



Talbot County, Maryland



Easton, Maryland

MINUTES

August 27, 2013

Present – President Dirck K. Bartlett, Vice President Corey W. Pack, Thomas G. Duncan, R. Andrew Hollis, Laura E. Price, County Manager John C. Craig and County Attorney Michael Pullen.

- I. Agenda – The Agenda of Tuesday, August 27, 2013 was brought forward for approval. Mr. Pack requested that *Item VIII., Presentation of Senior Care Budget*, and *Item IX., Quarterly Update by Board of Health*, be reversed in order of presentation; there was no objection. Mr. Bartlett then requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, August 13, 2013, with the changes as noted.
- II. Minutes – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Minutes of August 13, 2013.
- III. Disbursements – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Disbursements of August 20, 2013 and August 27, 2013.
- IV. Presentation of Forest Harvest Policy Recommendations – Sandy Coyman, Planning Officer - Mr. Coyman briefed the Council on the recommendations of the Planning Commission with regard to forest harvests following Council’s request for same. Mr. Coyman stated that the Council directive had included drafting of language for mandatory signage notification for forest harvests and clarifying language for Chapter 128 (Right to Farm) of the Talbot County Code to ensure that silviculture (forestry) is protected. He stated that the Planning Commission had reviewed the matters at its meetings on July 3, 2013 and August 7, 2013, and had received public comment, and with the exception of signage, the Commission was unanimous in its recommendations. Mr. Coyman stated that the Commission voted 3-1 to recommend that signage be voluntary; one member was absent. He provided draft legislation for Council’s review which included provisions identifying silviculture as an agricultural activity and for both a mandatory or voluntary approach to signage. Other recommendations by the Planning Commission included the timing for postage of signage and residential adjacency requirements. Council discussion ensued with Mr. Coyman as each recommendation was brought forward. Council will continue to review the matter.
- V. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01 AND RELATED INSTRUMENTS BETWEEN TALBOT COUNTY, MARYLAND AND SUNTRUST EQUIPMENT FINANCE AND LEASING CORPORATION FOR THE PURCHASE OF A NEW GRADALL HYDRAULIC EXCAVATOR FOR THE COUNTY ROADS DEPARTMENT was read into the record by the Clerk. Mr. Craig stated that the resolution relates to the funding of a new Gradall Excavator needed for the County Roads Department through a lease purchase agreement with SunTrust Equipment Finance and Leasing Corporation. He stated that although the equipment was included in the FY 2014 Budget, the County has chosen to pursue a lease purchase option rather than an outright purchase. Council discussion and comment ensued. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved the Administrative Resolution by voting 4 – 1 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Nay
Mr. Duncan – Aye

VI. Continuation of Public Hearings:

Bill No. 1239, A BILL TO AUTHORIZE GLEBE ROAD WATER QUALITY DEMONSTRATION PROJECT, was read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday, August 13, 2013. The public was then afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved bringing Bill No. 1239 to third reader by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan – Aye

Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved Bill No. 1239 by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan – Aye

The provisions of Bill No. 1239 will take effect as provided for in the legislation.

Bill No. 1250, A BILL TO AMEND BILL NO. 1016, INCREASING THE APPROPRIATION FOR IMPROVEMENTS TO THE CLAIBORNE JETTY PARKING AREA, was read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday, August 13, 2013. Prior to continuation of the public hearing, Mr. Pullen stated that following comments at the public hearing on August 13, 2013, staff had investigated the title of the legislation and determined that the bill was incorrectly titled as an appropriation to the Claiborne Jetty parking area. He stated that the intent of the appropriations outlined in the legislation is to create a living shoreline at that location. Mr. Pullen stated that the legislation as currently titled does not meet the requirement of the County Charter that the title comply with the substance of the legislation; therefore, it is legally defective, and it is his recommendation that Council not approve the legislation. He stated that the project outlined in the legislation would still need to be brought forward at a later date for Council's consideration. The public hearing then continued on Bill No. 1250 and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved bringing Bill No. 1250 to third reader by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan – Aye

Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council did not approve Bill No. 1250 by voting 0– 5 as follows:

Mr. Bartlett – Nay
Mr. Hollis – Nay
Mr. Pack – Nay
Ms. Price – Nay
Mr. Duncan – Nay

The provisions of Bill No. 1250 will not take effect.

- VII. Quarterly Update by Board of Health - Kathy Foster, R.N., M.S., Talbot County Health Officer; Jake Frego, Executive Director of Eastern Shore Area Health Education Center; Sara Rich, Vice President for Community Programs, Choptank Community Health Systems, Inc; April Sharp, Director, Talbot County Department of Social Services – Ms. Foster, Mr. Frego, Ms. Rich and Ms. Sharp briefed the Council on the Patient Protection and Affordable Care Act, also known as the Affordable Care Act. Ms. Foster stated that the Affordable Care Act, passed in 2010, requires that beginning October 1, 2013, all individuals under the age of 65 are mandated to enroll in private insurance plans or the federal Medicaid Program; individuals can begin enrolling in the various plans offered by “health benefit exchanges” also on October 1, 2013; plans selected are scheduled to become effective on January 1, 2014. She stated that individuals aged 65 and over are considered to already be insured through the Medicare Program. Ms. Foster advised that states will have the option of setting up their own processes for educating and enrolling their citizens in the various plans available, or can elect to have the federal government do so on their behalf. She stated that in order to be included in the health benefit exchange, plans must meet certain criteria, including the offering of pre-natal, mental health, emergency room, prescription, pediatric, and substance abuse coverage. Individuals utilizing the health benefit exchanges will be able to choose from a variety of health insurance plans which meet their specific needs and income constraints; individuals will also be able to determine if they are eligible for any financial assistance or will need to pay the full premium themselves; January 1, 2014 is the enrollment start date for small businesses; enrollment for those companies having 50 or more employees has been postponed until January 1, 2015. Ms. Foster stated that the health benefit exchange will be most helpful to those individuals who currently have few or no health insurance coverage options; Maryland’s health benefit exchange, known as Maryland Health Connection, will begin signing up individuals starting October 1, 2013; representatives are available to answer questions at www.marylandhealthconnection.gov or at 1-855-642-8572, Monday through Friday from 8:00 a.m. to 6:00 p.m.; Saturday and Sunday hours will begin on October 1, 2013. The federal government website is www.healthcare.gov and the call center number is 1-800-318-2596. Mr. Frego then briefed the Council on the “navigators” and “assisters,” individuals who have been hired utilizing federal and State monies to help educate citizens on the health plans available to them and to help those individuals navigate through the sign-up process. Ms. Foster, Ms. Rich, and Ms. Sharp outlined the role each of their organizations will play in the process; the State of Maryland enrollment media campaign will begin the week of September 1, 2013. Continuing with the Board of Health agenda, Ms. Foster advised the Council that flu vaccine is now available at various locations throughout the County, including pharmacies, healthcare providers, and the Talbot County Health Department; the Health Department will be conducting worksite clinics and will be providing the vaccine to uninsured individuals in the community.

VIII. Presentation of Senior Care Budget – Kathy Foster, R.N., M.S., Talbot County Health Officer – Ms. Foster requested Council approval to sign off on a request by her office to accept \$100,000 in grant funding from the State Office of Aging to provide in-home support services for approximately 150 of the County’s neediest elderly citizens who are at risk of having to go into nursing homes. Ms. Foster stated that State funding for the program in the past two budget years had been reduced from approximately \$250,000 to \$100,000; Talbot County had provided an additional \$50,000 in each of those years for the program; the Senior Care Program is a cooperative effort between Upper Shore Aging, the Talbot County Department of Social Services and the Talbot County Health Department. Council discussion ensued with Ms. Foster. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council approved the Health Department’s acceptance of the State funding by voting 5 – 0 as follows:

- Mr. Bartlett – Aye
- Mr. Hollis – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Mr. Duncan – Aye

IX. Council Consideration of U. S. Department of Commerce Economic Development Administration (EDA) Grant Award of \$1,650,000 for Construction of a Regional Sewer Force Main System to the Site of the Future University of Maryland Shore Medical Center at Easton – Mr. Craig reviewed with Council the history of negotiations between the Town of Easton, the former Memorial Hospital at Easton (now University of Maryland Shore Medical Center at Easton) and Talbot County regarding the proposed relocation of the Memorial Hospital to County owned property at the northern end of the Town of Easton adjacent to the Talbot County Community Center. He stated that in preparation for the hospital’s move, the County had agreed to provide water and sewer infrastructure to the site and approximately a year ago, applied for an EDA grant from the U.S. Department of Commerce in the sum of \$1.65 million to help defray the cost of the County’s obligation for the infrastructure, estimated to cost between \$6 and \$7 million. Mr. Craig stated that Talbot County was recently notified by the Department of Commerce that the grant has been awarded; he requested Council approval to accept the grant award on behalf of Talbot County in order to complete the infrastructure necessary for the project. Mr. Craig then outlined the terms of the grant which include the requirement that the project be started within 24 months after acceptance of the grant monies, with completion of the project in an additional 18 to 36 months; after the infrastructure project is complete, the County will reimbursed for expenses up to 50% of the cost of one portion of the project, up to \$1.65 million, which the County has identified as a pump station at the site and approximately 3.9 miles of sewer line to the pump station; Council discussion and comment ensued. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved acceptance of the EDA grant award in the sum of \$1.65 million by voting 5 – 0 as follows:

- Mr. Bartlett – Aye
- Mr. Hollis – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Mr. Duncan – Aye

X. County Manager’s Report:

A. Emergency Services Advisory Board– Requested Council approval for the appointment of Robyne Chaconas to a three-year term on the Emergency Services Advisory Board as a representative of the Cordova District; said term will expire February 1, 2016. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan - Aye

- B. Request by Talbot County Department Information Technology – Requested Council approval of the Department of Information Technology’s request to use budgeted funds in the sum of \$116,516.23 for an upgrade of the County’s server infrastructure to a virtualization format; \$120,000.00 was budgeted for the purchase in FY 2014. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the purchase as requested by voting 5– 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan - Aye

- C. Request by Talbot County Department Information Technology – Requested Council approval of the Department of Information Technology’s request to purchase an upgrade for the County’s MUNIS software in the sum of \$56,715; MUNIS software is currently used in the County Finance Office as well as in other departments; the upgrade will allow the software to be used as a web-based platform in order to more broadly implement its use throughout the County by both citizens and staff; funds for the upgrade will come from several different departments. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the purchase by voting 5 - 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan – Aye

Following the County Manager’s Report, Mr. Hollis requested that the Council be brought up to speed on the citizen self-service component of the MUNIS software upgrade as well as how the County plans to market the enhanced system out to the public.

- D. Maryland Department of Housing and Community Development Housing Bonds for Maryland First-time Homebuyers - Requested Council approval to allow the Maryland Department of Housing and Community Development (DHCD) to issue housing bonds at the State level and to relinquish the County’s bonding authority which is allocated by State statute to the counties each year; the sum allocated this year to Talbot County is \$1,276,539; said bonding authority will be used by the State for its various housing programs; Council discussion ensued. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the request by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan - Aye

XI. Council Comments:

Mr. Duncan – No comments.

Ms. Price - Ms. Price extended best wishes to teachers, administrators and students as the new school year begins.

Mr. Hollis – No comments.

Mr. Pack - No comments.

Mr. Bartlett - Mr. Bartlett stated that he had attended the opening day ceremonies for Talbot County Public Schools at Easton High School. He stated that in his opinion, it was a nice event kicked off by the NJROTC. He stated that, in his opinion, Kelly Griffith did a great job of putting the program together outlining the mission for the children of the school system and it was a good start to the school year. Mr. Bartlett concluded his comments by commending Ms. Griffith on the job she is doing as Interim Superintendent for Talbot County Public Schools.

XII. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters and to reconvene in Executive Session on Tuesday, September 10, 2013 at 12:30 p.m. for discussion of legal, personnel, and real estate matters, and at 1:30 p.m. for the regularly scheduled legislative session by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Hollis– Aye
Mr. Pack – Aye
Ms. Price – Aye
Mr. Duncan - Aye

The meeting adjourned at 8:00 p.m.

The transcript of the August 27, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XII. On Tuesday, August 27, 2013, an Executive Session of the Talbot County Council convened at 5:10 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Duncan – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye

In accordance with State Article § 10-508 (a)(1)(i)(3)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees and to discuss a personnel matter in the Office of Law; for a legal/real estate matter to discuss a proposal to dispose of County property; and for legal advice regarding an avigation easement. The Executive Session recessed at 6:00 p.m. and reconvened at 8:05 p.m. The Executive Session ended at 10:00 p.m.

CASH STATEMENT 8/20/2013

BALANCE 8/13/2013			\$33,889,176.34
MD STATE RETIREMENT			(1,146.00)
RETURNED CHECKS			(8,824.88)
UHC CLAIMS THRU 8/13/2013			(55,991.65)
POSTAGE WIRE			(3,000.00)
STATE BOARD OF ELECTIONS PPE 7/23/2013 & 8/3/2013			(10,206.84)
PAYROLL – FD/SS/MS WH 8/16/2013			(126,682.88)
SECUR DED			(6,830.55)
DEFERRED COMP DED			(9,765.60)
MD WH			(30,876.08)
PENSION DED			(29,868.28)
ACH TRANSFER			(10,281.75)
FLEX SPENDING ACCT			(2,806.21)
DEPOSITS			893,034.04
CHECKS			(876,628.01)
BALANCE 8/20/2013			<u>33,609,301.65</u>
<u>AIRPORT ACCOUNTS</u>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP34	BALANCE 8/13/2013	55,283.34	
	CHECK	(5,941.51)	49,341.83
AIP35	BALANCE 8/13/2013	55,931.23	
	CHECK	(506.25)	55,424.98
AIP36	BALANCE 8/13/2013	36,561.87	
	CHECK	(659.83)	35,902.04
AIP37			324.62
AIP38			3,257.70
AIRPORT ACCOUNTS TOTAL BALANCE			<u>144,251.17</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$51,762,122.82</u>

CASH STATEMENT 8/27/2013

BALANCE 8/20/2013	\$33,609,301.65
UHC CLAIMS THRU 8/20/2013	(31,248.13)
PAYROLL – FD/SS/MS WH 8/19/2013	(123.77)
MD WH	(27.13)
DEPOSITS	620,578.06
CHECKS	(1,257,390.63)
BALANCE 8/20/2013	<u>32,941,090.05</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP34 BALANCE 8/27/2013	49,341.83
AIP35 BALANCE 8/27/2013	55,424.98
AIP36 BALANCE 8/27/2013	35,902.04
AIP37	324.62
AIP38	3,257.70
AIRPORT ACCOUNTS TOTAL BALANCE	<u>144,251.17</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$51,093,911.22</u>