



# Talbot County, Maryland



Easton, Maryland

MINUTES – AS AMENDED

May 11, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, County Manager R. Andrew Hollis and County Attorney Michael Pullen. Council member Corey W. Pack was absent.

- I. Agenda – Agenda of May 11, 2010 was approved upon motion by Mr. Duncan, seconded by Mr. Foster, with the Council voting 4 - 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- II. Minutes – Minutes of April 27, 2010 and May 4, 2010 were approved upon motion by Mr. Bartlett, seconded by Mr. Foster, with the Council voting 3 -0-1 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Abstain  
Mr. Foster – Aye  
Mr. Bartlett – Aye

Mr. Duncan abstained from voting as he stated he had not been present at the meeting on April 27, 2010.

- III. Disbursements – Disbursements of May 11, 2010 were approved upon motion by Mr. Bartlett, seconded by Mr. Duncan, with the Council voting 4 - 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- IV. Proclamation: May as Drug Court Month in Talbot County – The Honorable Broughton M. Earnest, Judge of the Circuit Court of Maryland for Talbot County; Glen Plutschak, Talbot County Drug Court Coordinator. The Clerk read a proclamation into the record in recognition of May as Drug Court Month in Talbot County. The Juvenile, Family and Adult Drug Courts combine judicial accountability and evidenced-based treatment as an intervention for substance abuse. Since becoming operational in Talbot County in 1998, the Drug Court has been deemed highly successful in reducing the rate of recidivism. Mr. Harrison introduced various individuals and community agencies that comprise the team approach to substance abuse intervention in Talbot County. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the Proclamation by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Pack - Aye

Judge Earnest thanked the County, all those present, and others, for their strong support of the drug courts. Mr. Foster presented the Proclamation to Glen Plutschak who accepted on behalf of all the individuals and agencies present.

- V. Proclamation: National Safe Boating Week, May 22-28, 2010 – Clyde Culver, Flotilla Commander, U.S. Coast Guard Auxiliary Talbot County; Bill Whiting, Vice Flotilla Commander, U.S. Coast Guard Auxiliary, Talbot County; Stan Lewis, Public Affairs Officer, U.S. Coast Guard Auxiliary Talbot County - The Clerk read a proclamation into the record in recognition of National Safe Boating Week, the goal of which is to emphasize the importance of the wearing of life jackets and the application of safe boating practices to vessel operations. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the Proclamation by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

Mr. Bartlett presented the Proclamation to Mr. Culver and Mr. Whiting who accepted on behalf of the U.S. Coast Guard Auxiliary, Talbot County.

- VI. Proclamation: National Emergency Medical Services Week, May 16-22, 2010 – Clay Stamp, Director, Emergency Services; Brian LeCates, Director, Emergency Medical Services; Tim McNeal, Deputy Director, Emergency Management; Will Howard, President, Talbot County Paramedic Association; John Hanes, Vice Chairman, Talbot County Fireman’s Association; Judy Micheliche, EMS Supervisor, Talbot County Emergency Medical Services – The Clerk read a proclamation into the record in recognition of National Emergency Medical Services Week. The proclamation emphasized the vital role and accomplishments of emergency medical services system in communities, as well as the dedication and training of medical services teams. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the Proclamation by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

Mr. Duncan presented the Proclamation to Clay Stamp who accepted on behalf of Talbot County Emergency Services.

- VII. Update from Mid-Shore Mental Health Systems, Inc. – Joe Newell, Executive Director, Mid-Shore Mental Health Systems, Inc. – The update was postponed to a later date at the request of Mr. Newell.

- VIII. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION OF THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND ASSIGNING RECOVERY ZONE FACILITY BOND ALLOCATION TO THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE FACILITY BONDS was brought forward for introduction. Prior to introduction of the administrative resolution, Paige Bethke, Director of the Talbot County Office of

Economic Development, briefed the Council on the purpose of the administrative resolution, to assign Talbot County's allocation of American Recovery and Reinvestment Act Recovery Zone Facility Bonds in the amount of \$2,199,000 to the Maryland Industrial Finance Authority as Talbot County has neither the staffing nor the expertise to internally issue bonds. Ms. Bethke stated that the Maryland Industrial Finance Authority will work with a financial institution for the issuance of the bond for the project, adding that there had been only one submittal, by the Gannon Family Limited Partnership & PetrieRoss Ventures, for a tractor supply store. She stated that an Administrative Resolution approved by the Council on December 22, 2009 had designated the towns of Easton, Oxford, St. Michaels, Tilghman and Trappe as Recovery Zones, described as areas exhibiting signs of poverty, unemployment, foreclosure rates and general distress, and which had sewer capacity to absorb a project of this magnitude. Requirements for the Recovery Zone Facility Bond include that the project already be permitted and that the project break ground by December 31, 2010. Upon motion by Mr. Bartlett, seconded by Mr. Foster, the Council approved the Administrative Resolution as read into the record by voting 5 – 0 as follows:

Mr. Harrison- Aye  
Mr. Pack – Aye (via ballot)  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

IX. Introduction of Administrative Resolution and Public Hearing:

An Administrative Resolution on SHORE UP! INC.'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR FUNDING TO PROVIDE FOR THE ADDITION OF THREE CLASSROOMS AND OFFICE AREA TO THE EASTON ELEMENTARY SCHOOL – DOBSON BUILDING FOR THE EASTON HEAD START PROGRAM was read into the record. Ms. Jessica Morris of the County Manager's Office advised Council that Talbot County is sponsoring SHORE UP! INC.'S grant application. Mr. Dean Burrell, Director of SHORE UP! Inc., briefed the Council on the purpose of the grant application, to provide funding for the addition of three classrooms to the Easton Elementary School – Dobson Building which will serve as a central location for participants of the Easton Head Start Program; no County funding is required; currently Easton participants are served at the Jowite Street location and to a church hall in St. Michaels. The Administrative Resolution was introduced by Mr. Bartlett, Mr. Duncan, Mr. Foster, and Mr. Harrison, and the public was afforded an opportunity to comment on the Administrative Resolution. The Council approved the Administrative Resolution as presented by voting 5 – 0 as follows:

Mr. Harrison – Aye  
Mr. Pack – Aye (via ballot)  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

X. Presentation on Development Impact Fees – Angela Lane, Finance Director – Ms. Lane briefed the Council on development impact fees collected and disbursed through December 31, 2009. She report that since the inception of the program in FY 2005, the County has collected \$5.4 million, of which \$4.7 million has been dispersed. Ms. Lane stated that development impact fees are assessed on new development in the County and provide an additional revenue source to the County to fund capital improvement projects and upgrades to infrastructure. She advised that development impact fees have been applied to the library renovation project, the Talbot County Community Center debt service, St. Michaels schools debt service, the Talbot County Senior Center, Chesapeake College facility renovations, Black Dog Alley upgrades, Glebe Road upgrades and Dutchmans Lane upgrades. Ms. Lane advised the Council that effective January 1, 2010, impact fees will be adjusted to account for inflationary changes in the cost of providing facilities. Mr.

Foster stated that he had recently attended a presentation on development impact fees, adding that it was the opinion of the expert making the presentation that studies on the structure of impact fees become outdated more quickly than originally thought and do not accurately reflect all costs associated with development. Council discussion ensued. At Council's request, Ms. Lane will contact TischlerBise, who previously performed an impact fee feasibility study for the County, and Mr. Eben Fodor of Fodor and Associates, to ascertain their current recommendations for re-evaluation of the County's current impact fees.

XI. County Manager's Report:

- A. Bid 09-29, 24-HOUR AMBIENT NOISE STUDIES FOR THE RENEWABLE ENERGY DEMONSTRATION PROJECT AT THE TALBOT COUNTY BIO-SOLIDS UTILIZATION FACILITY, EASTON, MARYLAND - Mr. Hollis requested Council approval to award Bid No. 09-29 to the low bidder, Rummell, Klepper and Kahl, LLP in the sum of \$14,082.13. Ray Clarke, County Engineer, advised that Rummell, Klepper, and Kahl's low bid was actually \$16,428.13, but that \$2,000 had already been expended for sound testing as required by the Talbot County Board of Appeals. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the award by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- B. Talbot County Blue Ribbon Commission Oversight Committee – Mr. Stamp requested Council approval for the appointment of Connie Loveland to a three-year term on the Blue Ribbon Commission Oversight Committee; said term will expire April 1, 2013. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the appointment by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- C. Talbot County Emergency Services Advisory Board – Mr. Stamp requested Council approval for the appointment of Michael Kopen to the Emergency Services Advisory Board as a representative of St. Michaels District to complete the unexpired term of James Camarata; said term will expire January 1, 2011. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the appointment by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- D. Talbot County Short Term Rental Review Board – Mr. Stamp requested Council approval for the appointment of Jonathan West to the Talbot County Short Term Rental Review Board. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the appointment by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- E. Talbot County Department of Social Services Board of Directors – Mr. Stamp requested Council approval for the reappointment of Carrie Gould-Kabler, Pamela Clay, and Frederic Petze to three-year terms on the Talbot County Department of Social Services Board of Directors; said terms will expire June 30, 2013. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the reappointments by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- F. Upper Shore Workforce Investment Board – Mr. Stamp requested Council approval for the appointment of Randy Satchell to the Upper Shore Workforce Investment Board as a representative of the private sector to complete the unexpired term of Tracey Morris; said term will expire June 30, 2011. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the appointment by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

- G. Federal Emergency Management Agency Funding – Mr. Stamp advised the Council that Governor O’Malley’s request for disaster reimbursement funding from the Federal Emergency Management Agency (FEMA) had been granted. Talbot County, its municipalities and non-profit agencies can now qualify for reimbursement of up to 75% of eligible expenses related to snow removal and emergency operations during a 72-hour timeframe during snow events between February 5, 2010 and February 11, 2010.

Following the County Manager’s Report, Mr. Harrison commented that it was Mr. Hollis’ last County Manager’s Report as he is leaving County employment. Mr. Harrison extended an invitation to County department heads and staff to attend a reception in Mr. Hollis’ honor on Friday, May 14, 2010 at 12:00 noon. Mr. Harrison thanked Mr. Hollis, on both a personal and professional level, for his service to the County for the past 11 years, describing the service as “top notch” and “above and beyond the call of duty.”

XII. Council Comments:

Mr. Duncan - Mr. Duncan stated that, in his opinion, Mr. Harrison had said it all. He thanked Mr. Hollis for his dedicated service to the County, stating it had been a pleasure to have worked with him, adding that he had done “a sterling job,” adding that one could not have asked for more from him. He continued that, in his opinion, he will be missed by the County employees, adding that it will be a tough job to find a replacement with Mr. Hollis’ capabilities. He concluded his comments by stating that he is sure Mr. Hollis will invest

himself as much in his new position as he had done with the County and wished him good luck in his new job.

Mr. Bartlett - Mr. Bartlett stated that, in his opinion, Mr. Hollis deserved more accolades than the Council could express as a group. He continued that when he had first become a Council member, his orientation as a newly elected official had been, in his opinion, unbelievable, adding that he had learned so much about how government works from the example exhibited by how Mr. Hollis did his own work on a daily basis. Mr. Bartlett stated that it was reassuring knowing that Mr. Hollis was overseeing the work of the County on a day-to-day basis and that everything ran well and efficiently. He continued that, in his opinion, it is no accident that the County has the employees it does; it is because Mr. Hollis has assembled the group and because of the manner in which he has led the County. Mr. Bartlett concluded his comments by wishing Mr. Hollis luck in his future endeavors.

Mr. Hollis expressed his appreciation for Council's kind remarks, adding that staff is the strength of the County.

Mr. Foster - Mr. Foster recalled the time almost 12 years ago when he and Mr. Harrison has just been elected to their first term and the County Manager had recently resigned. He stated that, in his opinion, Mr. Hollis had done a superior job as County Manager and he agreed with all his colleague's comments. He wished Mr. Hollis the best, thanked him for the professional courtesies shown and for his advice and guidance through the years. He continued that, in his opinion, Mr. Hollis had provided wonderful service to the County and attributed the high morale of County employees to the individual who "keeps the ship on a straight course." Mr. Foster also commented on the recent passing of Oxford Police Chief James Borga, adding the Chief Borga had previously served as a bailiff in the Circuit Court. Mr. Foster continued that, in his opinion, Chief Borga had been exactly the type of police chief the Town of Oxford needed and his contributions to the County were many.

Mr. Harrison - Mr. Harrison echoed Mr. Foster's sentiments on Chief Borga, adding that he was a friend and that his death is a great loss to Talbot County. Mr. Harrison stated that the St. Michaels High School baseball team would be travelling to the Shorebirds Stadium in Salisbury to participate in the Bayside Conference championship where they will play James M. Bennett High School.

IX. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council voted to adjourn into Executive Session for discussion of legal, personnel and real estate matters to reconvene in a Work Session on the budget at 3:30 p.m. and to reconvene in Executive Session on Tuesday, May 25, 2010 at 12:30 p.m. for discussion of legal, personnel, and real estate matters by voting 4 – 0 as follows:

Mr. Harrison – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett – Aye

The meeting adjourned at 2:56 p.m.

X. On Tuesday, May 11, 2010 an Executive Session of the Talbot County Council convened at 12:55 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council met in Executive Session by voting 3-0-2 as follows:

Mr. Harrison – Not present  
 Mr. Pack – Not present  
 Mr. Duncan – Aye  
 Mr. Foster – Aye  
 Mr. Bartlett – Aye

Mr. Harrison arrived at 1:07 p.m.

In accordance with State Article §10-508(a)(1)(i)(3)(7)(8) the purpose of the Executive Session was for discussion of personnel matters to discuss resumes for the County Manager; and to discuss appointments to various County boards and committees; for a legal matter to consult with the County Attorney on pending litigation involving the County; and for a real estate matter to discuss proposed agreement with Friends of Neavitt for use of community center in Neavitt. The meeting recessed at 1:30p.m., and reconvened at 3:05 p.m. The Executive Session ended at 3:30 p.m.

The transcript of the May 11, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

**CASH STATEMENT 5/11/2010**

<b>BALANCE 5/4/2010</b>	\$5,278,591.23
POSTAGE WIRE/TOURISM	(1,000.00)
INTEGRA 5/2010	(10,656.52)
GOLF COURSE EQUIPMENT LEASE 5/2010	(1,309.20)
UTMC QTRLY BOND	(2,833.00)
UHC CLAIM THRU 5/4/2010	(28,698.00)
STATE REPORT 4/2010	(66,944.51)
RETURNED CHECK	(2,000.00)
PAYROLL-FD/SS/MS WH 5/7/2010	(2,819.37)
MD WH	(604.52)
PENSION DED	(184.17)
FLEX SPENDING ACCT	(205.00)
DEPOSITS	1,284,648.58
CHECKS	(491,811.36)
<b>BALANCE 5/11/2010</b>	<b><u>5,954,174.16</u></b>

**AIRPORT ACCOUNTS**

AIP29	6,787.49
AIP30	2,194.21
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP34	9,744.87
AIP-35	10,704.73
AIP36	0.00
AIP37	0.00

**AIRPORT ACCOUNTS TOTAL BALANCE \$31,936.30**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
02/24/2010	05/11/10	0.51%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
02/24/2010	06/15/10	0.51%	3,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
03/30/2010	07/13/10	0.26%	3,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
03/30/2010	08/17/10	0.31%	3,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
04/13/2010	09/14/10	0.21%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.19%	3,000,000.00

**TOTAL INVESTED \$48,000,000.00**

**PETTY CASH BALANCE \$6,800.00**

**GRAND TOTAL ALL FUNDS \$53,992,910.46**