



# Talbot County, Maryland



Easton, Maryland

MINUTES

December 11, 2012

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. Presentation of Past President's Gavel - Prior to the start of the meeting, Mr. Bartlett presented a Past President's gavel to Mr. Pack in recognition of his leadership of the Council for 2011 to 2012.
- II. Agenda – Mr. Bartlett requested and received Council's unanimous consent for approval of the Agenda of Tuesday, December 11, 2012.
- III. Minutes – Mr. Bartlett requested and received Council's unanimous consent for approval of the Minutes of Tuesday, December 4, 2012.
- IV. Disbursements – Mr. Bartlett requested and received Council's unanimous consent for approval of the Disbursements of December 11, 2012.
- V. Presentation of Talbot County Public Schools 2012 Bridge to Excellence Master Plan Update – Dr. Karen Salmon, Superintendent, Talbot County Public Schools; Dr. Pamela Heaston, Assistant Superintendent for Instruction, Talbot County Public Schools – Dr. Salmon and Dr. Heaston provided a PowerPoint presentation as an overview of information contained in the *2012 Bridge to Excellence Master Plan Update* for Talbot County Public Schools for the school year 2011-2012. The Master Plan Update includes demographic information on Talbot County's 4,547 students, including the percentage of students receiving free or reduced priced meals, special education services, and those which are "limited English proficient". Dr. Heaston and Dr. Salmon summarized standardized testing progress of Talbot County students for the school year 2011-2012 and provided comparison charts for Talbot County's standardized test scores against a compilation of all Maryland jurisdictions for several previous years. Dr. Salmon stated that the State of Maryland has instituted a new longitudinal tracking system designed to track individual student performance from pre-K or K through Grade 12. Council discussion ensued with Dr. Salmon and Dr. Heaston as to specific data included in the Plan, the effectiveness of the 1-to-1 Laptop Program, and the importance of parental involvement in overall student achievement.
- VI. Update by Upper Shore Workforce Investment Board Five-Year Plan (July 1, 2012 – June 30, 2017) - Dan McDermott, Executive Director, Upper Shore Workforce Investment Board – Mr. McDermott briefed the Council on the Upper Shore Workforce Board's Operational Plan through the federally funded Workforce Investment Act for the five-year period from July 1, 2012 through June 30, 2017. He outlined specifics of the Plan, including workforce area, partnership criteria, and fiscal data and performance systems. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council concurred with the Plan as presented by voting 5 – 0 as follows:

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

VII. Continuation of Public Hearings:

Bill No. 1227, A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, “ZONING, SUBDIVISION AND LAND DEVELOPMENT”, TO CREATE AND DEFINE SMALL SCALE SUBDIVISIONS, AND THEREBY MAINTAIN THE EXISTING DEVELOPMENT POTENTIAL OF PROPERTIES IN THE TIER IV MAP DESIGNATION UNDER *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SENATE BILL 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY was read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday November 27, 2012.

Bill No. 1229, A BILL TO ADOPT A TIER CLASSIFICATION SYSTEM PURSUANT TO REQUIREMENTS ESTABLISHED IN *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SB 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY AND TO IMPLEMENT POLICIES OF THE TALBOT COUNTY COMPREHENSIVE PLAN AND TO ADOPT A MAP TO CLASSIFY LAND IN THE COUNTY INTO ONE OF SEVEN TIER CLASSIFICATIONS THAT ESTABLISH THE TYPE OF SUBDIVISION AND THE KIND OF WASTEWATER TREATMENT SYSTEM PLANNED FOR EACH SUBDIVISION TYPE, was also read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday, December 4, 2012.

The public was afforded an opportunity to comment on the proposed legislation. Following public comment on Bill Nos. 1227 and 1229, Mr. Duncan made a motion to move forward with the amendment; the motion was seconded by Ms. Price. The amendment to Bill No. 1227 was then brought forward for public hearing. Prior to the public hearing, Planning Officer Sandy Coyman stated that the purpose of the amendment was to permit small scale subdivisions in the Tier II areas, correcting an oversight in the original legislation which included small scale subdivisions in Tier IV areas only; inclusion of the Tier II areas in the legislation ensures the preservation of the maximum number of development rights allowed under the Talbot County Comprehensive Plan. Mr. Coyman stated that due to time constraints for advertising its agenda, the Planning Commission was unable to include review of the proposed amendment at its Wednesday, December 5, 2012 meeting; Mr. Coyman stated that individual members had informally reviewed the matter and recommended that Council approve the amendment; the matter will be formally considered at the January 9, 2013 Planning Commission meeting. The public was then afforded an opportunity to comment on the amendment to Bill No. 1227. The Council approved the amendment to Bill No. 1227 by voting 5 – 0 as follows:

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

VIII. Eligible for Vote:

Upon motion by Mr. Duncan, seconded by Mr. Pack, Bill No. 1227, A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, “ZONING, SUBDIVISION AND LAND DEVELOPMENT”, TO CREATE AND DEFINE SMALL SCALE SUBDIVISIONS, AND THEREBY MAINTAIN THE EXISTING DEVELOPMENT POTENTIAL OF PROPERTIES IN THE TIER IV MAP DESIGNATION UNDER *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SENATE BILL 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY, as amended, was brought forward for vote. The Council approved Bill No. 1227, as amended, by voting 5 – 0 as follows:

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

Bill No. 1227, as amended, will take effect sixty (60) days from the date of its passage.

Upon motion by Ms. Price, seconded by Mr. Pack, Bill No. 1229, A BILL TO ADOPT A TIER CLASSIFICATION SYSTEM PURSUANT TO REQUIREMENTS ESTABLISHED IN *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SB 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY AND TO IMPLEMENT POLICIES OF THE TALBOT COUNTY COMPREHENSIVE PLAN AND TO ADOPT A MAP TO CLASSIFY LAND IN THE COUNTY INTO ONE OF SEVEN TIER CLASSIFICATIONS THAT ESTABLISH THE TYPE OF SUBDIVISION AND THE KIND OF WASTEWATER TREATMENT SYSTEM PLANNED FOR EACH SUBDIVISION TYPE, was brought forward for vote. The Council approved Bill No. 1229 by voting 5 – 0 as follows:

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

Bill No. 1229 will take effect sixty (60) days from the date of its passage.

IX. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO CLARIFY THE PROCESS TO LEASE OR GRANT ANY LEASEHOLD RIGHT OR INTEREST IN THE AIRPORT AND TO ESTABLISH ANY CHARGES, RENTALS, OR FEES FOR THE USE OF THE AIRPORT was read into the record by the Clerk. Upon motion by Mr. Hollis, and unanimous consent of the Council, a full reading of the administrative resolution was waived. County Attorney Mike Pullen stated that the administrative resolution sets forth a procedure for approval of large long-term hangar leases at Easton Airport. He stated that State law allows political subdivisions who own airports to delegate leasing authority for hangars to a qualified person at said airports; the administrative resolution grants leasing authority for T-hangars to the Airport Manager but reserves authority for the County to enter into long-term leases of large hangars to the County Council; the administrative resolution also requires that the lease be advertised for in the newspaper and on the Airport's website for one (1) week, after which time it will be presented to the Council in open session for their consideration. Mr. Pullen stated that proposed long-term leases are currently advertised for three (3) successive weeks. The Administrative Resolution was then introduced by Mr. Bartlett, Mr. Pack, and Ms. Price; Council discussion ensued. Upon motion by Mr. Pack, seconded by Ms. Price, the Administrative Resolution was brought forward for vote. The Council approved the Administrative Resolution by voting 5 – 0 as follows:

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

- X. Request for Approval to Consolidate and Amend Options Previously Granted to Shore Health System for the Purchase of Parcels of Land Adjacent to the Talbot County Community Center for the Relocation of the Memorial Hospital at Easton – County Attorney Mike Pullen briefed the Council on the purpose of the request to consolidate and amend two Option Agreements outlined in a 2008 Memorandum of Understanding between Talbot County, the Town of Easton, and Shore Health Systems, Inc. regarding the purchase of two parcels of property adjacent to the Talbot County Community Center for the relocation of the Memorial Hospital at Easton. He stated that the Options as currently drafted do not give Shore Health System sufficient legal interest in the subject property to file a petition to have the County approve the Development Rights and Responsibilities Agreement (DRRA) for the relocation project. He stated that the terms outlined in the Consolidated and Amended Option incorporate changes which have developed since 2008 and have been agreed to by all parties; the purchase price of \$2,000,000 plus four percent (4%) interest since January 1, 2010 remains in effect. Mr. Pullen stated that the amended Option also includes a revised property description for additional land near the current Talbot County Community Center entrance and at the front of the Community Center; the additional land will be included in the transaction and will be transferred to the State Highway Administration for use as a deceleration lane on U.S. Route 50. Mr. Pullen stated that the Amended Option also subdivides the parcels into several parts, two of which will be conveyed to the Town of Easton; one for location of the pump station and one for the location of the water tower which will serve the regional medical facility. He then outlined provisions relating to the realignment of a portion of Maryland Rt. 662, the subsequent abandonment of a portion of the road by the State, acceptance by the County of the abandoned portion and a public hearing to be held by the County as part of the formal abandonment process. He stated that the closed portion of the road would then be transferred to Shore Health System and be incorporated into the project. Mr. Pullen stated that Shore Health System has agreed to construct a new Community Center entrance; conveyance of the existing Community Center entrance and property for the deceleration lane is contingent upon satisfactory construction, completion and acceptance by the County of the new entrance. Mr. Pullen then briefed the Council on provisions to satisfy Program Open Space restrictions on a portion of one of the parcels, the request by Shore Health System for an avigation easement on a portion of the property designated as Lot 4 which will be retained by the County, and wetland restrictions on a portion of the property. Council discussion ensued as each matter was brought forward by Mr. Pullen. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the Consolidated and Amended Options Agreement by voting 5- 0 as follows:

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

- XI. County Manger’s Report:

There were no items for the County Manager’s Report.

- XII. Council Comments:

Mr. Hollis – No comments.  
Mr. Pack- No comments.  
Ms. Price- No comments.  
Mr. Duncan - No comments.

Mr. Bartlett – No comments.

XIII. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council voted to adjourn Executive Session for discussion of legal, personnel and real estate matters and to reconvene in Executive Session at 5:00 p.m. on Tuesday, December 18, 2012 for discussion of legal, personnel, and real estate matters, and for the regularly scheduled meeting at 6:00 p.m., 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 8:01 p.m.

The transcript of the December 11, 2012 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XIV. On Tuesday, December 11, 2012, 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. Pack, seconded by Mr. Hollis, 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)(4)(7)the purpose of the Executive Session was for personnel matters to discuss candidates for Director of Parks and Recreation vacancy and to discuss Tourism Director vacancy; for legal/real estate matters for legal advice to discuss relocation of Memorial Hospital at Easton to County owned property and the timetable for same; and for a real estate matter to discuss proposal for acquisition of property for a public purpose. The Executive Session recessed at 6:00 p.m., reconvened at 8:10 p.m. and ended at 9:00 p.m.

**CASH STATEMENT 12/11/2012**

<b>BALANCE 12/04/2012</b>	\$22,696,253.48
RETURNED CHECK	(792.00)
TRANS MAA DEPOSIT TO AIP35, AIP36, AIP37, AIP38	(2,377.00)
POSTAGE WIRES	(4,000.00)
UHC CLAIMS 12/4/2012	(56,773.85)
DEPOSIT TICKET ORDER	(220.69)
PAYROLL-FD/SS/MS WH 12/7/2012	(107,917.32)
SECURED	(8,284.96)
DEFERRED COMP DED	(9,642.72)
MD WH	(28,514.69)
PENSION DED	(28,191.26)
ACH TRANSFER	(10,121.75)
FLEX SPENDING ACCT	(2,541.09)

DEPOSITS	1,008,200.46
CHECKS	(978,518.27)
VOID CHECK NO.S 279785,280283,280329	6,701.00

**BALANCE 12/11/2012** **\$22,473,259.34**

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	15,304.15

AIP-35	BALANCE 12/4/2012	34,785.23	
	TRANS FR GEN FUND	1,499.00	36,284.23

AIP36	BALANCE 12/4/2012	26,879.74	
	TRANS FR GEN FUND	482.00	27,361.74

AIP37	BALANCE 12/4/2012	301.19	
	TRANS FR GEN FUND	39.00	340.19

AIP38	BALANCE 12/4/2012	13,656.26	
	TRANS FR GEN FUND	357.00	14,013.26

**AIRPORT ACCOUNTS TOTAL BALANCE** **\$93,303.57**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
12/20/2011	12/20/12	0.37%	3,000,000.00

PNC-MLGIP INVESTMENTS TOTAL	0.13%	18,000,000.00
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**TOTAL INVESTED** **\$21,000,000.00**

**PETTY CASH BALANCE** **\$8,320.00**

**GRAND TOTAL ALL FUNDS** **\$43,574,882.91**