



TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 26, 2016

Present – President Corey W. Pack, Vice President Jennifer L. Williams, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – The Agenda of Tuesday, April 26, 2016 was brought forward for approval. Ms. Williams requested Council consideration to delete *Item VIII, A BILL TO AMEND § 190-13 C, TALBOT COUNTY CODE, TO ESTABLISH IDENTICAL DENSITY IN THE AC, CP AND WRC DISTRICTS FOR PARCELS WITH AND WITHOUT SEWER SERVICE AND TO ELIMINATE ADDITIONAL DENSITY FOR PARCELS WITH SEWER SERVICE; AND TO AMEND CERTAIN PARTS OF TABLE II-3, DENSITY AND BULK REQUIREMENTS IN § 190-14, TALBOT COUNTY CODE, TO ESTABLISH IDENTICAL DENSITY AND MINIMUM LOT SIZE REQUIREMENTS FOR PARCELS WITH AND WITHOUT SEWER SERVICE IN THE RC, RR, AND TC DISTRICTS*; there was no objection. Mr. Pack then requested and received unanimous consent for approval of the Agenda of Tuesday, April 26, 2016, as amended.
- II. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, April 19, 2016 and Tuesday, April 26, 2016.
- III. Update by University of Maryland Shore Regional Health – Ken Kozel, President & CEO, University of Maryland Shore Regional Health – Mr. Kozel provided an update on the status of Shore Regional Health’s service delivery plan for the next five years. He stated that the service delivery plan has been in progress for the past 18 months and is the result of recent major changes in the healthcare industry. He stated that the services provided by Shore Regional Health are being reviewed from the standpoints of primary care; medical specialties; surgical specialties, behavioral health and cancer and that the purpose of the service delivery plan is to ascertain what services currently exist in the five-county region served by Shore Regional Health, what services will be needed in the future, and what services are needed to fill in any gaps in service. He outlined challenges related to service delivery in rural areas, including accessibility to public transportation, recruitment and retention of physicians, access to primary care, and technology, and the State’s efforts to try to address the challenges, including amendments to Maryland Senate Bill 707 relating to freestanding medical facilities. Mr. Kozel then outlined Shore Regional Health’s plans for several of the freestanding medical facilities in the five-county area. Council discussion ensued with Mr. Kozel regarding matters related to the Certificate of Need for a new hospital to replace the current Memorial Hospital at Easton and the processes and timelines related to same; Emergency Room code yellow challenges, customer service and staffing benchmarks at the current facility, and plans for the Washington Street facility once the proposed new facility is occupied. He stated that Shore Regional Health recently received approval to provide PCI, or stent procedures, in the Mid-Shore area and is in the process of building two laboratories where the procedures will be performed and the hiring of two interventional cardiologists; currently, patients requiring the procedure must travel to Salisbury or Annapolis. He stated that Cadmus Phase II opened on April 19, 2016 and now houses six new practices; the renovation of the Diagnostic and Imaging Center will be completed in mid-to-late May and will incorporate the Clark Comprehensive Regional Breast Center. Mr. Kozel will continue to update the Council on a regular or as-needed basis.

- IV. Presentation on Ruth Starr Rose Project – Richard Marks, Dock Street Foundation; Joan Levy, Project Manager, Ruth Starr Rose Project – Mr. Marks and Ms. Levy briefed the Council on Talbot County artist, Ruth Starr Rose (1887-1965) and her works uniquely documenting the lives of African American citizens in the communities of Unionville and Copperville in the first part of the 20th century; descendants of many of the subjects in the paintings still live in Unionville and Copperville. Ms. Levy stated that the project to bring the works of Ms. Rose back to Talbot County for exhibit was a collaborative effort sponsored by various individuals and groups, including Talbot County Public Schools, the Avalon Theatre, Academy Art Museum, Talbot Historical Society and the Dock Street Foundation. Ms. Levy stated that Talbot County Public Schools has incorporated several aspects of the project into its student curriculum. The works of Ms. Rose collected by Barbara Paca, Ph.D., several other private collectors, and on loan from the Reginald F. Lewis Museum, will be featured in an exhibition entitled *Ruth Starr Rose (1887-1965) Revelations of African American Life in Maryland and the World* at the Waterfowl Building located at 40 S. Harrison Street in Easton from April 30, 2016 through June 19, 2016.
- V. Presentation of Notice of Funding Availability – FY2017 Community Partnership Agreement – Jan Willis, Coordinator, Talbot Family Network; Dr. Sherry Sutton, Vice Chair, Talbot Family Network Board of Directors – Ms. Willis stated Talbot Family Network is responsible for assessing the needs of children and families in the county, working with community partners to identify gaps in services, and developing programs which fill the gaps in service. Ms. Willis stated that funding for the programs and services is derived from the Governor’s Office for Children via a community partnership agreement which outlines the policies and priorities set by the Governor’s Office for Children. She outlined the Governor’s four strategic goals – youth homelessness, childhood hunger, disconnected youth (defined as youth between the ages of 16 and 24 who are neither in school nor working), and the impact of incarceration on children, families and the community. She stated that for the past several months, her office has been conducting a needs assessment specifically targeting the strategic goals outlined by the Governor and has developed programs for FY17 targeting childhood hunger. She thanked the Council for their support in including funding in the FY17 proposed budget for Healthy Talbot and requested a letter of support to submit to the Governor with Talbot Family Network’s program proposal. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved forwarding a letter of support to the Governor by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan - Aye

VI. Introduction of Numbered Resolutions:

A RESOLUTION TO APPROVE THE SALE OF SIX (6) UNIMPROVED LOTS LOCATED ON U.S. ROUTE 50 AND CLEARVIEW ROAD, EASTON, MARYLAND, CONSISTING OF APPROXIMATELY 1.395 ACRES IN TOTAL AREA, MORE OR LESS, FOR THE TOTAL SUM OF TWO HUNDRED AND FIFTY THOUSAND (\$250,000) DOLLARS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Michael Pullen, stated that State law requires that a governmental body which proposes to dispose of real estate is required to make a finding that the property is no longer needed for a public purpose and then must advertise the proposed disposition once a week for three consecutive weeks in a newspaper of general circulation in the county in order to make the terms of the proposed disposition known to the public. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 224. A public hearing was scheduled for Tuesday, May 24, 2016 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION TO APPROVE THE SALE OF TWO (2) CONTIGUOUS PARCELS OF REAL ESTATE LOCATED IN EASTON TOWN CENTER, ZONED CR-CENTRAL BUSINESS-COMMERCIAL DISTRICT, KNOWN AS 142 N. HARRISON ST., EASTON, MARYLAND, IMPROVED WITH AN OFFICE BUILDING AND A PARKING LOT, CONSISTING OF 15,690 SF, MORE OR LESS IN TOTAL AREA, AND A CONTIGUOUS UNIMPROVED LOT, KNOWN AS 130 N. HARRISON ST., EASTON, MARYLAND, CONSISTING OF APPROXIMATELY 9,990 SF, MORE OR LESS; THE TOTAL AREA OF BOTH PARCELS CONSISTING OF APPROXIMATELY 25,680 SF, MORE OR LESS, FOR THE TOTAL SUM OF ONE MILLION ONE HUNDRED THOUSAND (\$1,100,000) DOLLARS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pullen stated that the purpose of the resolution is the same as that for Resolution No. 224. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Resolution No. 225. A public hearing was scheduled for Tuesday, May 24, 2016 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VII. Introduction of Legislation:

A BILL TO AMEND TALBOT COUNTY CODE, CHAPTER 102, “PARKS AND RECREATION” TO PROHIBIT LITTERING AND DEPOSIT OF HOUSEHOLD GARBAGE IN RECEPTACLES AT COUNTY PARKS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Preston Peper, Director, Talbot County Department of Parks and Recreation, stated that his office is requesting the legislation to help alleviate the on-going issue of littering in several County parks. Mr. Peper stated that his department devotes significant time and resources to cleaning up the trash. He stated that it is his hope that the proposed signage and related fines will act as a deterrent to the dumping of the trash. Council discussion ensued with Mr. Peper. Mr. Bartlett requested that the Office of Law prepare an amendment to the legislation which would make the fines for littering equivalent with those currently in place at County landings. Ms. Williams requested that the Office of Law also prepare an amendment to include a provision in the legislation for “rebuttable presumption,” which, Ms. Williams explained, means that if a name and address are found in trash which is dumped, it is presumed that the trashed was dumped by that person; however, the claim is rebuttable. The legislation was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Bill No. 1330. A public hearing was scheduled for Tuesday, May 24, 2016 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VIII. Presentation of Request to Submit FY2016 Certified Local Government Grant Application – Jeremy Rothwell, Planner I, Department of Planning and Zoning – Mr. Rothwell requested Council’s consideration for a letter in support of the Talbot County Historic Preservation Commission’s application to apply for grant funding from the Maryland Historical Trust Certified Local Government Grant Program in the sum of \$25,000. If approved, the funding will be used to hire an architectural historian to prepare a National Register District Nomination for the Village of Cordova. The designation, if approved, will afford the owners of historic properties in the Village of Cordova an opportunity to apply for State and federal tax credits should they wish to renovate their historic businesses and residences. Mr. Rothwell stated that although a local match is not required, a 15% match is encouraged in order to achieve a higher ranking in the selection process; \$4,000 has been designated in the County’s proposed budget for FY207. Council discussion ensued with Mr. Rothwell. Mr. Rothwell stated that Talbot County has been a Certified Local Government since 1976, and as such is eligible to apply for both project and education grants, and has done so in the past. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved forwarding a letter in support of the Historic Preservation Commission’s application by voting 5 – 0 as follows:

Mr. Pack - Aye

Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Callahan - Aye

- IX. Discussion of and Council Vote on Talbot County Annual Planning Report to Maryland Department of Planning – Mary Kay Verdery, Planning Officer; Martin Sokolich, Long Range Planner – Mr. Sokolich briefed the Council on the County’s Annual Planning Report for 2015, as prepared by the Talbot County Department of Planning and Zoning. Mr. Sokolich stated that through the Report, the State is kept apprised as to how counties are performing with regard to the State’s Smart Growth agenda; *i.e.*, maintaining some control as to where and how growth takes place within their counties. He stated that in 2015, Talbot County issued 23 new residential permits, a substantial increase of recent years. Mr. Sokolich outlined additional information contained in the Report and Council discussion ensued with Mr. Sokolich regarding same. The Planning Commission, at its meeting on April 6, 2016 made a favorable recommendation to forward the Annual Planning Report to the State. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved forwarding the Report to the State by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Callahan - Aye

The Council meeting recessed at 7:44 p.m. and resumed at 7:45 p.m.

- X. County Manager’s Report:

- A. Request from Department of Planning and Zoning – Requested Council approval for a letter of support of an application by the Department of Planning and Zoning to have the Maryland State Highway Administration (SHA) designate a one-mile stretch of Tilghman Island Road (Route 33) in the Village of Tilghman as a Bicycle and Pedestrian Priority Area in order to increase pedestrian and bicycle safety. Martin Sokolich, Long Range Planner, stated that the purpose of the designation is to seek planning assistance for the project from SHA; no State funding is provided. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved forwarding a letter of support for the project with the application by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- B. Bid 16-03, DUTCHMANS LANE ROAD & SIDEWALK IMPROVEMENTS – Requested Council approval of the County’s Engineer’s recommendation to award Bid No. 16-03 to the lowest bidder, David A. Bramble, Inc. in the sum of \$1,486,768.50, upon the condition that the Maryland State Highway Administration approves the contract documents submitted by David A. Bramble, Inc. Council discussion of the project ensued with County Engineer, Ray Clarke. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the conditional award by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- C. Bid 16-04, REQUEST FOR PROPOSALS – TILGHMAN AND BELLEVUE VILLAGE MASTER PLANS – Requested Council approval of the Department of Planning and Zoning’s recommendation to award Bid No. 16-04 to Lardner/Klein Landscape Architects as the principal consultant, and Heritage Strategies, LLC and CodeWright Planners, LLC as sub-contractors for the project in the sum of \$59,500; no County funding is required; however, staff will contribute in-kind services. Council discussion ensued with Jeremy Rothwell, Planner, regarding the purpose of the projects. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved the award by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- D. Working Waterfronts Grant - Citizen Advisory Committees for the Villages of Tilghman and Bellevue – Requested Council approval for the appointment of the following individuals to the Citizen Advisory Committee for the Village of Tilghman: Kelley Cox, Levin F. “Buddy” Harrison, IV, John Kinnamon, Jeff Harrison, Joyce Crow, Mark Weiss, Gary Crawford, Mike Richards, Mark Connolly, Francine DeSanctis, and Charlotte Fluharty; requested the appointment of the following individuals to the Citizen Advisory Committee for the Village of Bellevue: Edzel Turner, Jacqueline Greene, Williams Fields, Anne Moore, Dr. Dennis DeShields, and Vincent Payne. Mr. Rothwell also recommended Council’s consideration for the selection of one Council member and one member of the Planning Commission to serve as Ex-officio members on the Citizen Advisory Committees. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the appointments by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- E. Request for Use of Contingency Funds – Requested Council approval to use Contingency Funds in the sum of \$9,820.00 for replacement of the 1999 lightning warning system at Hog Neck Golf Course; Mr. Hollis certified that the funds are available. Upon motion by Mr. Bartlett, seconded by Ms. Williams, the Council approved the use of Contingency Funds as outlined by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- F. Request for Use of Contingency Funds – Requested Council approval for the use of Contingency Funds in the sum of \$70,000 for the establishment of a Controlled Burn Fund to assist the volunteer fire departments in the county with controlled burn training; all seven volunteer fire departments in the county have been notified that the funds are available for use. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the use of Contingency Funds as outlined by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Callahan – Aye

- G. Announcement of Public Hearing on the Budget, Bill No. 1327, AN ACT TO ESTABLISH THE 2016-2017 ANNUAL BUDGET AND APPROPRIATION ORDINANCE – Mr. Hollis stated that the public hearing on the County’s proposed budget for FY2017 will be held on Tuesday, May 3, 2016 at 2:00 p.m. in the Bradley Meeting Room and at 7:00 p.m. in the Easton High School Cafeteria.

XI. Council Comments:

- Ms Williams - Ms. Williams stated that today is Primary Day in Maryland and, in her opinion everyone is interested in seeing the results. She stated that she had heard a lot of people express their eagerness to do their civic duty and vote and she hopes that everyone has an opportunity to do that today.
- Mr. Bartlett - No comments.
- Ms. Price - Ms. Price stated that, in her opinion, this is probably the first time in decades that it has really matter this late in the game that every state is having an impact on the nomination process. She concluded her comments by stating that since the polls are now closed, she hopes everyone got out to vote.
- Mr. Callahan - No comments.
- Mr. Pack - Mr. Pack stated that his daughter, Torey, had just voted for the first time and that he and her mother and are very proud of her. He stated that he hoped that everyone who wanted to vote got to do so.

- XII. Upon motion by Bartlett, seconded by Mr. Callahan, the Council voted to adjourn to Closed Session for discussion of legal, personnel and real estate matters listed on the Statement for Closing the Meeting. The Council’s next meeting will be held on Thursday, April 28, 2016 at 5:30 p.m. at the Chesapeake Culinary Center located at 512 Franklin Street in Denton. The meeting will be held in coordination with the four other counties on the Mid-Shore to discuss the appropriation for Chesapeake College for the upcoming fiscal year. The Council will also meet on Tuesday, May 3, 2016 at 1:30 p.m. in the Bradley Meeting Room. The Council will convene in Open Session at 12:30 p.m. in the Council Conference Room and immediately adjourn into Closed Session for discussion of legal, personnel, and real estate matters as listed on the Statement for Closing the Meeting by voting 5– 0 as follows:

Mr. Pack – Aye

Ms. Williams – Aye
Mr. Bartlett - Aye
Ms. Price - Aye
Mr. Callahan - Aye

The meeting adjourned at 8:06 p.m.

The transcript of the April 26, 2016 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XIII. On Tuesday, April 26, 2016 a Closed Session of the Talbot County Council convened at 5:00 p.m. in the County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Closed Session by voting 5 - 0 as follows:

Mr. Bartlett – Aye
Mr. Callahan – Aye
Mr. Pack – Aye
Ms. Price – Aye
Ms. Williams – Aye

In accordance with General Provisions Article § 3-305(b) (1)(i)(ii)(3)(7)(8)the purpose of the Closed Session was for personnel matters to discuss appointments to various County boards and committees and to discuss performance and conduct of board and personnel matters that affect one or more individuals; for legal matters to consult with counsel to obtain legal advice regarding proceedings to enforce civil penalties, Code enforcement with Talbot Arms, and proper procedure during 5-County meeting on Chesapeake College; and for real estate matters to consider the acquisition of real property for a public purpose and matters directly related to the acquisition. The Closed Session recessed at 5:58 p.m. and reconvened at 8:15 p.m. The Closed Session ended at 9:35 p.m.

CASH STATEMENT 04/19/2016

BALANCE 04/12/2016	\$24,886,905.89
INTEGRA CLAIMS THRU 4/11/2016	26,655.37
DEPOSITS	2,117,430.94
CHECKS	(468,568.76)
BALANCE 4/19/2016	<u>26,562,423.44</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP37	16,762.37
AIP39	73,794.25
AIP40	30,252.21
AIP41	39,343.53

AIRPORT ACCOUNTS TOTAL BALANCE **160,152.36**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
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PNC-MLGIP INVESTMENTS TOTAL	0.37%	18,000,000.00
TOTAL INVESTED		<u>\$18,000,000.00</u>
PETTY CASH BALANCE		<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS		<u>\$44,738,145.80</u>

CASH STATEMENT 04/26/2016

BALANCE 04/19/2016		\$26,562,423.44
INTEGRA CLAIMS THRU 4/18/2016		(63,234.93)
CORRECTED INTEGRA CLAIMS THRU 4/11/2016		(53,310.74)
ELECTION BOARD PPE 3/29/2016		(6,611.82)
PAYROLL - FD/SS/MS WH PPE 4/22/2016		(136,121.40)
DEFERRED COMP DED		(11,111.78)
MD WH		(33,982.73)
PENSION DED		(32,777.01)
SECU DED		(5,215.04)
ACH TRANSFER		(14,511.75)
FLEX SPENDING ACCT		(3,079.16)
DEPOSITS		477,437.49
CHECKS		(698,295.98)
BALANCE 04/26/2016		<u>25,981,608.59</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS		0.00
AIP37		16,762.37
AIP39		73,794.25
AIP40		30,252.21
AIP41		39,343.53
AIRPORT ACCOUNTS TOTAL BALANCE		<u>160,152.36</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.37%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$44,157,330.95</u>

