 15:2 fee 18:18 feoror 9:16 13:20 continues 6:20 disability 4:17 disconnected continues 6:20 contract 19:6, disconnected	•	consider 15:17	diligence 12:14.		Far 13:6 14:6.
code 8:3, 16 6:6 directly 7:8 ends 8:4, 18 favor 9:16 13:20 17:6 14:1 15:6 0.13 21:9 20:6, 16 Fayette 15:2 codes 16:21 color 4:9, 16 20:12 continue 4:3 disability 4:17 disconnected enforcing 19:8 enforcin	,				,
13:20 17:6 Construction 14:1 15:6 16:13 20:6, 16 16:21 16:20 16:21 16:20 17:14 16:20 17:14 16:20 17:14 17:20 17:14 17:20 17:15:17 17:17 17:17 17:17 17:17 17:17 17:17 17:18 17:18 17:19	C	6:6	directly 7:8		favor 9:16
20:4 code 16:21 continue 4:3 20:12 disability 4:17 disconnected enf-to-end 12:3 fee 18:18 enf-to-end 12:3 filles 12:6 fille 12:6 fi		construction		1	18:16
codes 16:21 color continue 4:3 disability 4:17 disconnected end-to-end 12:3 enforcing fee 18:18 fee come 17:14 continues 6:20 contract 6:21 discounts 2:15 contract 7:10 file 5:17 contract 6:21 discounts 2:15 contract 6:21 contract 6:20 contract 6:21 contract 6:20 contract 6:21 contract 6:21 contract 6:20 contract 6:21 contract 6:20 contract 6:21 contract 6:20 contract 6:20 contract 6:20 contract 6:20 contract 6:20 contract 6:20 contract 19:14 contract 6:20 contract 6:20 contract 19:14 contract 6:21 contract 6:22 contract 6:22 contract	20:4		1	20:6, 16	Favette 15:2
color 4:9, 16 come 17:14 20:12 continues 6:20 disconnected 6:21 contract 19:6, accordance 19:6, comes 17:16 discounts 2:15 file surs 5:5 file 5:12 file surs 5:5 file 5:11 22:4 discriminate enter 8:3, 6, 16, file 5:11 22:4 discrimination 7, 11, 20 comment 3:1 correct 22:6 county 14:10 county 14:10 county 14:10 county 14:11 county 14:11 county 14:16 cours 21:6 county 14:16 cours 21:6 county 14:16 cours 21:6 county 14:16 discrimination 12:15 final 14:2 final 19:2 fi	codes 16:21	continue 4:3	1	· /	1
come 17:14 continues 6:20 contract 19:6, 20:19 discounts 2:15 contract 19:6, discounts 2:15 ensure 5:5 contens 7:10 file 5:11 22:4 file 5:12 file 5:11 22:4 file 5:12 file 5:13 13:1 13:1 13:1 13:1 13:1 13:1 13:1	color 4:9, 16	20:12	,		feel 5:12
Common 17:16 Correct 19:6, I1 Correct 22:6 Cost 10:12 14:9 Cost 10:12 14:9 Cost 10:12 14:10 County's 14:11 C	,	continues 6:20	6:21		figures 12:6
coming 10:17 correct 22:6 cost 10:12 14:9 costs 9:9 15:14 costs 9:9 15:14 county 14:10 county 14:10 disproportionate ly 4:8 5:12 county 14:10 counters 13:3 20:14, 17 4:8 5:12 county 14:18 county 14:10 county 14:10 disproportionate ly 4:18 counters 2:11 counters 13:3 20:14, 17 document 10:15 final 14:2 counters 13:3 counter 14:19 course 21:6 cover 14:9 double 7:16 downturns 15:11 create 19:3 current 13:10 committed 6:16 communities create 19:3 current 13:10 commuting 14:4 complaint 5:12 complete 14:15 complete 14:15 complete 5:20 complete 5:20 complete 5:20 complete 14:15 concluded 21:16 concluded 21:16 concluded 21:16 concluded 21:16 conditions 4:15 discrimination 4:8 disproportionate 14:15 county 14:8 disproportionate 14:8 disproportionate 14:8 disproportionate 14:8 disproportionate 14:8 document 10:3 13:9 17:8 final 14:2 entire 8:3, 17 find 9:16 19:12 10:3 13:9 17:8 first 8:7, 21 10:3 13:9 17:8 first 8:7, 21 10:3 11:7	20:19		discounts 2:15	7:10	
coming 10:17 correct 22:6 cost 10:12 14:9 4:15 discrimination 20 17:6 20:3, 4, fill 10:10 final 14:2 fill 10:10 final 14:2 comment 3:1 costs 9:9 15:14 is:15, 20 6:1, 5 county 14:10 costs 9:9 15:14 county's 14:11 disproportionate ly 4:8 si.12 county 14:10 17:19 counte 8:3, 17 final 9:16 19:12 final 19:2 final 14:2 counter 8:3, 17 find 9:16 19:12 first 8:7, 21 lo:3 13:9 17:8 (20:5 21:10 lo:3 11:7, 21 lo:3 11:7, 21 lo:3 13:9 17:8 first 8:7, 21 lo:3 13:9 lower 19:12 five 7:12 8:10 lois 11:7, 21 lo:3 lois 11:7, 21 lo:3 11:7, 21 lo:3 11:7, 21 lo:3 lois 11:7, 21 lo:3 11:7, 21 lo:3 lois 11:7, 21 lois 1	comes 17:16	11	discriminate	enter 8:3, 6, 16,	files 22:7
15:17	coming 10:17	correct 22:6	4:15		fill 10:10
comment 3:1 costs 9:9 15:14 4:8 5:12 entered 16:15 Finally 13:3 5:15, 20 6:1, 5 county 14:10 disproportionate 17:19 financial 19:2 13:3 20:14, 17 couple 8:13 document 10:3 13:9 17:8 find 9:16 19:12 comments 2:16 courtesy 8:8 dollars 10:3 13:9 17:8 firs 8:7, 21 6:2, 4, 8, 17 7:2, courtesy 8:8 dollars 10:19 equal 6:6 14:12 7, 18 8:8 13:21 cover 14:9 dowble 7:16 equity 12:5 five 7:12 8:10 15:5 committed 6:16 CRC 1:18 11:17 18:12 EVENING focusing 9:20 13:21 create 19:3 driver 15:16 13:17 14:21 foregoing entited 22:5	•	cost 10:12 14:9	discrimination	1 ' '	final 14:2
13:3 20:14, 17 couple 8:13 couple 8:13 couple 8:13 course 21:6 12:15 13:1 20:5 21:10 10:3 13:9 17:8 10:3 13:9 13:10 10:3 13:10	comment 3:1	costs 9:9 15:14	4:8 5:12	entered 16:15	Finally 13: <i>3</i>
21:13	5:15, 20 6:1, 5	county 14:10	disproportionate	17:19	financial 19:2
comments 2:11 course 21:6 12:15 13:1 20:5 21:10 10:3 11:7, 21 6:2, 4, 8, 17 7:2, 7, 18 8:8 13:21 cover 14:9 double 7:16 equal 6:6 14:12 14:12 7:12 8:10 14:12 14:12 14:12 14:12 6:0 14:12 14:12 14:12 6:0 14:12 14:12 6:0 14:12 6:0 14:12 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:12 15:11 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:12 6:0 15:11 6:0 6:0 13:21 6:0 14:12 15:12 6:0 15:12 6:0 15:12 15:12 6:0 15:12 15:12 15:12 15:12 6:0 15:12 15:12 15:12 15:12 15:12 15:12 15:12 15:12	13:3 20:14, 17	County's 14:11	ly 4:18	entire 8:3, 17	find 9:16 19:12
Courtesy 8:8 Cover 14:9 Cover 14:9 Cox 3:20 Cox 3:20 Commercial 15:15 Commercial 15:16 Cox 1:18 Committed 6:16 Cox 1:18 Communities Create 19:3 Courtently 15:9 Commuting 14:4 Commuting 14:4 Complete 14:15 Complete 14:15 Complete 14:15 Complete 14:15 Complete 14:16 Complete 14:17 Complete 14:18 Complete 14:19 Compl	21:13	couple 8:13	document	10:3 13:9 17:8	first 8:7, 21
7, 18 8:8 13:21 cover 14:9 double 7:16 equity 12:5 five 7:12 8:10 14:16, 17 Cox 3:20 downturns 19:14 escalation 2:14 15:12 15:12 focusing 9:20 15:12 focusing 9:20 15:12 focusing 9:20 following 13:21 foregoing 2:6 entited 2:5 foregoing 2:6 foregoing 2:6 foregoing 2:6 foregoing 2:6 entited 2:5 foregoing 2:6 foregoing 2:6 foregoing 2:6 foregoing 2:6 entited 2:5 foregoing 2:6 foregoing 3:7 foregoing 3:7 foregoing 3:7 foregoing 3:7 foregoing 3:7 foregoing 3:7 foregoing 4:7 foregoing 3:7 foregoing 4:7 <	comments 2:11	course 21:6	12:15 13:1	20:5 21:10	10: <i>3</i> 11: <i>7</i> , 2 <i>1</i>
14:16, 17	6:2, 4, 8, 17 7:2,	courtesy 8:8	dollars 10:19	equal 6:6	14:12
commercial crap-shoot 19:14 estimating focusing 9:20 15:5 15:11 drive 10:12 15:11 following 13:21 committed 6:16 CRC 1:18 11:17 18:12 EVENING foregoing 22:6 communities create 19:3 driver 15:16 1:10 2:2 11:15 foregoing 22:6 5:6 current 13:10 drivers 9:18 13:17 14:21 entitled 22:5 commuter Currently 15:9 drives 15:14 18:10 entitled 22:5 commuting 14:4 Cynthia 4:2 driving 10:14 examples 11:20 form 6:5 complaint 5:12 CD> excessive 16:3 forward 10:7 complete 14:15 Dante 3:19 < E> execution 4:12 16:8 completed 5:20 date 11:19 easier 11:5 10, 13 4:11 Fran 19:19 concerned days 21:6 East 15:2 14:10 20:3 conclude 7:18 decision 12:13 economic 16:9 expansion 10:4 expected 12:2 futher 22:5 concludes 21:12 delivering 15:16 defective 4:12	7, 18 8:8 13:21	cover 14:9	double 7:16	equity 12:5	five 7:12 8:10
15:5	14: <i>16</i> , <i>17</i>	Cox 3:20	downturns	escalation 2:14	15:12
committed 6:16 CRC 1:18 11:17 18:12 EVENING foregoing 22:6 communities create 19:3 driver 15:16 1:10 2:2 11:15 foregoing 22:6 commuter Currently 15:9 drives 15:14 18:10 Forgetting 9:20 11:21 Cynthia 4:2 driving 10:14 examples 11:20 form 6:5 commuting 14:4 complaint 5:12 cp excess 12:4, 7, 8 forms 5:20 complaint 5:12 cp excessive 16:3 forward 10:7 complete 14:15 Dante 3:19 excessive 16:3 forward 10:7 complete 5:20 date 11:19 execution 4:12 16:8 complete 5:20 day 15:21 easier 11:5 10, 13 4:11 Fran 19:19 concerned day 12:13	commercial	crap-shoot	19: <i>14</i>	estimating	focusing 9:20
communities create 19:3 current 13:10 driver 15:16 drivers 9:18 1:10 2:2 11:15 foregoingentited 22:5 commuter Currently 15:9 Cynthia 4:2 drives 15:14 drivers 15:14 driving 10:14 examples 11:20 form 6:5 forward 10:7 driving 10:14 driving 10:14 excessive 16:3 forward 10:7 driving 10:14 driving 10:14 driving 10:14 excessive 16:3 forward 10:7 driving 10:14 driving 10:14 excessive 16:3 forward 10:7 driving 10:14 driving 10:15 driving 10:14 excessive 16:3 forward 10:7 driving 10:14 driving 10:14 excessive 16:3 forward 10:7 driving 10:14 driving 10:14 formation 10:14 full 7:9 22:6 driving 15:16 driving 10:14 expect 11:21 further 22:5 driving 10:14 driving 10:14 driving 10:14 driving 10:14 driving 10:14 full 7:9 22:6 full 7:	15:5	15: <i>11</i>	drive 10:12	15: <i>11</i>	following 13:21
5:6 current 13:10 drivers 9:18 drives 15:14 13:17 14:21 entitled 22:5 commuter 11:21 Cynthia 4:2 driving 10:14 driving 10:14 due 12:14, 20 texamples 11:20 form 6:5 forms 5:20 forms 5:20 complaint 5:12 complete 14:15 complete 14:15 complete 14:15 complete 14:15 concerned Dante 3:19 day 15:21 day 15:21 decision 12:13 decision 12:13 decision 12:13 percondition 19:15 conclude 21:16 deficiencies East 15:2 conclude 4:12 full 7:9 22:6 future 12:12 conditions 10:11 14:8 demand 10:8 demand 10:8 demographic deforts 9:21 drives 3:21 forms 5:20 forward 10:7 examples 11:21 forms 5:20 forward 10:7 examples 11:20 further 22:5 forward 10:7 examples 11:20 further 22:5 future 12:12 futu	committed 6:16	CRC 1:18	11:17 18:12	EVENING	foregoing 22:6
commuter Currently 15:9 drives 15:14 18:10 Forgetting 9:20 11:21 Cynthia 4:2 driving 10:14 examples 11:20 form 6:5 commuting 14:4 complaint 5:12 < D > excessive 16:3 forward 10:7 complete 14:15 Dante 3:19 < E > exceution 4:12 16:8 completed 5:20 date 11:19 earlier 8:10 Executive 3:9, found 5:2 6:1 completed 5:23 day 15:21 easier 11:5 10,13 4:11 Fran 19:19 concerned days 21:6 East 15:2 expansion 10:4 full 7:9 22:6 conclude 7:18 deficiencies effect 4:8 19:7, expected 12:2 expensive 14:6 19:15 conditional 19:8 demand 10:8 <th>communities</th> <th>create 19:3</th> <th>driver 15:16</th> <th>1:10 2:2 11:15</th> <th>foregoing-</th>	communities	create 19:3	driver 15:16	1:10 2:2 11:15	foregoing-
Cynthia 4:2 driving 10:14 due 12:14, 20 examples 11:20 form 6:5 forms 5:20 excessive 16:3 execution 4:12 16:8 formard 10:7 execution 4:12 16:8 formard 10:7 execution 4:12 formard 10:7 execution 4:12 execution 4:12 formard 10:7 execution 4:12 16:8 formard 10:7 execution 4:12 formard 10:7 execution 4:12 found 5:2 6:1 execution 4:12 found 5:2 6:1 execution 4:11 Fran 19:19 expansion 10:4 full 7:9 22:6 full 7:9 22:6 full 7:9 22:6 full 6:9 expensive 10:11 14:8 expected 12:2 expensive 10:11 14:8 expensive 10:11	5:6	current 13:10	drivers 9:18	13:17 14:21	entitled 22:5
commuting 14:4 complaint 5:12 due 12:14, 20 excess 12:4, 7, 8 excessive 16:3 forward 10:7 forms 5:20 forward 10:7 complete 14:15 completed 5:20 completed 5:20 comply 5:13 concerned 14:11 date 11:19 days 21:6 easier 11:5 logonomic 16:9 expansion 10:4 full 7:9 22:6 Executive 3:9, found 5:2 6:1 logonomic 16:9 expansion 10:4 expansion 10:4 full 7:9 22:6 logonomic 16:9 expansion 10:4 expect 11:21 further 22:5 logonomic 16:9 expected 12:2 future 12:12 logonomic 16:9 expensive logonomic 16:9 logonomic 16:9 expensive logonomic 16:9 logonom	commuter	Currently 15:9	drives 15:14	18:10	
$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	11:2 <i>1</i>	Cynthia 4:2	driving 10:14	examples 11:20	
complete 14:15 Dante 3:19 < E > execution 4:12 16:8 completed 5:20 date 11:19 earlier 8:10 Executive 3:9, found 5:2 6:1 comply 5:13 day 15:21 easier 11:5 10, 13 4:11 Fran 19:19 concerned days 21:6 East 15:2 expansion 10:4 full 7:9 22:6 conclude 7:18 Decker 11:11 19:14 expect 11:21 further 22:5 concludes 21:12 11:20 12 expected 12:2 future 12:12 condition 19:15 delivering 15:16 effective 4:12 10:11 14:8 conditions demand 10:8 efforts 9:21 15:14 Gaines 3:21	commuting 14:4		due 12:14, 20	excess 12:4, 7, 8	forms 5:20
completed 5:20 comply date 11:19 day earlier 8:10 easier Executive 3:9, 10, 13 4:11 found 5:2 6:1 concerned days 21:6 decision East 15:2 economic 16:9 expansion 10:14 expect 11:10 expect 11:10 further 22:6 future 12:15 future 12:15 future 12:15 future 12:12 expensive 14:6 19:15 future 12:15 future 12:		< D >		excessive 16:3	forward 10:7
comply 5:13 day 15:21 easier 11:5 10, 13 4:11 Fran 19:19 concerned days 21:6 East 15:2 14:10 20:3 14:11 decision 12:13 economic 16:9 expansion 10:4 full 7:9 22:6 conclude 7:18 Decker 11:11 19:14 expect 11:21 further 22:5 concluded 21:16 deficiencies effect 4:8 19:7, expected 12:2 future 12:12 concludes 21:12 11:20 12 expensive 14:6 19:15 condition 19:15 delivering 15:16 effective 4:12 10:11 14:8 conditions demand 10:8 efforts 9:21 15:14 <g> conditions demographic elected 7:13 explain 2:20 Gaines 3:21</g>		Dante 3:19	< E >	execution 4:12	16:8
concerned days 21:6 East 15:2 14:10 20:3 14:11 decision 12:13 economic 16:9 expansion 10:4 full 7:9 22:6 conclude 7:18 Decker 11:11 19:14 expect 11:21 further 22:5 concluded 21:16 deficiencies effect 4:8 19:7, expected 12:2 future 12:12 condition 19:15 delivering 15:16 effective 4:12 10:11 14:8 15:14 <g> conditions demographic elected 7:13 explain 2:20 Gaines 3:21</g>	completed 5:20	date 11:19	earlier 8:10	1	found 5:2 6:1
14:11 decision 12:13 economic 16:9 expansion 10:4 full 7:9 22:6 concluded 7:18 Decker 11:11 19:14 expect 11:21 further 22:5 concluded 21:16 deficiencies effect 4:8 19:7, expected 12:2 future 12:12 condition 19:15 delivering 15:16 effective 4:12 10:11 14:8 15:14 < G> conditions demographic elected 7:13 explain 2:20 Gaines 3:21	comply 5:13			10, 13 4:11	
conclude 7:18 Decker 11:11 19:14 expect 11:21 further 22:5 concluded 21:16 deficiencies effect 4:8 19:7, expected 12:2 future 12:12 concludes 21:12 11:20 12 expensive 14:6 19:15 condition 19:15 delivering 15:16 effective 4:12 10:11 14:8 < G > conditions demand 10:8 efforts 9:21 15:14 < G > conditions demographic elected 7:13 explain 2:20 Gaines 3:21	concerned	days 21:6	East 15:2	14:10	20:3
concluded 21:16 concludes 21:12 concludes 21:12 condition 19:15 conditional 19:8 conditions deficiencies effect 4:8 19:7, 12 expensive 12:12 expensive 14:6 19:15 expected 12:2 expensive 14:6 19:15 future 12:12 14:6 19:15 conditional 19:8 conditions demand 10:8 demographic effective 4:12 expensive 15:14 15:14 15:14 explain 2:20 <g> Gaines 3:21</g>	14: <i>11</i>	decision 12: <i>13</i>		expansion 10:4	full 7:9 22:6
concludes 21:12 condition 19:15 conditional 19:8 conditions 11:20 delivering 15:16 demand 10:8 demand 10:8 demographic 12 defective 4:12 defective 4:12 demographic 14:6 19:15 demographic 12 conditions demographic effective 4:12 demographic demographic 10:11 14:8 demographic demographic 4:6 19:15 demographic			19: <i>14</i>	_	
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$			1	_	
conditional19:8demand10:8efforts9:2115:14< G >conditionsdemographicelected7:13explain2:20Gaines3:21				_	14:6 19:15
conditions demographic elected 7:13 explain 2:20 Gaines 3:21		_			
15:10 18:15 5:5			elected 7:13	explain 2:20	Gaines 3:21
	15: <i>10</i> 18: <i>15</i>	5:5			

Gallant 9:1	hear 8:4, 18	increase 9:8	keep 10:6	
11:11, 12, 15	18:6	14:6	keeps 10:17	< M >
Gangemi 4:1	heard 7:11	increases 10:5	kind 10:6	mail 5:21 6:5
gas 9:11	HEARING	indiscernible	14: <i>14</i>	mandatory
getting 8:14	1:10 2:2, 3, 7, 8,	9:19 10:18	know 7:1	15:20
10: <i>15</i> 15: <i>15</i>	10, 17, 20 3:2, 3,	11:6 13:8	10:21 14:5	manner 6:18
16: <i>11</i>	5, 15, 17 4:4	15:19	15:12, 19, 20	March 12:20
give 16:20	5:17 6:4, 7, 10,	induced 10:8	18:4	margin 18:15,
given 6:6 8:9,	13, 14, 16 7:2, 3,	industry 15:6,	known 16:5	21 19:6
10	7, 8, 18 17:12	18		margins 12:6
go 7:4 8:12, 20	18:5 20:12, 16	information	<l></l>	Mario 4:1
10:20 11:10	21:5, 16	5:2, 7 12:9	lane 14:12	mark 18: <i>13</i>
13:13 14:18	hearings 11:18	16:20 17:2	lanes 9:21 10:9	MARYLAND
16:19 17:3, 13,	21:2, 6, 7	informed 12: <i>13</i>	language 6:19,	1:7 2:4 9:7, 11
19 19:19 20:9,	heavily 15:10	in-person 21:7	20	12:8 14:11
18	heavy 15:5	inspector 15:16	law 13:8	15:2, 7 18:12
goal 12:17	help 5:5 8:1,	instructions 4:4	laws 4:11 5:9	19:8, 11, 16
goals 12:18	14 13:4, 7	interest 9:16	leaving 5:18	materials 2:17
going 8:12, 20	high 4:18	12:19	Lee 3:21	11:21 16:2
10:9, 11, 12	18:13	interested 2:10	left 13:6 18:5	matter 22:5
11:10 13:13	highway 9:8	4:21 6:8 7:7	legal 19:10	maximize
14:8, 13, 18	10:4, 9 15:5	17: <i>1</i>	legally 18:19	12:16, 17
15:12 16:19, 20	highways 15:10	interests 19:2	LEGION 1:9	maximizing
17:1, 13, 19	history 10:4	internal 12:5	2:7, 13 3:7 6:9	12:19
18:6 19: <i>19</i>	hit 17:9 20:6	internet 3:4	legitimate 13:5	MDOT 13:7
20:9, 18	hope 2:16	6:11	level 4:17	19:6 21: <i>1</i>
Good 2:2 11:8,	hour 12:3	introduce 2:19	limit 7:12	MDTA 2:4, 5, 9,
<i>15</i> 13: <i>17</i> 14:2 <i>1</i>	15:2 <i>1</i>	3:9, 11, 16 7:14	limited 5:19	19 3:10, 11, 13,
18: <i>10</i> 21: <i>15</i>	hourly 15:17	invite 5:4	line 3:2	16, 18, 19, 20, 21
governing 19:10	housing 11:2	involved 5:1	listen 7:3 8:3,	4:1, 2, 5, 13, 20
government	hundreds 14:7	issue 10:8	17 17:8 20:5	5:12, 13, 21 6:1,
4:10	hurts 16:3	issues 6:15	listening 6:12	11 11:18 19:5
governor 13:5		13:5	16:21 21:10	21:10
greater 18:21	<i></i>	Item 11:21	little 19:10	MDTA.marylan
greenhouse 9:11	I270 2:7, 13	12:4	live 3:2, 3 7:3	d.gov/alb270tolls
grounds 4:16	3:7 6:10		9:6 11:2, 3, 4, 5,	etting 2:18 5:3
group 9:16	I-270 1:9	< J >	16 13:18	6:2 7:5
groups 4:20	I370 2:7, 13	job 11:4 15:20	lives 16:5	MDTA's 3:7
guarantees 19:6	3:8 6:10	John 11: <i>11</i>	livestream 6:11	4:15, 17 7:4
guess 20:2	I-370 1:9	13:13, 14, 17	local 18:19	means 10:8
guidance 4:11,	identify 2:21	J-O-H-N 13:18	locations 15:7	meet 10:2
14	illustrative	joined 7:2	long 9:14	MEMBER
	12: <i>11</i>	joining 3:14	long-term 16:8	3:19, 20, 21 4:1,
< H >	impact 16:4	JULY 1:11	looks 10:17	2 5:11
half 10:18	impacts 4:19	22:9	lot 9:17	Members 2:19
Hallin 8:21 9:5	important 6:14	jurisdictions	low 12:1	3:16 6:11, 17
H-A-L-I-N	15:19	13:7	Lower 19:12	18: <i>16</i> , <i>17</i>
9:6	includes 2:13		low-income	mention 16:4
health 16:5	including 15:9	< K >	4:19	mentioned 3:12
	income 4:17			

mentions 12:5,	10:13	Once 8:2, 4	payments 19:5	preliminary
21	natural 4:9, 16	19:11 20:5	pedestrian 10:1	12:14, 20
message 5:19	Naumaan	online 5:5, 20	Pedestrians	present 2:20
8:4, 17, 18 9:2	13:14 14:18	open 3:2 17:12	9:19	President 15:3
11:12 13:14	15:1	20:15 21:13	Penny-Ardinger	press 8:5, 6, 18,
17:8 18:7 20:5,	N-A-U-M-A-A-	opening 8:11	4:2	19
6	N 15:1	opportunity	people 4:16	previously
methods 6:5	near 11:2	4:21 6:17	8: <i>14</i> 9: <i>17</i> 10:2,	13:21
Metro 13:20	need 5:4 8:15	19:13	21 11:2, 5 14:4,	price 18:17
Mid-Atlantic	10:2, 7 11:6	oppose 9:7	7, 14 16:1, 16	primarily 15:5
15:6	17:2, 3, 6 18:5	13:10	20:10, 14, 17	principals 4:13
middle 19: <i>12</i>	neighborhood	option 15:18, 20	period 7:19	print 12:10, 21
mile 10:12	18:20	options 8:5, 18	20:14 21:13	priority 8:9
miles 12:2	never 10:4	10:1	person 7:20	private 18:14,
Miller 19:19,	15:12	order 12:16	8:7 17:20	20 19:7
20 20:1, 3	night 21:15	18:17	personal 16:5	procedures 3:2
Miller's 19:20	non-	orderly 6:14, 18	perspective 16:9	Proceedings
million 10:18	discrimination	orders 4:11	PHASE 1:8	1:20 22:4
Milton 8:21	5:9	organization	2:6, 12 3:7 6:9	PROCESS 1:8
9:1, 5	non-elected	7:10 9:3 11:14	12:12	2:14 5:1, 7
M-I-L-T-O-N	19:9	13:16 14:20	phone 3:2, 4	11:19 13:10
9:6	Northern 15:7	18:9	6:11 7:9 17:4	21:2
mine 15:9	noted 8:9	origin 4:9, 16	20:4	produced 1:21
minority 4:19	number 8:15,	outside 19:13	place 10:3 11:7	22:7
minute 7:11, 12	19 9:10 17:4,	owner 16:7	plan 9:14 19:2	product 15:16
minutes 5:19	10 20:4, 7		Planning 9:13	profane 6:18, 20
8:10 15:12, 13,	,	< P >	14:6	professional
21 18:1	<0>	p.m 6:3 17:13	plans 10:7	6:13, 18
Monday 21:7	objectives 4:12	20:15 21:3, 4,	please 4:3 5:9	profit 12:5
money 9:17	obvious 19: <i>16</i>	14	7:4, 8 8:3 9:2	18:13, 14, 21
15:9	obviously 18:15	P3 12:17, 18	11:7, 12 13:14	19:6
Monroe 13:18	October 12: <i>14</i>	13:4, 8 18:13	14:18 18:8	profitable 19:4
Montgomery	Offensive 6:18,	packet 12:9	plenty 20:13, 16	program 12: <i>17</i> ,
14: <i>11</i>	19	page 12:9, 15	pm 21:3	18
move 7:20 16:7	OFFICER 2:2,	pages 12:21	point 7:17 8:5	programs 4:15,
multiple 5:15	3, 7 4:5 6:13,	pandemic 14:5	16:14 18:6	18
	16 7:18	part 3:5	20:1 21:5, 11	prohibit 4:8
< N >	official 2:11	participation	policies 4:15, 17	project 2:18
name 3:13 7:9	3:4	3:15 18:21	pollution 9:10	3:6 5:2 9:7, 13,
9:2, 5 11:13, 15	officials 7:13	particularly	poor 14:14	<i>15</i> 10: <i>10</i> , <i>15</i>
13:15, 17 14:18,	8:9	19: <i>13</i>	populations	11:7 13:4, 8
<i>19</i> , <i>21</i> 15: <i>1</i>	Oh 19: <i>19</i>	parties 2:11	4:19	15:8 16:8
16:11 18:8, 10	Okay 8:11	4:21 6:8	Ports 3:10, 12,	projected 14:4
20:3 22:8	11:9 13:12	partner 18:14,	13 4:3 21:10	prompted 8:6
Nasir 13: <i>13</i>	14:17 16:10, 13	20 19:7, 9	pound 17:7	17:9 20:6
14: <i>18</i> , <i>21</i> 15: <i>1</i> ,	17:18 19:18, 20	partnership	20:5	Proposal 2:12,
<i>3</i> 16: <i>13</i>	21:4	18: <i>13</i> 19: <i>1</i>	Powell 3:18	17 3:1 4:7
N-A-S-I-R 15: <i>1</i>	Ollie 18:7, 10	pay 10:16, 20	pre-agreement	5:16 6:9, 15
National 9:12	O-L-L-I-E	12:1 18:18	19:6	13:10 20:18
	18:11			proposed 2:13

proposition	ranges 2:14	remarks 8:11	<s></s>
14:8	Ranging 21:2	remember 7:8	saddle
pro-traffic 13:6	RATE 1:8 2:6,	remind 20:14	Salom
provide 2:11	14 3:8 5:1, 7,	reminder 21: <i>13</i>	save
4:11, 20 5:16,	<i>15</i> 6:9 12: <i>1</i> , <i>5</i> ,	remove 9:13	Saxe
<i>17</i> 6:8, <i>17</i> 7:3,	<i>15, 17</i> 15: <i>17</i>	repeat 8:13	says
9 8:1, 8, 10, 12	21:1	17:5	Sean
9:3 11:13	rates 12:10, 11	report 12:21	second
14:19 16:16, 18,	14: <i>1</i>	represent 7:10	17:2 <i>1</i>
20 17:1, 4, 11,	reaching 5:6	representing	second
20 18:1, 8	realized 19: <i>15</i>	9: <i>4</i> 11: <i>14</i>	<i>16</i> 18
20:13 21:9	really 9:15	13:16 14:20	Secret
provided 21:11	10:7, 10, 11, 15,	18:9	Section
providing 6:16	19	reset 13:9	see 10
7:14 9:21	reap 18:20	resident 16:7	seeks
PUBLIC 1:10	rearranges 19:3	18:11	seen
2:8, 10, 12, 16,	reasonable 4:21	residential 16:9	sent 5
20 3:3, 5, 6	receive 12:8	residents 19:9	seriou
5:11, 17 6:8, 10,	received 6:3, 4	response 2:8	serve
12, 14, 17 7:3,	recess 16:19	responsible 4:13	service
<i>12</i> 10: <i>1</i> , <i>14</i>	17:14, 16, 17	results 11:19	Servic
12:6, 19 13:2	20:9, 19, 20, 21	return 12:5	servin
18: <i>15</i> , <i>16</i> , <i>17</i>	reckoned 12:16	revenue 12:8,	SESSI
19: <i>1</i> , <i>4</i> 20: <i>14</i>	record 2:12	<i>19</i> 18: <i>14</i>	5: <i>17</i>
21:2, 5, 6, 9, 13	3:6	revenues 12:4,	session
public's 19: <i>1</i>	recorded 1:20	7, 17	21:3, 8
purpose 2:10	3:4 7:8	reversal 14:12	set 12
6:7	recording 1:20	reverse 14: <i>13</i>	SETT
purposes 12:11	redress 19:10	review 2:16	3:8 5
pursuing 9:15	reduce 9:10	3:1, 6 5:9	11:19
push 10:7	11: <i>1</i>	right 5:11	20:18
put 4:8 19: <i>12</i>	reduces 10:4, 5	17:12, 13, 16	sex 4
	regarding 5:8	20:8	sharin
< Q >	Region 9:12	Rights 2:21	side 1
questions 5:3	regions 15:6	4:7, 14 5:8, 9,	sides
7:1	region's 9:14	13	sign
queue 7:21 8:2,	register 7:6	righty 16: <i>14</i>	signifi
<i>14</i> , <i>20</i> 16: <i>16</i>	17:3	road 16:2	single
17: <i>11</i> , <i>16</i> , <i>19</i>	registered 7:4	roads 10:2, 20	sitting
19:2 <i>1</i> 20:8, 9,	16:16 20:10	18:19	situati
11, 20	regulations 4:11	Rockville 11:17	situati
quote 13:6	related 2:17	13:20 18:12	small
	4:14 5:14 6:15	21:7	social
< R >	relates 4:6	role 6:13, 15	soft 2
race 4:9, 16	relieve 9:9	Room 12:9	sooner
RANGE 1:8	remain 17: <i>12</i>	run 6:13	20:19
2:6 3:8 5:1, 7,	20:15 21:13	running 2:8	sought
<i>16</i> 6:9 9: <i>14</i>	remaining 4:4	rush 12:3	sound

7:15, 16 18:3, 4

source 9:11 **ed** 19:*14* 18:*14* non 1:18 **SOUTH** 1:8 15:2*1* 2:6, 12 3:7 6:9 22:3, 13 12:12 12:1, 10 speak 8:9 3:18 speaker 6:21 **d** 2:5 9:1 8:2, 6, 8, 12, 14 17:10, 16 19:21 ds 7:15, 20:20 8:2, 4 Speaker's 8:20 tary 13:7 16:15 17:19 20:7, 9, 11 on 12:*12* 0:15 specific 11:20 4:20 **spell** 9:2 13:15 10:3 14:19 18:8 5:20 **Spelled** 11:16, *17* 13:*18* 15:*1* ısly 6:*16* 12:19 18:11 **spelling** 11:*13* **ce** 1:21 **spend** 15:20 ces 1:18 **15:5 spending** 15:18 **ION** 1:10 stakeholder 21:5, 12 4:20 ns 2:6 **stands** 13:10 8 star 8:5, 18, 19 2:12, 15, 17 17:9 20:6 **TING** 1:8 **start** 7:13 18:5 5:1, 7 state 9:2, 21 9 13:10 11:12 13:14 8 21:2 18:8 19:7, *13* 4:16 **stated** 13:21 ng 12:7 **States** 4:10 18:19 12:15 16:6 **Station** 13:20 15:8 17:7 **statues** 5:14 icance 4:6 statutes 4:10 7:14 **steel** 15:4 g 16:2 streamed 3:3 ion 14:*1* **street** 11:3 ions 19:2 13:19, 20 15:2 12:10, 21 strongly 9:7 18:*13* 14:12 2:14 **study** 10:11 r 17:*15* subcontractors 16:2 t 19:*11* **submit** 20:17 ound 1:20 subscribed 22:8 7:15, 16 subsidiary 19:5 **sounds** 18:2, 3 supplier 15:4

11:19 21:2

	1	l	1
support 4:9	12:16	TRANSPORTA	voluntary 5:5
11: <i>18</i> 12: <i>13</i>	Thursday 6:3	TION 1:7 2:4	voted 9:13
14:12	Tim 3:10, 13	9:12, 14 18:18	
supporters 13:4	time 7:11, 12,	travel 10:2, 5	< W >
supporting	13, 19 8:7 10:5	15: <i>11</i>	want 3:14
11:20	15:9, 11, 14	trip 12:3 15:15	6:21 8:13 9:17,
supposed 10: <i>16</i>	16: <i>3</i> 18: <i>4</i>	truck 15:16	18, 19 10:20
survey 5:5	20:13, 17 21:9	19:3	11:1 16:19
	times 10:13	true 22:6	17:20 20:14
< T >	14:3	trying 10:6	warning 6:19
tag 18: <i>17</i>	Title 2:20 4:5,	19:2 <i>1</i>	waste 15:14
take 5:4 6:15	6, 7, 12, 13 5:1,	two 2:5 21:6	Way 9:6
15: <i>12</i>	8, 10, 13	typical 12: <i>3</i>	ways 2:21
tax 19:16	today 7:2 21:7		5:15, 21
taxation 14: <i>14</i>	today's 3:17	< U >	webpage 2:18
taxes 10:19	6:10 21:2	U.S 5:21 6:5	3:8 5:2
taxpayer 9:9	TOLL 1:8	Um 8:12	website 6:1
testimony 2:5,	2:14 3:8 5:1, 7,	unable 7:18	7:5 17:3
11 3:3, 5 5:16,	<i>15</i> 6:8 11: <i>19</i>	18: <i>17</i>	welcome 2:9
<i>17, 18</i> 6: <i>4, 12</i>	12:1, 2, 4, 10, 11	understand	8:3, 4, 17 17:8
7:4, 12, 14, 17,	13:9 14: <i>1</i>	6:14	20:5, 6
20 8:10, 12	20:17 21:1	United 4:10	well 16:1, 5
11:9 13:12	Tolling 2:6, 12,	16:6	We're 8:20
16: <i>17</i> , <i>18</i> 17: <i>1</i> ,	17 3:1 4:7	unknowns	11:10 13:12
<i>4</i> , <i>11</i> , <i>20</i> 18: <i>1</i> ,	6:15	14:10	14:17 15:4
<i>12</i> 19: <i>17</i> 20: <i>13</i>	tolls 10:16	unnecessary	17:18 19:18
21:9, 11, 12	14:13 18:17	16:3	20:18
Thank 3:12, 14	tone 7:15, 16	unwilling 18:18	We've 10:3
4:3 9:5 11:9,	18:2, 3	update 17:15	William 3:20
<i>17</i> 13: <i>11</i> , <i>12</i>	tones 18:6	upholding 4:13	wish 13:3
14:16, 17 16:10	Tonight 2:19	Urbana 9:7	WITNESS 22:8
19:18 21:1, 8, 9,	3:14 4:4 17:13	urge 13:9 16:7	work 9:20
15	20:12, 16	use 17:5 18:17,	11:3, 5 15:16
THEREOF	tonight's 2:3, 8	19	worst 16:6
22:8	3:3		worth 9:15
thing 14:5, 7, 12	total 12:2	< V >	16: <i>1</i>
things 8:13	15: <i>11</i>	venture 19: <i>4</i>	wrap 7:17, 19
think 8:13	traffic 9:9	verbal 5:16 6:4	18:5
9:20 10:11, 19	10:5 11:1, 4, 6	version 13: <i>1</i>	wraps 8:11
14: <i>10</i> 19: <i>21</i>	16:6	versus 14: <i>14</i>	written 20:17
21:5	transcribed	VI 2:20 4:5, 6,	
thoughtful	22:3	7, 12, 13 5:1, 8,	< Y >
21: <i>11</i>		10, 13	yeah 11:3, 7
thousands 14:7	TRANSCRIBER'	View 8:7	
threatens 13:7	S 22:1	Virginia 15:8	< Z >
three 5:19	Transcript	Virtual 12:9	Zip 13:20
7:11 8:6, 19	1:21 3:5 22:6	Vivian 22:3, 13	_
17:10 18:1	Transcription	voicemail 5:19	
throughput	1:18, 21	volume 14:5	
J .	transit 10:1		
	•	•	•