



TALBOT COUNTY, MARYLAND

County Council

MINUTES

August 13, 2019

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, Pete Leshner, Laura Price, County Manager R. Andrew Hollis, County Attorney Anthony Kupersmith and Assistant County Attorney Mary O'Donnell.

- I. Agenda – The Agenda of August 13, 2019 was brought forward for Council approval. At Mr. Pack's request, *Item III - Minutes of June 25, 2019* was postponed for consideration of approval as they were not yet completed. Mr. Pack requested and received unanimous consent for approval of the Agenda of Tuesday, August 13, 2019, as amended.
- II. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, July 30, 2019, Tuesday, August 6, 2019, and Tuesday, August 13, 2019.
- III. Update by Anne Arundel Medical Center – Victoria W. Bayless, President & CEO; Kevin Stitely, M.D., Surgical Specialist, Anne Arundel Medical Center (AAMC) Pavilion – Easton; Curtis M. Foy, M.D., Talbot Primary Care, Anne Arundel Medical Center (AAMC) Pavilion – Easton; Maulik Joshi, DrPH, Executive Vice President, Integrated Care Delivery/Chief Operating Officer – Mr. Joshi briefed the Council on services provided by Anne Arundel Medical Center through its 648 employees on the Eastern Shore, 120 of whom are in Talbot County. He stated Anne Arundel Medical Center's focus is to provide high quality care locally for the various services that individuals need and stated that Anne Arundel Medical Center providers saw approximately 11,000 patients in Talbot County in the past year. Drs. Stitely and Foy briefed the Council on their practices with Anne Arundel Medical Center at its new multi-disciplinary facility, the AAMC Pavilion – Easton, which offers diagnostic imaging, cardiology, orthopedics, physical therapy, primary care, and other services. Mr. Joshi concluded the presentation by providing information on Anne Arundel Medical Center's new partnership with Doctors Community Health System in Prince George's County and Vision 2030, both of which emphasize providing high quality, low cost care locally.
- IV. Presentation and Request from Upper Shore Workforce Investment Board – Dan McDermott, Executive Director, Upper Shore Workforce Investment Board – Mr. McDermott briefed the Council on the Memorandum of Understanding (MOU) for the American Job Center in Talbot County which outlines the services provided at the Center, the expertise of staff, and how those services are provided and paid for through the Center's partnership with 13 federally funded employment and training initiatives. He stated that any time modifications are made, such as signatory authority, a new MOU must again be presented to each of the participating counties for concurrence. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved concurrence with the Memorandum of Understanding with Upper Shore Workforce Investment Board for 2019-2021 by voting 5 – 0 as follows:

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

- V. Request for Approval of Intergovernmental Agreement For Services By and Between Talbot County, Maryland and Maryland Environmental Service for Technical Services to Talbot County to Assist with Mitigating Potential Flood Damage – Miguel Salinas, Assistant Planning Officer; Michael Manen, GIS Manager, Maryland Environmental Service – Mr. Salinas briefed the Council on a recent grant award from the Maryland Department of Natural Resources in the sum of \$50,000. He stated that the funding will be used to update the County’s green infrastructure plan. He stated that the plan, first developed in 2004, will now include data on resiliency efforts, stormwater management, etc. He stated that as part of the County’s partnership with Maryland Environmental Service (MES), the County is required to enter into an Intergovernmental Agreement (IGA) with MES for services they may provide. Mr. Salinas stated that the amount listed in the IGA is \$500,000, which would allow the County an opportunity to apply for additional grant funding to expand the scope of the project should it choose to do so, without having to amend the IGA. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved entering into the IGA with MES as presented by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshler - Aye

- VI. Update on Cordova Community Day for Cordova Village Master Plan Kick-Off – Tuesday, August 20, 2019 – Miguel Salinas, Assistant Planning Officer, Talbot County Office of Planning and Zoning – Mr. Salinas briefed the Council on the upcoming day-long Cordova Master Plan kick-off event in Cordova scheduled for Tuesday, August 20, 2019 at the Cordova Fire Hall. He stated that the 2016 County Comprehensive Plan requires master plans for villages zoned Village Mixed (VM) or Village Hamlet (VH). He stated that residents will have an opportunity to ask questions of, and provide comments to, County staff and representatives of RK&K, the County’s consultant for development of the Cordova Master Plan. Mr. Salinas stated that the event will include an Open House from 10:00 a.m. to Noon and again from 2:00 p.m. to 4:00 p.m.; individuals are invited to also attend from 5:30 p.m. to 6:30 p.m.; at 6:30 p.m. a formal presentation will be given by RK&K and County staff. Council discussion ensued with Mr. Salinas. Master Plans for the water-oriented villages of Tilghman and Bellevue have already been completed.

- VII. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO REPEAL AND REPLACE THE TALBOT COUNTY LOCAL INVESTMENT POLICY was read into the record by Mr. Pack and brought forward for introduction. Prior to introduction, Finance Director Angela Lane utilized a PowerPoint presentation to outline provisions of the proposed new investment policy which includes options for investment of funds which were not available in 2000 when the last County investment policy was approved, as well as updated State of Maryland Code references. Council discussion ensued with Ms. Lane. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Administrative Resolution by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshler – Aye

VIII. Public Hearing:

Resolution No. 278, A RESOLUTION TO APPROVE THE SALE OF A SINGLE PARCEL OF REAL ESTATE LOCATED NEAR THE VILLAGE OF BOZMAN, MARYLAND, KNOWN AS GRACE CREEK LANDING WITH AN ADDRESS AT 22350 BOZMAN LANDING RD., BOZMAN, MARYLAND, FURTHER DESCRIBED AS TAX MAP 31, GRID 22, PARCEL 57, CONSISTING OF 0.19 ACRES MORE OR LESS, WHICH PARCEL IS IMPROVED WITH A PAVED ROADWAY AND PIER EXTENDING INTO THE WATERS OF GRACE CREEK, FOR THE TOTAL SUM OF EIGHTY THOUSAND DOLLARS (\$80,000), was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Preston Peper, Director, Department of Parks and Recreation, stated that the subject landing is a very narrow strip of land with a pier; there is no water access from the landing, no boat launch, and no shoreline. The public was afforded an opportunity to comment on the legislation. Upon motion by Ms. Price, seconded by Mr. Callahan, Resolution No. 278 was brought to third reader with the Council voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshler - Aye

Upon motion by Ms. Price, and no objection by the Council, a full reading of the resolution was waived. The Council approved Resolution No. 278 by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshler - Aye

IX. Direction from Council to the Short Term Rental Review Board as to Possible Changes to the Talbot County Code Prior to the Short Term Rental Review Board’s August 22, 2019 Work Session – Prior to Council’s direction to the Short Term Rental Review Board (STRRB), Mr. Pack reviewed several matters which had come before the STRRB including method and number of notices and to whom they should be sent by individuals seeking a Short Term Rental license, regulations for shared driveways, etc. Mr. Pack stated that the Council had allowed Bill No. 1413, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ESTABLISH THAT THE BUILDING INSPECTOR CONDUCTING SHORT TERM RENTAL INSPECTIONS MUST BE INTERNATIONAL CODE COUNCIL CERTIFIED; TO CLARIFY THE PROCESS FOR PROVIDING NOTICE OF NEW LICENSE HEARINGS; TO MAKE THE DEFINITION OF “SHORT TERM RENTAL” CONSISTENT WITH THE OPERATING GUIDELINES FOR SHORT TERM RENTALS SET FORTH IN SECTION 190-33.20, WHICH PROVIDE FOR A THREE NIGHT MINIMUM STAY; AND, TO MAKE CERTAIN GRAMMATICAL CHANGES FOR EASE OF READING, as amended on June 11, 2019, to expire in order to come to a resolution on several matters outlined in the legislation and which had come before the Board which had not been included in the legislation. Council discussion ensued with Scott Kane, Chairperson of the Short Term Rental Review Board. The Short Term Rental Review Board will continue to receive comments from the public and make recommendations to the Council for streamlining the application and enforcement process so that legislation is in place prior to the time when the next round of short term rental applications opens in January 2020. Council discussion again ensued with Mr. Kane.

- X. Council Consideration of Public Information Act Request – Mr. Leshner stated that he had requested the item be included on the agenda which relates to the release of emails and other communications among the Council members back in February 2019. He stated that, in his opinion, the withholding of the Council's communications regarding their decision to send two letters to the State Legislature had dragged on too long, the action had been determined by the Open Meetings Compliance Board to not be administrative in nature, and that the public had been deprived of the opportunity to observe the County's action. He stated that, in his opinion, the Council can better the situation by an after-the-fact release of the subject communications, and motioned that for the latest Public Information Act request, the Council does not exert executive privilege for any requested communications and to release them to any interested party; Ms. Price seconded the motion and read prepared comments into the record as follows:

I have thought from the very beginning that we should release all the emails related to the PIA request. There is nothing in them that was nefarious and that the public shouldn't see. As many other counties, Talbot serves in a dual role, both legislative and executive functions. There are clearly items that are executive (legal, real estate and personnel) and there are things that are clearly legislative, anything that we are setting policy on, our resolutions and bills. What is unclear is being able to take a position on legislative issues at the State or Federal level.

In serving as MACo's legislative liaison, I am empowered to vote on Talbot's behalf at our meetings in Annapolis. Also, as MACo's Rural county liaison, I take positions on behalf of the county. What is problematic about the OMBC decision, is that it could hamstring any county with dual-role elected officials from being able to react quickly and take a position on legislation in Annapolis.

As soon as this decision came down from the OMCB, I immediately contacted the Executive Director of MACo, Michael Sanderson, who agreed this was a big deal, in limiting the County's being able to respond to bills in a timely manner. At the next legislative meeting, he presented the information and the possible ramifications to the other 23 jurisdictions and I was able to speak as well, to put it all into context. Mr. Sanderson has scheduled this issue to be taken up at our summer conference that begins tomorrow. Both the county attorneys will be discussing it, as well as having AG Frosh address the elected officials at our business breakfast. Being in the role of both legislative liaison and an executive member of the MACo board has given Talbot County the seniority and credibility to see that such issues are thoroughly addressed.

The citizens elect the local officials and it is our job to be aware of, and have an in-depth knowledge of, pending legislation that affects us. We frequently get updates and information from various groups on issues that are important to Talbot. When a piece of legislation pops up in Annapolis, it is usually on a topic on which we have been previously briefed. If we have not, then it is our job to become informed and be able to speak on behalf of what is in the best interests of the majority of the citizens of Talbot County. There is not always time for a public hearing, with the speed things move in Annapolis. Many times, a bill hearing might only have a 24-48 hour advance warning. We have to be able to react and advocate for our county as best we can.

With that said, then after a position has been taken, I am all for releasing any and all information that was used to deliberate an issue. There is absolutely no reason not to. Whether it was executive or administrative is not the point, we need to be transparent. But the public also needs to allow the elected officials that you put your trust in to make that decision in a swift manner.

There are absolutely times we need to protect our executive privilege and by releasing these emails, I don't believe that we are giving up our rights to protect that.

Mr. Divilio - Mr. Divilio stated that prior to the ruling by the Open Meetings Compliance Board, the Board had interpreted near simultaneous correspondences through email as happening within a few hours; however, that changed because the Council communicated over the course of a few days. He stated that, in his opinion, Council members need to be able to bounce ideas off one another and electronic communication is the most efficient way to do so. He stated that, in his opinion, one of the challenges with technology is that four people can unknowingly send one opinion or send their opinion to one individual nearly simultaneously over a few days. He stated that he believes in clear lines and thought he was acting within those lines; however the guidelines have changed and he will certainly accept them as they are. He stated that he is happy to release the single email he sent to Mr. Pack which offered his opinion on two issues. He stated that he supported the watermen and was also against raising the minimum wage because it would have broken the County. He stated that he had looked at the budget and the County did not have the money to do that; it would have cut funding in the valuable County departments. Mr. Divilio stated that he is in favor of releasing the information. He stated that, in his opinion, Mr. Callahan deserves extra credit because he was out of town on vacation and still stepped in to try to communicate with us, going the extra mile to work for the County.

Mr. Callahan - Mr. Callahan stated that the matter that started approximately seven months ago was brought to the Council's attention under a time constraint. He stated that, in his opinion, all the Council members had the intention of doing the right thing for the watermen. He stated that he was not sure about sending the letters without asking the local watermen about the bills but there was a time constraint. He stated that the intentions were to help the local watermen and he does not feel like the Council tried to keep anything away from the public; in his opinion, we were doing our job as elected officials – making decisions for the best interest of the community. He stated that it wasn't about an email; it wasn't about looking for a ghost in an email or a text message – he was on vacation and not concerned about hiding anything. He stated that, in his opinion, there are normal things that the Council is just doing as a governing body but in the last five years since he has been on the Council, it's getting worse and worse just trying to do normal business. He stated that he is in favor of releasing the emails and text messages because there is nothing there. Mr. Callahan expressed his appreciation to the public for bringing the matter to the Council's attention, stating that all of us can learn from it and move on.

Mr. Pack - Mr. Pack stated that he agreed with many of the sentiments expressed by his colleagues, including the statement that Council needs time to bounce ideas off one another, whether they do so over coffee or by email. He reiterated what he had indicated in the email that he was going to go along with the majority and will likewise do so in abstaining from casting a vote. The Council voted to release Council emails from February 18, and 19, 2019 which are the subject of the latest Public Information Act request by voting 4 – 1 – 0 as follows:

Mr. Pack – Abstain
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner - Aye

XI. Discussion of Incorporating the Inclusion of “Public Comments” on Future County Agendas – Prior to Council discussion, Mr. Pack stated that the Council had received a request to include public comments on the agenda and that he had requested that Jessica Morris, Assistant County Manager, provide Council with information on how other jurisdictions incorporate comments from the public into their meeting schedules.

Minutes – August 13, 2019

He stated that Ms. Morris' research indicated that some jurisdictions have public comments at the beginning of the meeting, some at the end, some at the beginning and end; some jurisdictions have a sign-up sheet while others do not, and some jurisdictions set a time limit while others do not. Council members expressed their thoughts on the proposal to have public comments on future agendas, placement of matters on the agenda and the time limit for comments. It was agreed that citizens should limit their comments to three (3) minutes; however, Council has the prerogative to allot more time. The Council approved having "Public Comments" at the end of the meeting, and having citizens wishing to speak provide their name and the topic on which they want to speak on a sign-up sheet beginning with the Council meeting of Tuesday, September 10, 2019 by voting 5 – 0 as follows:

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

Citizens are also encouraged to contact the various County departments and or individual Council members regarding any matters of concern.

XII. County Manager's Report:

A. Request from Easton Airport – Requested Council approval to forward a letter to the Maryland Department of Natural Resources requesting support for Easton Airport's Deer Cooperator Permit application. Mr. Hollis stated that the purpose of the Permit is for removal of deer which are hazardous to the Airport's runway operations. Council discussion ensued with Micah Risher, Manager, Easton Airport. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved forwarding a letter by voting 5 – 0 as follows:

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

B. Request from Finance Office – Requested Council approval of the Finance Director's recommendation to enter into a contract with Tischler & Associates in the sum of \$122,580 to update the County's Development Impact Study. Mr. Hollis stated that the original Development Impact Study was completed in 2004 by the same firm; funding for the project was allocated in the FY20 Budget. Council discussion ensued with Ms. Lane. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the request by voting 5 – 0 as follows:

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

C. Bid No. 19-01, REQUEST FOR PROPOSALS FREDERICK DOUGLASS PARK ON THE TUCKAHOE MASTER PLAN AND INTERPRETIVE PLAN – Requested Council approval to award Bid No. 19-01 to LSG Landscape Architecture in the sum of \$109,981.52. Mr. Hollis

stated that the project is being funded by a \$50,000 grant from the Maryland Heritage Areas Authority; the remaining balance of \$59,981 will come from County funds. He stated that Finance Director Angela Lane has advised that \$14,000 was allocated for this capital project and is recommending that the remaining \$46,000 be allocated from an existing capital project during the next capital budget update; Mr. Hollis concurred with Ms. Lane's recommendation. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved the award by voting 5 – 0 as follows:

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

- D. Bid No. 19-05, TALBOT COUNTY SOFT DRINK/BEVERAGE CONTRACT - Requested Council approval to award Bid No. 19-05 to Pepsi Bottling Ventures. Mr. Hollis stated that Council initially rejected the bid submitted by Pepsi Bottling Ventures on June 21, 2019 at the recommendation of Preston Peper, Director of the Department of Parks and Recreation due to the lack of competitive bids. The project was rebid as Bid No. 19-12 for which Coca-Cola was the sole bidder. He stated that when the bids were compared, Pepsi Bottling Ventures' original offer of \$3,000 annually was found to be more favorable to the County than Coca-Cola's annual offer of \$0. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved awarding the bid to Pepsi Bottling Ventures upon their agreement to honor the terms of their original bid by voting 5 – 0 as follows:

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

- E. Request from Department of Public Works – Requested Council approval to have BayLand Consultants finalize the Preliminary Engineering Report (PER) for the Ferry Point sewer service area. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved having BayLand Consultants finalize the report by voting 5 – 0 as follows:

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

- F. Request from Department of Public Works – Requested Council approval to award work for appraisals on three properties adjacent to the Leeds Creek (Tunis Mills) Bridge to Cadell & Associates in the sum of \$6,000. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the award by voting 5 – 0 as follows:

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

- G. Bid No. 17-08, OPEN-ENDED ENGINEERING SERVICES CONTRACT – Requested Council approval to award the Dutchmans Lane annexation plat work for the Easton Club East section of the roadway and the Third Street de-annexation to Lane Engineering in the sum of \$17,000 and to utilize Contingency Funds for the project; said project is needed to transfer the road to the Town of Easton. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the award and the use of Contingency Funds which the Finance Director certified are available by voting 5 – 0 as follows:

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

- H. Request from Habitat for Humanity Choptank – Requested Council approval for a letter in support of Habitat for Humanity Choptank’s application to the Maryland Affordable Housing Trust for grant funding to support local construction projects; no County funding is required. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved the request by voting 5 – 0 as follows:

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

- I. Maryland Association of Counties (MACo) Summer Conference – Mr. Hollis stated that the MACo Summer Conference will begin tomorrow in Ocean City, Maryland. He stated that Maryland Attorney General Brian Frosh will be addressing elected officials at the annual breakfast about the Open Meetings Compliance Board decision.

XIII. Council Comments:

Mr. Divilio – Mr. Divilio stated that it was good to be back from vacation.

Mr. Callahan – Mr. Callahan stated that he was looking forward to the MACo Conference. He stated that he had attended the Annual Watermen’s Appreciation Day event on Sunday and had had a good time. He commended Mr. Leshner for his part in the event and stated that the Lt. Governor was in attendance.

Mr. Leshner - No comments.

Ms. Price - Ms. Price acknowledged that Attorney General Frosh would be coming to the MACo Conference but that Michael Sanderson (Executive Director of MACo) had asked that all or some of the Open Meetings Compliance Board members to attend

as well but that, in her opinion, it was probably too short notice. She stated that she does not think the issue is going to go away and hopefully we will get, in her opinion, some clarification on the issue perhaps at the Winter Conference. She stated that, in her opinion, no one in Talbot County, or in any county, is trying to break or bend the rules – which is why MACo is taking it up. She stated that the matter would probably also be discussed at the MACo County Attorneys’ luncheon or in one of the sessions. She stated that there are 24 jurisdictions that need to understand what the Open Meetings Compliance Board decision means and whether it requires legislation in order to be clearer. Ms. Price concluded her comments by stating that she is glad everyone will be getting together to discuss the matter and come to some consensus.

Mr. Pack - Mr. Pack expressed his appreciation to everyone for attending the meeting and thanked his colleagues for their decision on the public comment portion of the agenda. He stated that he looks forward to it in September. He stated that the Council will be meeting with Pete Rahn, Secretary, Maryland Department of Transportation, at 9:30 a.m. on Friday, August 16, 2019 during the MACo Summer Conference at the Ocean City Convention Center. Individuals interested in the agenda for that meeting can contact the Talbot County Manager’s Office.

XIV. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council voted to adjourn by voting 5 – 0 as follows:

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

The meeting recessed at 7:44 p.m.

The transcript of the August 13, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XV. Summary of Closed Session Held on July 30, 2019:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 5:50 p.m. to 6:20 p.m.
Place of closed session: Talbot County Free Library
Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Divilio, Leshner, Pack
Members opposed: None
Abstaining: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Statutory authority	Persons present	Action taken
Discuss possible acquisition of real estate for a public purpose (Elk's Lodge property)	GP § 3-305(b)(3)	Frank Divilio, Pete Leshner, Corey Pack, Andy Hollis, Jessica Morris, Angela Lane, Michael Garman, Mary Wheeler, Susan Delean-Botkin, Juanita Hopkins, April Motovidlak, Otis Sampson, Kelly Griffith, Charles Connolly, Helga Einhorn	None

XVI. Summary of Closed Session Held on July 31, 2019:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 4:00 p.m. to 6:00 p.m.
 Place of closed session: Talbot County Free Library
 Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Divilio, Leshner, Pack, Callahan, Price
 Members opposed: None
 Abstaining: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Statutory authority	Persons present	Action taken
Conduct interviews for the Director of Human Resources and discuss individual candidates	GP § 3-305(b)(1)	All 5 Council members, Andy Hollis, Jessica Morris, Cheril Thomas	Direction to make employment offer

XVII. Summary of Closed Session Held on August 13, 2019:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 4:35 p.m. to 5:55 p.m.
 Place of closed session: County Council Conference Room
 Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

Minutes – August 13, 2019

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Pack, Callahan, Price, Leshner, Divilio

Members opposed: None

Abstaining: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Statutory authority	Persons present	Action taken
Legal advice and discussion of potential litigation involving bid protest (culvert replacement project)	GP §§ 3-305(b)(7)-(8)	All 5 Council Members, Andy Hollis, Jessica Morris, Mary O'Donnell, Ray Clarke	Direction to respond to bidder
Legal advice on attorney-client privilege and Public Information Act	GP §§ 3-305(b)(7)-(8)	All 5 Council Members, Andy Hollis, Jessica Morris, Mary O'Donnell	None
Discussion of potential acquisition of real estate for a public purpose (leasing space for Health Department)	GP § 3-305(b)(3)	All 5 Council Members, Andy Hollis, Jessica Morris, Mary O'Donnell, Angela Lane	Direction to respond to leasing agent
Discussion of personnel matter involving employee in the State's Attorney's Office	GP § 3-305(b)(1)	Same as above	None
Legal advice and discussion of pending/potential litigation regarding short term rentals	GP §§ 3-305(b)(7)-(8)	All 5 Council Members, Andy Hollis, Jessica Morris, Mary O'Donnell	None

XVIII. Work Session: Ferry Point – Review of Preliminary Engineering Report – Proposed Sewer Extension Project – Ray Clarke, County Engineer – The County Council held a follow-up work session with representatives of BayLand Designers and Consultants regarding questions raised by Council at the previous work session held on May 30, 2019. The questions related to price differences provided by BayLand Designers and Consultants (BayLand) and Rauch, Inc. (Rauch) for an on-site wastewater treatment system for the Ferry Point Marina area in Trappe. At Council's request following the May 30th work session, Mr. Clarke stated that he had met with Duane Wilding of BayLand and Bob Rauch of Rauch, at which time Mr. Rauch had provided actual construction cost data for previously completed projects on the Eastern Shore; BayLand then utilized the actual cost data to update their prices which they incorporated into the Preliminary Engineering Report (PER). Council reviewed the various options and costs for same outlined in the PER and discussion ensued with Mr. Wilding and Mr. Clarke. By means of a straw poll of 5 - 0, BayLand was given direction to finalize the PER. A formal vote on finalization of the PER is anticipated to be taken at the regularly-scheduled Council meeting on Tuesday, August 13, 2019.

CASH STATEMENT 7/30/2019

BALANCE 7/23/2019	19,081,927.91
TOTAL ADP PAYROLL PPE 7/12/2019	(614,439.86)
DEFERRED COMP DED PPE 7/12/2019	(18,385.87)
PENSION DED PPE 7/12/2019	(38,018.65)
SECU DED PPE 7/12/2019	(3,378.66)
DEFERRED COMP PLAN 401(A) PPE 7/12/2019	(6,725.67)
CIGNA CLAIMS THRU 7/22/2019	(63,160.50)
ELECTION BOARD PPE 6/18/2019	(8,790.54)
JUNE 2019 ENTERPRISE LEASE PAYMENT	(16,297.32)
JULY 2019 ENTERPRISE LEASE PAYMENT	(4,345.98)
RETURNED CHECK(S) #9469, 2430, 34199, 1371, 1096, 2683, 110, 5900	(11,551.75)
SHERIFF SUMMONS ACCOUNT TRANSFER	(237.50)
DEPOSIT CORRECTION CK#570	(1,877.28)
DEPOSITS	11,056,107.71
CHECKS	(807,038.46)
BALANCE 7/30/2019	<u>28,543,787.58</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		2.31%	20,500,000.00
1880 BANK			10,086,480.78
TOTAL INVESTED			<u>30,586,480.78</u>
PETTY CASH BALANCE			<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>59,145,838.36</u>

CASH STATEMENT 8/06/2019

BALANCE 7/30/2019	28,543,787.58
TOTAL ADP PAYROLL PPE 7/31/2019	(17,294.17)
DEFERRED COMP DED PPE 7/31/2019	(990.00)
PENSION DED PPE 7/31/2019	(758.37)
CIGNA CLAIMS THRU 7/29/2019	(80,747.87)
BOARD OF EDUCATION 7/2019	(3,504,641.00)
WELLS FARGO LEASE PAYMENT	(128.00)
PCORI EFF PPE 6/30/2019	(1,543.94)
RETURNED CHECK #46037744	(927.57)
DEPOSITS	13,706,022.83
CHECKS	(6,223,226.22)
BALANCE 8/06/2019	<u>32,419,553.27</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		2.27%	20,500,000.00
1880 BANK			10,086,480.78
TOTAL INVESTED			<u>30,586,480.78</u>
PETTY CASH BALANCE			<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>63,021,604.05</u>

CASH STATEMENT 8/13/2019

BALANCE 8/06/2019	32,419,553.27
TOTAL ADP PAYROLL PPE 7/26/2019	(619,844.30)
DEFERRED COMP DED PPE 7/26/2019	(18,521.87)
PENSION DED PPE 7/26/2019	(38,297.89)
SECU DED PPE 7/26/2019	(3,378.66)
DEFERRED COMP PPE 7/26/2019 PLAN 401(A)	(6,890.03)
ELECTION BOARD PPE 7/2/2019	(8,827.20)
ELECTION BOARD PPE 7/16/2019	(9,003.80)

Minutes – August 13, 2019

AUGUST 2019 RETIREE HEALTH INSURANCE PLAN #727	(31,051.14)
USDA/RD MONTHLY BOND PAYMENT #97-08	(1,304.00)
USDA/RD QUARTERLY BOND PAYMENT #92-04	(2,833.00)
STATE REPORT 7/2019	(5,710,562.82)
RETURNED CHECK(S) #882197, 1002	(9,569.05)
RETURNED ELECTRONIC CHECK(S)	(15,951.87)
DEPOSITS	3,191,277.31
CHECKS	(2,207,074.76)
BALANCE 8/13/2019	<u>26,927,720.19</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		2.18%	20,500,000.00
1880 BANK			10,086,480.78
TOTAL INVESTED			<u>30,586,480.78</u>
PETTY CASH			<u>15,570.00</u>
BALANCE			
<u>GRAND TOTAL ALL FUNDS</u>			<u>57,529,770.97</u>