



Talbot County, Maryland



Easton, Maryland

MINUTES

April 13, 2010

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

- I. Agenda – Agenda of April 13, 2010 was approved upon motion by Mr. Foster, seconded by Mr. Pack, with the Council voting 3 - 0 as follows:

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

- II. Minutes – Minutes of March 23, 2010 and March 26, 2010 were approved upon motion by Mr. Bartlett, seconded by Mr. Foster, with the Council voting 3 - 0 as follows:

Mr. Harrison – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- III. Disbursements – Disbursements of March 30, 2010, April 6, 2010 and April 13, 2010 were approved upon motion by Mr. Bartlett, seconded by Mr. Foster, with the Council voting 3 - 0 as follows:

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

- IV. Special Legislative Day – Following approval of Disbursements, Mr. Harrison requested a motion to insert an item on the agenda to declare Tuesday, April 20, 2010 as a Special Legislative Day for introduction of the FY2011 Budget Ordinance. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council declared Tuesday, April 20, 2010 a Special Legislative Day by voting 3 – 0 as follows:

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

The meeting will begin at 1:30 p.m. on that date.

- V. Presentation by Talbot Paramedic Foundation – Will Howard, President, Talbot Paramedic Foundation; Wayne Dyott, Vice President, Talbot Paramedic Foundation; Clay Stamp, Director, Talbot County Emergency Services – Mr. Howard announced that another life had been saved with the AED (automated external defibrillator) program instituted by the Talbot Paramedic Foundation. Mr. Stamp briefed the Council on the circumstances by which Talbot County YMCA employee, Ehrin Hughes, utilizing an AED machine, saved the life of an individual on August 18, 2009 at the Easton YMCA facility. Talbot County paramedic Meg Stein thanked Ms. Hughes for her efforts, spoke of the training YMCA employees receive in proper use of the machine, and presented Ms. Hughes with an award as a token of appreciation from the Talbot Paramedic Association. Mr. Howard advised Council that 2010 marks the 25th anniversary of

Talbot Paramedic Association, adding that a special fundraising event will be held at the Easton Airport on September 18, 2010 in commemoration of the anniversary.

- VI. Council Commendations to Ehrin Hughes, Aquatics and Camp Director, YMCA of Talbot County; Robbie Gill, CEO, YMCA of Talbot County - The Clerk read the commendation to Ehrin Hughes into the record and upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved the commendation by voting 3 – 0 as follows:

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

The Clerk read the commendation to the YMCA of Talbot County into the record and upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the commendation by voting 3 – 0 as follows:

Mr. Harrison – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

Mr. Harrison presented the commendations to Ms. Hughes and Mr. Gill.

- VII. Presentation of Proclamation: April as Fair Housing Month – Austin Webster, Housing Coordinator - The Clerk read a proclamation into the record declaring April 2010 as “Fair Housing Month” and affirming Talbot County’s commitment to fair housing. The Fair Housing Act, created as a result of Civil Rights legislation of 1968, outlaws discrimination in the sale, rental, or financing of housing on the basis of race, color, religion, sex, national origin, handicap or familial status, and guarantees the right of all Americans to dwell in the neighborhood of their choice. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the Proclamation by voting 3 – 0 as follows:

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

Mr. Bartlett presented the Proclamation to Austin Webster, Talbot County Housing Coordinator.

- VIII. Presentation of Proclamation: April as Sexual Assault Awareness Month – For All Seasons, Inc. – The Clerk read a proclamation into the record in recognition of April as Sexual Assault Awareness Month. The proclamation called attention to the seriousness of sexual violence, the physical and mental consequences of same, and the community programs which are dedicated toward ending sexual violence. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the Proclamation by voting 3 – 0 as follows:

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

Mr. Foster presented the Proclamation to Richard Goldstein, Executive Director, For All Seasons, Inc., who accepted on behalf of his organization.

- IX. Update from the Talbot County Blue Ribbon Commission Oversight Committee – Hugh Dawkins, Chairman, Blue Ribbon Commission Oversight Committee; Gary Pearce, Executive Director, Talbot Partnership; Kenley Timms, Talbot County Liquor Inspector – Mr. Pearce provided Council with statistical data on substance abuse rates in Talbot County and, in the opinion of the Oversight Committee, the causes

for same. Mr. Timms briefed the Council on accomplishments of the Oversight Committee with regard to the implementation of strategies developed by the Blue Ribbon Commission aimed at decreasing substance abuse in Talbot County. Discussion ensued as to the duties of liquor inspectors. In response to Mr. Timms' statement that formal guidelines for the liquor inspector's position remain to be finalized, Council members advised that the County Attorney is in the final stages of drafting proposed legislation with regard to same. Mr. Dawkins, retiring Chairman of the Oversight Committee, provided personal observations regarding substance abuse in Talbot County. The Blue Ribbon Commission Oversight Committee will continue to brief the Council on a semi-annual basis.

Mr. Pack arrived at 2:20 p.m.

X. Public Hearing:

Prior to the public hearing on Bill No. 1181, Angela Lane, Finance Director, briefed the Council that the purpose of the proposed legislation is to authorize the refunding of a portion of County debt to take advantage of current lower interest rates. Ms. Lane stated that the legislation is specifically aimed at refinancing approximately \$6,000,000 of 1998 series bonds, currently accruing interest at 4.1% to 6%, and \$10,600,000 of 2002 series bonds currently accruing interest at 3% to 5.37%, in order to save the County from \$70,000 to \$90,000 per year in the first few years following the refinancing. She emphasized that the refinancing will not extend the original maturity date of the bonds, nor should it change the County's bond rating. Bill No. 1181, AN ACT TO AUTHORIZE TALBOT COUNTY, MARYLAND (THE "COUNTY") TO BORROW NOT MORE THAN SIXTEEN MILLION SIX HUNDRED TWENTY THOUSAND DOLLARS (\$16,620,000) IN ORDER TO FINANCE THE REFUNDING OF THE COUNTY'S PUBLIC FACILITIES AND REFUNDING BONDS OF 1998 AND ITS PUBLIC FACILITIES BONDS OF 2002 AND TO EFFECT SUCH BORROWING BY THE ISSUANCE AND SALE OF ITS GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES TO BE LEVIED BY THE COUNTY AND TO PAY THE COSTS OF ISSUANCE OF SUCH BONDS; AUTHORIZING THE REFUNDING OF SUCH BONDS AND RELATING GENERALLY TO THE ISSUANCE AND SALE OF SUCH BONDS FOR SUCH PURPOSES was brought forward for a public hearing. Upon motion by Mr. Foster, and unanimous consent of the Council, a full reading of the legislation was waived. The public was then afforded an opportunity to comment on the legislation. Upon motion by Mr. Foster, and unanimous consent of the Council, Bill No. 1181 was brought to third reader. Upon motion by Foster, and unanimous consent of the Council, a full reading of the legislation was waived. Council approved Bill No. 1181 by voting 4 – 0 as follows:

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

XI. Comment on Heatherington Harbor Annexation Application to the Town of St. Michaels – Sandy Coyman, Planning Officer – Mr. Coyman briefed the Council on the Talbot County Planning Commission's findings and recommendations with regard to the proposed annexation of Heatherington Harbor into the Town of St. Michaels. He advised that the Planning Commission, by a unanimous vote, adopted the staff memorandum as part of their findings, which states as follows, as part of their findings: (1) the proposed annexation is not consistent with the Talbot County Comprehensive Plan; (2) the proposed annexation exceeds the County's existing zoned density by greater than fifty percent; and (3) the five-year hold on the proposed new zoning should be retained by the County as outlined in the *Annotated Code of Maryland*, Article 23A, § 9. Council discussion ensued. Mr. Coyman confirmed for Council that the clock on the five-year hold begins upon annexation. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved forwarding a letter to the Town of St. Michaels Planning Commission and the Commissioners of the Town of St. Michaels, attaching the Talbot County Planning Commission's recommendations, and

indicating that the Council is in favor of the County Planning Commission's recommendations, and that the County is reluctant to release the five-year hold, by voting 3 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Foster – Aye
Mr. Bartlett – Absent

Mr. Bartlett was absent from the room when the vote was taken.

XII. Presentation on Chesapeake College Experience – Dr. Barbara Viniar, President, Chesapeake College; Mr. Edison Bowens, current student; Mr. Ken Russ, parent of two former Chesapeake College students – Dr. Viniar introduced Mr. Edison Bowens, a current Chesapeake College student, who, after 31 years of employment had been displaced and had enrolled in the College's Radiological Science program; and Mr. Ken Russ, a previous Chesapeake College student himself and the father of two daughters who had attended Chesapeake College. Both gentlemen expressed their positive experiences with the support of the College.

XIII. Request for Approval to Apply for USDA – Community Facilities Grant for Furnishing of the Talbot County Free Library – Scotti Oliver, Assistant Director, Talbot County Free Library; Paige Bethke, Director, Economic Development – Ms. Oliver requested Council approval to submit a grant application in the sum of \$150,000 to the United States Department of Agriculture (USDA) for a Community Facilities Grant. The grant funding, made available through the American Recovery and Reinvestment Act (ARRA) has been specifically designated for central community facilities, including libraries, in small communities with low population and low incomes and will be used to purchase new library shelving during the planned expansion and renovation of the Easton facility; previously budgeted funding will be added to the grant funding bringing the total allocation for shelving to \$214,850.

XIV. County Manager's Report:

A. Talbot County Detention Center Medical Services Contract Extension – Requested Council approval to extend the existing contract with CONMED, Inc., provider of medical services at the Talbot County Detention Center, for a period of three years from July 1, 2010 through June 30, 2013; said extension provides for no increase in FY2011 and no greater than a 2.5 % increase in FY2012 and FY2013. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council approved the extension of the contract by voting 4 – 0 as follows:

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

B. Talbot County Detention Center Community Service Grant - Requested Council approval to submit a grant application to the Governor's Office of Crime Control and Prevention for the County's Community Service Program which provides alternatives to incarceration; said grant funding is in the sum of \$23,000, matched with the salary of the Community Service Coordinator. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved submittal of the grant application by voting 4 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

Mr. Harrison handed the gavel to Mr. Foster and left the meeting.

C. Dutchmans Lane Bottomless Culvert and Dutchmans' Lane Road Widening Projects –

- a. Requested Council approval to award Easton Utilities the utility relocation for gas, electric and cable in the total amount of \$307,730 for both Dutchmans Lane projects. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved the award by voting 3 – 0 as follows:

Mr. Foster – Aye
Mr. Pack - Aye
Mr. Bartlett – Aye

- b. Requested Council approval to award Verizon the utility relocation for telephone and fiber optic cable in the total amount of \$303,200 for both Dutchmans Lane projects. Council discussion ensued. At Council's request, the matter was held over until Tuesday, April 20, 2010.

- c. Requested Council approval to award the portable traffic signal, with opticom sensor, to Traffic Systems, Inc. in the sum of \$33,600. Council discussion ensued. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved the award by voting 2 – 1 as follows:

Mr. Foster – Nay
Mr. Pack – Aye
Mr. Bartlett - Aye

- d. Requested Council approval to award Wallace, Montgomery and Associates engineering services related to the plans for maintenance of traffic for the Dutchmans' Lane Projects in the amount of \$10,586. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved the award by voting 3 – 0 as follows:

Mr. Foster – Aye
Mr. Pack, - Aye
Mr. Bartlett - Aye

- e. Requested Council approval to award the tree clearing for the Dutchmans Lane Projects to the Talbot County Roads Department in an amount up to \$30,000 for labor, equipment, and materials to remove and dispose of three rows of trees for approximately one-half mile along Dutchmans Lane at the site of the projects; easement negotiations are on-going with the property owner. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved the tree clearing project by voting 3 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Bartlett - Aye

- D. Maryland Department of the Environment Bay Restoration Fund Grant – Requested Council approval to forward a grant application in the sum of \$450,000 to the Maryland Department of the Environment Bay Restoration Fund for the installation of denitrification systems for failed septic systems in the Critical Area. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved submission of the grant application by voting 3 – 0 as follows:

Mr. Foster – Aye
Mr. Pack - Aye
Mr. Bartlett – Aye

XV. Council Comments:

Mr. Pack - No comments.

Mr. Bartlett- Mr. Bartlett commented on the upcoming 300th anniversary celebration of the founding of the Town of Easton and encouraged participation in events commemorating this significant anniversary in the coming weeks and months.

Mr. Foster- Mr. Foster commented on the upcoming Frederick Douglas Honor Society Race and related events on Saturday, May 1, 2010, and the parade on Saturday, April 24, 2010 at 3:00 p.m.

- XVI. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council voted to adjourn and to reconvene on Tuesday, April 20, 2010 at 12:30 p.m. in Executive Session for discussion of legal, personnel and real estate matters and to reconvene at 1:30 p.m. for the full meeting by voting 3 – 0 as follows:

Mr. Pack - Aye
Mr. Foster - Aye
Mr. Bartlett- Aye

The meeting adjourned at 3:30 p.m.

The transcript of the April 13, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XVII. Prior to the meeting on April 13, 2010 an Executive Session of the Talbot County Council convened at 1:05 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Bartlett, seconded by Mr. Foster, the Council met in Executive Session by voting 3- 0 - 2 as follows:

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

In accordance with State Article §10-508(a)(1)(i)(4)(8) the purpose of the Executive Session was for a personnel matter to discuss appointments to various County boards and committees; for a real estate matter to consider acquisition of an easement for a public road project; and for a legal matter for an update on a legal matter involving Talbot County, Maryland. The meeting recessed at 1:30 p.m.

CASH STATEMENT 3/30/2010

BALANCE 3/23/2010	\$8,377,451.58
DEPOSIT TICKET ORDER	(38.15)
RETURNED CHECKS	(19,277.60)
RONB QTRLY BOND PAYMENT	(9,478.60)
UHC CLAIMS THRU 3/23/2010	(46,929.52)
ST BOARD OF ELECTIONS PPE 1/12 & 1/26/2010	(12,650.51)
DEPOSITS	767,249.33
CHECKS	(1,110,151.12)
VOIDED CHECKS NO 259073, 260023	67.61
BALANCE 3/30/2010	<u>7,946,243.02</u>

AIRPORT ACCOUNTS

AIP29			14,047.52
AIP30	BALANCE 3/23/2010	\$ 2,193.71	
	DEPOSITS	15,985.74	
	CHECKS	(15,788.00)	2,391.45
AIP33-DSA			2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS			-
AIP-34			9,744.87
AIP-35	BALANCE 3/23/2010	\$ 25,429.52	
	DEPOSITS	427.08	25,856.60
AIRPORT ACCOUNTS TOTAL BALANCE			<u>\$54,545.44</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
03/31/2009	03/30/10	2.11%	6,000,000.00
01/27/2010	04/13/10	0.56%	3,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
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
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.18%	3,000,000.00

TOTAL INVESTED **\$54,000,000.00**

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

GRAND TOTAL ALL FUNDS **\$62,007,588.46**

CASH STATEMENT 4/6/2010

BALANCE 3/30/2010	\$7,946,243.02
SALE & INTEREST ON CD @ TALBOT BANK	6,126,365.14
PURCHASE CD@TALBOT BANK	(3,000,000.00)
105 <u>DAYS@.26%</u> , 7/13/2010	
PURCHASE CD@TALBOT BANK	(3,000,000.00)
140 <u>DAYS@.31%</u> , 8/17/2010	
INCOME TAX 3/2010	185,148.00
BOARD OF EDUCATION 3/2010	(2,851,500.00)
UHC CLAIMS THRU 3/30/2010	(47,966.42)
STATE BOARD OF ELECTIONS PPE 2/9, 2/23 & 3/9/2010	(14,517.61)
GOLF COURSE EQUIPMENT LEASE 4/2010	(1,309.20)
INTEGRA 4/2010	(10,656.52)
PAYROLL – FD/SS/MS WH 4/01//2010	(116,960.83)
SECU DED	(10,997.43)
DEFERRED COMP DED	(9,288.45)
MD WH	(29,820.98)
PENSION DED	(22,341.23)
ACH TRANSFER	(11,525.00)
FLEX SPENDING ACCT	(2,460.29)
DEPOSITS	692,802.66
CHECKS	(1,650,593.30)
VOID CHECK NO.S 260017, 260100	695,427.87

BALANCE 4/6/2010 **4,866,049.43**

AIRPORT ACCOUNTS

AIP29	14,047.52
AIP30	2,391.45
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIP34	9,744.87
AIP-35	25,856.60

AIRPORT ACCOUNTS TOTAL BALANCE **\$54,545.44**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
01/27/2010	04/13/10	0.56%	3,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
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
11/24/2009	09/28/10	0.60%	6,000,000.00

PNC-MLGIP INVESTMENTS TOTAL 0.17% 3,000,000.00

TOTAL INVESTED \$54,000,000.00

PETTY CASH BALANCE \$6,800.00

GRAND TOTAL ALL FUNDS \$58,927,394.87

CASH STATEMENT 4/13/2010

BALANCE 4/6/2010 \$4,866,049.43

GLEBE ROAD PROJECT	(16,993.40)
UHC CLAIMS THRU 4/6/2010	(50,375.03)
MLGIP INTEREST 3/2010	422.69
TRANS LOCAL MATCH TO AIP36	(4,200.00)
BANK CHARGES 3/2010	(320.02)
INTEREST ON ACCT 3/2010	1,656.94

DEPOSITS	502,260.83
CHECKS	(556,192.32)
VOIDED CHECKS NO 259871	125.00

BALANCE 4/13/2010 4,742,434.12

AIRPORT ACCOUNTS

AIP29	14,047.52		
AIP30	2,391.45		
AIP33-DSA	2,505.00		
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00		
AIP-34	9,744.87		
AIP-35	25,856.60		
AIP 36			
	BALANCE 4/6/2010	\$ 0.00	
	TRANS FR GEN ACCT	4,200.00	
	CHECK	(4,200.00)	0.00
AIP 37			0.00

AIRPORT ACCOUNTS TOTAL BALANCE \$54,545.44

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
01/27/2010	04/13/10	0.56%	3,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
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
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.18%	3,000,000.00
TOTAL INVESTED			<u>\$54,000,000.00</u>
PETTY CASH BALANCE			<u>\$6,800.00</u>
GRAND TOTAL ALL FUNDS			<u>\$58,803,779.56</u>