



TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 23, 2019

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, County Manager R. Andrew Hollis, and County Attorney Anthony Kupersmith. Mr. Leshner, Ms. Price and Assistant County Attorney Mary O’Donnell were absent.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, April 23, 2019.
- II. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, April 23, 2019.
- III. Introduction of Legislation:

A BILL TO ADDRESS REMAINING COMMENTS AND CONDITIONS OF APPROVAL IMPOSED BY THE MARYLAND CRITICAL AREA COMMISSION (THE “COMMISSION”) FOR TALBOT COUNTY BILLS 1376 AND 1401 BY AMENDING CERTAIN CRITICAL AREA PROVISIONS IN CHAPTER 190 OF THE TALBOT COUNTY CODE (THE “ZONING ORDINANCE”) RELATED TO GROWTH ALLOCATION, FOREST CLEARING, BUFFER ESTABLISHMENT AND STANDARDS, CONSERVATION AREAS, NATURAL RESOURCE-ORIENTED ACTIVITIES, AND LOT LINE RECONFIGURATION; AMENDING THE CATALOG OF LIMITED DEVELOPMENT AREAS OF TALBOT COUNTY, MARYLAND (THE “CATALOG”) (SPECIFICALLY, LIMITED DEVELOPMENT AREA MAP 58); AND, AUTHORIZING SUBMISSION OF AN APPLICATION TO THE COMMISSION PURSUANT TO TALBOT COUNTY CODE SECTION 190-15.3 J. FOR THE COMPREHENSIVE REVIEW AND RECLASSIFICATION OF TWENTY-NINE (29) PARCELS OR PORTIONS OF PARCELS, TOTALING 35.35 ACRES, FROM RESOURCE CONSERVATION AREA (RCA) DESIGNATION TO LIMITED DEVELOPMENT AREA (LDA) AS SHOWN IN THE CATALOG was brought forward for introduction. Prior to introduction, Mary Kay Verdery, Planning Officer, stated that the legislation is a consolidation of conditions from the Critical Area Commission for approval of Bill 1376 (reclassification of the villages and amendments to village boundaries) and Bill No. 1401 (clarifications, consistencies and minor procedural amendments to the update of Chapter 190, Zoning). The legislation was introduced by Mr. Callahan, Mr. Divilio and Mr. Pack as Bill No. 1411. A public hearing was scheduled for Tuesday, May 14, 2019 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

- IV. County Manager’s Report:
 - A. Request for Department of Public Works – Requested Council approval to have the Department of Public Works apply for and accept grant funding from the Maryland Department of the Environment for planning and design for Enhanced Nutrient Removal (ENR) at the Region V (Tilghman) Wastewater Treatment Plant; estimated cost of the project is \$150,000 to \$200,000, all of which would be grant funded. Mr. Hollis stated that the County will also request that the planning include all proposed solutions for processing wastewater flows at the Region V plant through a regional system approach. Upon motion by Mr.

Callahan, seconded by Mr. Divilio, the Council approved submittal of the grant application by voting 3 - 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

- B. Request from Department of Public Works – Requested Council approval to have the Department of Public Works apply for and accept grant funding from the FY2020 Bay Restoration Fund for an On-site Sewage Disposal System (OSDS) grant in the sum of \$1,409,220; if approved, the funding will be used for the installation of approximately 30 denitrification units and 40 sewer connections. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved submittal of the grant application by voting 3– 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

- C. Request from Department of Public Works – Requested Council approval to apply for and accept grant funding from the Maryland Department of the Environment for an Operations & Maintenance (O&M) Grant in the sum of \$30,000; funding from the grant will be used at the Region II (St. Michaels) Wastewater Treatment Plant to offset operation costs, specifically the chemicals used to continue to achieve low levels of Total Nitrogen and Total Phosphorus at the Region II plant. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved submittal of the grant application by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

- D. Request from Department of Public Works – Requested Council approval to apply for and accept grant funding from the Maryland Department of Natural Resources Chesapeake and Coastal Grants Gateway Program in the sum of \$350,000. If approved, the funding will be used for the following projects: construction of stormwater treatment systems at the County offices on Bay Street, the Talbot County Community Center and the Roads Department, and for the planning of two tree projects at the County’s Biosolids Facility and the Frederick Douglas Park on the Tuckahoe. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved submittal of the grant application by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

- E. Request from Department of Parks and Recreation – Requested Council approval to extend the contract with Slayden’s Excavating & Hauling, LLC for asphalt resurfacing, excavating, and contingencies of the Tongers Basin parking area in the sum of \$70,000; Slayden’s was the low bidder for the asphaltting of Coveys Landing parking area (Bid No. 18-07). Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved the extension of the contract with Slayden’s by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

- F. Request from Department of Planning and Zoning – Requested Council approval to have the Department of Planning and Zoning apply for and accept grant funding from the Maryland Department of Natural Resources’ Chesapeake and Coastal Grants Gateway in the sum of \$60,000 to \$70,000; if approved, the funding will be used to update the County’s 2004 Green Infrastructure Plan. Miguel Salinas, Assistant Planning Officer, stated that when the 2004 Plan was developed in partnership with, and using a nationwide model developed by, the Conservation Fund, it was not adaptable to every community, including Talbot County. He stated that some information included in the 2004 Plan will be used by the County, in partnership with Maryland Environmental Service, to identify current green infrastructure and critical resource areas to build resiliency and to promote tourism. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved moving forward with the grant application by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan - Aye

- G. Request for Letter of Support of Position of Maryland Rural Counties Coalition Regarding Proposed Salary Increases for Boards of Elections – Requested Council approval to forward a letter to the Maryland State Board of Elections in support of the position of the Maryland Rural Counties Coalition that salaries for employees of the State’s Boards of Elections should be in line with the salaries of the employees of their respective counties, not the proposed salary increases proposed by the State Board of Elections. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved forwarding a letter of support of the position of the Maryland Rural Counties Coalition by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan - Aye

V. Public Hearings:

Resolution No. 272, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO ADD OR MODIFY THE FOLLOWING CAPITAL PROJECTS FOR TALBOT COUNTY FISCAL YEAR 2020: ADD NEW CAPITAL PROJECT IN THE AMOUNT OF \$22.32 MILLION FOR SEWER EXTENSION TO BOZMAN AND NEAVITT; ADD NEW CAPITAL PROJECT IN THE AMOUNT OF \$6 MILLION FOR INDIVIDUAL PUMP STATION AND MAJOR PUMP STATION IMPROVEMENTS IN THE REGION I (UNIONVILLE, TUNIS MILLS, AND COPPERVILLE) AND REGION II (ROYAL OAK, NEWCOMB, BELLEVUE, AND ST. MICHAELS) SEWER SERVICE AREAS; ADD NEW CAPITAL PROJECT IN THE AMOUNT OF \$2 MILLION FOR SEWER EXTENSION FROM THE REGION V TILGHMAN ISLAND WASTEWATER TREATMENT PLANT TO SERVE THE VILLAGES OF BAR NECK AND FAIRBANK; MODIFY EXISTING CAPITAL PROJECT BY ADDING UP TO \$2 MILLION FOR PHASE V ROAD AND SEWER IMPROVEMENTS TO THE REGION II ST. MICHAELS WASTEWATER TREATMENT PLANT; ADD A NEW CAPITAL PROJECT IN THE AMOUNT OF \$1.5 MILLION FOR DESIGN OF A SEWER SYSTEM TO SERVE THE FERRY POINT MARINA AREA; ADD NEW CAPITAL PROJECT IN THE

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AMOUNT OF \$550,000 FOR BELT FILTER PRESS SYSTEM REPLACEMENT AT THE REGION II ST. MICHAELS WASTEWATER TREATMENT PLANT; ADD A NEW CAPITAL PROJECT IN THE

AMOUNT OF \$250,000 FOR ENGINEERING, DESIGN, AND PERMITTING TO SUPPORT EXTENSION OF SEWER FROM THE TOWN OF EASTON WASTEWATER TREATMENT PLANT TO THE TALBOT COUNTY COMMUNITY CENTER; AND, ADD NEW CAPITAL PROJECT IN THE AMOUNT OF \$150,000 FOR A WASTEWATER FEASIBILITY STUDY AT THE REGION V TILGHMAN ISLAND WASTEWATER TREATMENT PLANT, was read into the record by the Clerk, brought forward for public hearing; and

Resolution No. 273, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO ADD THE FOLLOWING TOWN OF EASTON CAPITAL PROJECTS FOR FISCAL YEAR 2020: ADD A NEW CAPITAL PROJECT IN THE AMOUNT OF \$2,806,000 FOR THE RELOCATION OF THE WINDMILL WASTEWATER PUMP STATION; AND, ADD A NEW CAPITAL PROJECT IN THE AMOUNT OF \$2,267,000 FOR THE REPLACEMENT OF THE WINDMILL WASTEWATER FORCE MAIN was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearings, County Engineer, Ray Clarke, stated that when the County applies for grant and/or loan funding from the Maryland Department of the Environment the State likes to see that the County's projects and those of its municipalities have been incorporated into the County's Comprehensive Water and Sewer Plan. He stated that Resolution No. 272 incorporates the County's FY2020 capital projects into the Plan; Resolution No. 273 incorporates the FY2020 capital projects for the Town of Easton into the Plan; no other municipalities requested that any projects be incorporated into the County's Plan at this time. Mr. Clarke stated that the Public Works Advisory Board, at its meeting on Wednesday, April 3, 2019 voted 4 – 0 to recommend that the Council adopt Resolution Nos. 272 and 273. Council discussion ensued with Mr. Clarke. The public was then afforded an opportunity to comment on the legislation. Written comments will be accepted until Friday, April 26, 2019. Resolution Nos. 272 and 273 are eligible for vote on Tuesday, May 14, 2019.

VI. Council Comments:

Mr. Divilio - Mr. Divilio stated that tomorrow is For All Seasons Denim Day on the Courthouse grounds. He stated that if you go into a business you may notice that a lot of people are wearing denim in recognition of the day as a silent protest to bring awareness to sexual assault victims. He concluded his comments by stated that Rita's Italian Ice will have a special treat in recognition of the day.

Mr. Callahan - No comments.

Mr. Pack- Mr. Pack stated that he and Mr. Callahan had recently attended the volunteer reception at the Talbot Senior Center and that he was glad to be a part of that with Childlene Brooks and the volunteers, some of whom have been at the Senior Center for a number of years and donate many hours to the Senior Center, Meals on Wheels, teaching classes at the Senior Center or providing other resources for trips and programs offered by the Senior Center. He expressed his appreciation to all the volunteers for donating their time. He stated that he, along with representatives of For All Seasons, the Health Department, and the Department of Social Services had viewed the movie *Resilience* about the impact of trauma on young brains. Mr. Pack stated that James Redford, son of actor Robert Redford spoke about the film, which, in his opinion, was very eye-opening. He stated that he is always happy to support such events because, in his opinion, it is more meaningful when you understand more about trauma and the lifelong impact it plays in people's lives. Mr. Pack concluded his comments by stating that he hoped

everyone had had a nice Easter and asked that everyone keep the victims of the recent bombing in their thoughts and prayers.

- VII. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council voted to adjourn and to reconvene on Tuesday, May 7, 2019 at 12:30 p.m. in Open Session and immediately adjourn into Closed Session for discussion of legal, personnel and real estate matters as listed on the statement for closing the meeting and for the regularly scheduled meeting at 1:30 p.m., and for the two public hearings on Bill No. 1410, the FY2019-2020 Budget and Appropriation Ordinance: at 2:00 p.m. in the Bradley Meeting Room and at 7:00 p.m. in the Easton High School Cafeteria by voting 3 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye

The meeting adjourned at 6:56 p.m.

The transcript of the April 23, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

- VIII. On Tuesday, April 23, 2019, a Closed Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council met in Closed Session by voting 3 – 0 as follows:

Mr. Callahan – Aye
Mr. Divilio – Aye
Mr. Leshner – Absent
Mr. Pack – Aye
Ms. Price – Absent

In addition to the Council members, the following individuals were present: Andy Hollis (County Manager), Jessica Morris (Assistant County Manager), Anthony Kupersmith (County Attorney), and Mary O'Donnell (Assistant County Attorney). In accordance with General Provisions Article §3-305(b)(1)(i)(3) and (7) the purpose of the Closed Session was to discuss certain legal, personnel, and real estate matters, specifically including possible acquisition of property in Bellevue for a public purpose (update); appointments to various County boards and committees (consensus to submit letter to Maryland State Board of Elections and to narrow pool of candidates for the Talbot County Supervisor of Assessments vacancy); and, legal advice regarding Liquor Board decision (direction to prepare press release). The Closed Session ended at 5:30 p.m.

CASH STATEMENT 4/23/2019

BALANCE 4/16/2019	\$ 11,573,952.68
TOTAL ADP PAYROLL PPE 4/5/2019	(589,605.18)
DEFERRED COMP DED PPE 4/5/2019	(16,564.47)
PENSION DED PPE 4/5/2019	(37,259.36)
SECU DED PPE 4/5/2019	(3,381.69)
DEFERRED COMP PPE 4/5/2019 PLAN 401(A)	(5,077.21)
FLEX SPENDING BENEFITS PPE 4/5/2019	(3,339.00)
CIGNA CLAIMS THRU 4/5/2019	(91,465.52)
CIGNA CLAIMS THRU 4/15/2019	(91,149.72)

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SALES & USE COMMUNITY CENTER DUE 4/20/2019	(193.85)
SALES & USE HOG NECK GOLF COURSE DUE 4/20/2019	(352.97)
E-CHECK EJECTION	(853.28)
BANK CHARGES 3/2019	(4,641.30)
INTEREST ON ACCOUNTS 3/2019	(28,945.08)
DEPOSITS	1,158,404.54
CHECKS	(799,220.45)
VOIDED CHECK(S) #302454, 303831, 305669, 306406, 309138, 309474, 329029	(5,015.73)
BALANCE 4/23/2019	<u>11,123,214.03</u>
<u>AIRPORT ACCOUNTS</u>	
AIP42	0.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>0.00</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT	
<u>CERTIFICATE DATE</u> <u>MATURITY DATE</u> <u>YIELD</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL	2.44% 23,000,000.00
1880 BANK	10,073,915.14
TOTAL INVESTED	<u>\$33,073,915.14</u>
PETTY CASH BALANCE	<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS	<u>\$ 44,212,699.17</u>