



Talbot County, Maryland



Easton, Maryland

MINUTES

January 22, 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 – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, January 22, 2013.
- II. Minutes – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Minutes of January 8, 2013
- III. Disbursements – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Disbursements of January 15, 2013 and January 22, 2013.
- IV. Presentation on Agriculture in Talbot County – Eddie Boyle, President, Talbot County Farm Bureau; Ed Heikes, Member, Board of Directors, Talbot County Farm Bureau; Shannon Dill, County Extension Director/Extension Educator, University of Maryland Extension/Talbot County; Craig Zinter, District Manager, Talbot County Soil Conservation District; John Swaine, III, Chairman, Board of Supervisors, Talbot County Soil Conservation District – Mr. Heikes briefed the Council on changes to local Farm Bureau policies adopted by the Talbot County Farm Bureau during the previous year, several of which were forwarded to the Maryland Farm Bureau for consideration and possible inclusion in State of Maryland policy at the legislative level. Mr. Heikes stated that several policies have already been adopted in full or in part by the Maryland Farm Bureau. He then outlined several local policies adopted by the Talbot County Farm Bureau including: support for the continued ability to utilize open burning of brush in Talbot County without a fee; support for continued regulation of timber harvests by the Maryland Department of Natural Resources; and a request that the County keep roadsides under its jurisdiction in compliance with the noxious weed law. Council discussion ensued with the representatives on the various policies as each was brought forward.
- V. Presentation of Request by Chesapeake College for Increased Spending Authority and Use of a Portion of the College’s FY 2012 Unrestricted Fund Balance – Mike Kilgus, Vice President for Administrative Services, Chesapeake College – Mr. Kilgus briefed the Council on the request by Chesapeake College to use \$487,000 of its FY 2012 Unrestricted Fund Balance for three Information Technology (IT) infrastructure improvement projects: installation, cabling, configuration and additional network switching for the wireless infrastructure (\$281,000); replacement of the College’s uninterruptable power supplies system (UPS), and an upgrade for devices added since initial installation of the system (\$73,000); and replacement of various components of the College’s network storage equipment and purchase of additional equipment for the SAN (Storage Area Network) in the sum of \$43,000. Mr. Kilgus stated that the College’s Board of Trustees had approved use of the requested funding at their December 2012 meeting. Council discussion ensued with Mr. Kilgus. As of the date of the request, Kent and Caroline counties had approved use of the funding as requested. Mr. Kilgus stated that Dorchester County had not yet scheduled the matter for consideration and Queen Anne’s County was due to consider the matter at their meeting, also on January 22, 2013. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved Chesapeake College’s use of its FY 2012 Unrestricted Fund Balance in the sum of \$487,000 for

replacement of campus wireless network, UPS refresh, and an upgrade to the network infrastructure by voting 5 – 0 as follows:

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

VI. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO AMEND THE BYLAWS OF THE TALBOT COUNTY ECONOMIC DEVELOPMENT COMMISSION was brought forward for introduction. Prior to introduction, Paige Bethke, Director of the Talbot County Office of Economic Development, stated that the purpose of the request to amend the Economic Development Commission’s bylaws was to expand the ex-officio membership of the Commission to include a representative of the Talbot County arts community. She stated that, in the Commission’s opinion, the arts play a significant role in the Talbot County economy. Ms. Bethke stated that the Commission, at its meeting on November 1, 2012, had approved forwarding a recommendation to the Council to include a representative of the arts community as an ex-officio member of the Commission. Council discussion ensued with Ms. Bethke. The administrative resolution was then read into the record by the Clerk. Upon motion by Mr. Pack, seconded by Ms. Price, 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

VII. Public Hearing:

Resolution No. 200, A RESOLUTION TO ADOPT A DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT BY AND BETWEEN TALBOT COUNTY, THE TOWN OF EASTON, AND SHORE HEALTH SYSTEM, INC. CONCERNING APPROXIMATELY 235 ACRES OF LAND LOCATED ADJACENT AND TO THE WEST OF THE TALBOT COUNTY COMMUNITY CENTER was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Ryan Showalter, attorney for Shore Health System, briefed the Council on the status of the three-party Development Rights and Responsibilities Agreement (DRRA) between the Town of Easton, Shore Health System and Talbot County. He stated that the Town Planning Commission has recommended the Agreement for approval by the Town Council and the Town is in the process of continuing its public hearing on the matter. Mr. Showalter stated that the County Planning Commission reviewed the Agreement at its January 2nd meeting, held a special evening meeting on January 9th and will continue their review of the Agreement at their next regularly scheduled meeting on February 6, 2013. Mr. Showalter then requested Council’s consideration to keep the record open on Resolution No. 200 until such a time that a recommendation is received from the County Planning Commission as to whether the Agreement is consistent with the County’s Comprehensive Plan. Tony Kelly, Project Manager for the new Regional Medical Center, then briefed the Council on the project. He stated that the facility is being designed to improve healthcare for the citizens of the Eastern Shore. He stated that Phase I of the project consists of a two-story building for outpatient care and a six-story building for inpatient care which are joined by a common entrance; Phase I also includes the realignment of MD Rt. 662, construction of a road and construction of a new entrance to the Talbot County Community Center. Mr. Kelly provided architectural

renderings of the buildings, grounds, and surrounding green space, and gave a brief description of the form and function of the buildings against a backdrop of the layout of the building on the property, all designed with an emphasis on the goal of focusing on patient-centered care. He stated that all patient rooms will be single rooms with natural light. County Attorney Mike Pullen then gave a brief synopsis of the DRRRA, an agreement between the Town of Easton, Shore Health System, and Talbot County which is intended to vest development rights in the hospital for the Regional Medical Center project for a period of 30 years. He stated that vesting provides a certainty to all parties that existing development rules and environmental restrictions remain in effect throughout the life of the DRRRA, with some exceptions, and outlined same. Mr. Pullen stated that the project is comprised of two sections: the first section consists of approximately 77 acres, will be developed first and as such, has greater vesting protection; section two comprises the remaining acreage of the site and is vested for ten years under current development regulations. Mr. Pullen then provided a brief description of various provisions outlined in the DRRRA, including obligations by Shore Health System and infrastructure improvements to be provided by the County. He stated that the County's obligation is contingent upon Shore Health acquiring the property, issuance of a final certificate of need (CON) by the Maryland Health Care Commission authorizing the construction of the hospital, and the issuance of a preliminary permit by the Town of Easton. Council discussion ensued with Mr. Pullen as each provision was outlined. The public hearing was then held on Resolution No. 200 and the public was afforded an opportunity to comment on the legislation. After conferring with Mr. Showalter, Mr. Pullen offered an amendment to the title of the Resolution to change "235 ACRES OF LAND" to "199.29 ACRES OF LAND." Council requested that Mr. Pullen further review the proposed amendment. The public hearing on Resolution No. 200 was continued to Tuesday, February 12, 2013 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington St., Easton, Maryland 21601.

- VIII. Update by Talbot County Board of Health – Kathy Foster, R.N., M.S., Talbot County Health Officer – Ms. Foster briefed the Council on the following: (1) Influenza – Ms. Foster stated that influenza is now widespread in Maryland and in Talbot County and encouraged those who have not yet been vaccinated to do so. She stated that flu vaccine continues to be available at local pharmacies in Talbot County and at the Health Department. She outlined preventative measures against the flu, adding that anyone exhibiting flu-like symptoms should stay home. Those at high risk include the very young, the elderly, pregnant women, and those with chronic diseases including asthma, diabetes, etc.; flu season is anticipated to last until May; (2) Mission of Mercy Free Dental Clinic – Ms. Foster outlined the importance that good oral health plays in the overall health of an individual, stating that good oral health can even increase longevity; she outlined the importance of daily brushing, flossing and regular dental check-ups as pain and discomfort from lack of dental care affects nutritional well-being and oftentimes even the ability to eat. She stated that only 43% of individuals have seen a dentist in the past year; gender, age, educational level, income, access to dental insurance and proximity to available dental care are factors affecting treatment. She advised that the Eastern Shore Mission of Mercy will be hosting a free dental clinic on March 15th and March 16, 2013 from 6:00 a.m. to 6:00 p.m. at the Wicomico Youth and Civic Center in Salisbury for adults 18 years of age and older on a first come, first service basis; transportation will be provided; registration and screenings will be held on March 14, 2013. Interested individuals should contact Eastern Shore Mission of Mercy at 443-365-5776 or www.easternshoremissionofmercy.org; (3) Cold weather precautions – Ms. Foster stated that individuals should take precautions against hypothermia when outside during cold weather by layering clothing, covering one's head, wearing sturdy shoes and mittens versus gloves, and carrying a cell phone in their coat pocket even when walking a short distance such as to the mailbox; individuals should also notify a neighbor or relative that they will be going outdoors; and (4) New Health Department phone system - Ms. Foster advised the Council that a new phone system had been installed at the Health Department; the phone system, previously approved by the Council for purchase through State grant funding, has the capability of operating as a 24-hour Call Center in the event of an emergency. Ms. Foster will continue to update the Council on a regular or as-needed basis.

- IX. Quarterly Update by Talbot County Economic Development Commission – Paige Bethke, Director, Office of Economic Development; Paul Makosky, Member, Talbot County Economic Development Commission – Ms. Bethke briefed the Council on recent work of the Economic Development Commission, specifically efforts to develop a long-term economic development Strategic Plan (the Plan) for Talbot County, its incorporated municipalities, and Villages. Ms. Bethke stated that the purpose of the development of the Plan is to identify ways to expand retention and attraction of business to the County in order to rebalance the tax base, to recruit new target industries, to invest in workforce development, and to identify infrastructure for new industrial growth. She stated that a Strategic Planning Subcommittee of the Economic Development Commission had reviewed submittals to the County’s Request for Proposal for the development of a long-term economic development Strategic Plan, had interviewed consultant candidates and had recommended the selection of consultant Anirban Basu of Sage Policy Group to the Council; the recommendation was subsequently approved by the Council. She stated that Sage Policy Group developed an economic analysis for the County and Towns which had been presented to them in early January for the purpose of outlining data which will assist in development of the Plan; the Plan will include suggested priorities and allocation of resources of infrastructure to support both the short and long-term goals of the Plan. Council discussion ensued with Ms. Bethke and Mr. Makosky. Mr. Basu will be conducting strategic planning sessions with the County, Towns and several Villages on February 4th and 5, 2013; representatives from various business and community sectors have been invited to attend so that the consultant can gather input from the public on what the community perceives as its Strengths, Weaknesses, Opportunities, and Threats or challenges (SWOT). Ms. Bethke provided a brief synopsis of the anticipated outcomes of the Plan. Sage Policy Group is anticipated to present the Strategic Plan to the County and Towns in mid-to-late March.
- X. Presentation of Maryland Aviation Administration Grant Application by Easton Airport – Mike Henry, Manager, Easton Airport – Mr. Henry requested Council’s approval to submit a grant application to the Maryland Aviation Administration (MAA) for the following four projects at Easton Airport: (1) 20:1 Approach Obstruction Mitigation – Phase I; (2) Acquisition of a Replacement Airfield Vehicle; (3) Design of Crack Sealing, Rubber Removal, and Airfield Striping; and (4) Air Traffic Control Tower (ATCT) Communication Equipment Replacement and Upgrade; total cost of the four projects is \$127,378.15; MAA has agreed to pay 75%, or \$95,533.00, Easton Airport will pay the remaining 25%, or \$31,845.15. Council discussion ensued with Mr. Henry as each of the projects was brought forward. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved submission of the grant application to MAA 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:
- A. Talbot County Agricultural Resolution Board – Requested Council approval for the reappointment of Robert Greenlee to a four-year term on the Talbot County Agricultural Resolution Board; said term will expire on January 1, 2017. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the reappointments by voting 5 – 0 as follows:

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

- B. Talbot County Board of Appeals – Requested Council approval for the reappointment of Phillip Jones, Rush Moody to three-year terms on the Talbot County Board of Appeals as full members and the reappointment of John Mathis to a three-year term as an alternate. Upon motion Mr. Pack, seconded by Mr. Hollis, the Council approved the award by voting 5 – 0 as follows:

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

- C. Talbot County Emergency Services Advisory Board – Requested Council approval for the reappointment of Michael Kopen, Debbie Timms, and Scott Mergenthaler to three-year terms on the Talbot County Emergency Services Advisory Board as representatives of St. Michaels District, Shore Health System and law enforcement, respectively. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved the reappointments by voting 5 – 0 as follows:

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

XII. Council Comments:

Mr. Duncan – No comments.

Ms. Price – No comments.

Mr. Hollis – No comments.

Mr. Pack- Mr. Pack thanked Kathy Foster for allowing several members of the Health Department staff to volunteer at the Martin Luther King Day Basketball Event to provide flu vaccinations and dental care; he also thanked all those who had volunteered or participated in the event. Mr. Pack congratulated Bertha Wilson on having been selected to receive the Martin Luther King Image Award at the basketball event and expressed appreciation to Mrs. Wilson for her many contributions to the Talbot County community over the years.

Mr. Bartlett - No comments.

- XIII. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters; to reconvene on Monday, February 4, 2013 at 5:00 p.m. in the Bradley Meeting Room for a Strategic Planning Session with consultant Anirban Basu on the Talbot County Long Term Economic Development Strategic Plan; to reconvene on Tuesday, February 12, 2013 at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters and at 1:30 p.m. for the regularly scheduled meeting 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 8:16 p.m.

The transcript of the January 22, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIV. On Tuesday, January 22, 2013, an Executive Session of the Talbot County Council convened at 5:15 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Pack, 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)(4)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees and to discuss a vacancy in Parks and Recreation; and for a legal/real estate matter for legal advice to discuss relocation of Memorial Hospital at Easton to County owned property and the timetable for same. The Executive Session recessed at 6:00 p.m. and reconvened at 8:25 p.m. The Executive Session ended at 10:00 p.m.

- XV. Joint Work Session with Planning Commission to Discuss the floodplain Ordinance and riverine updates to the Flood Insurance Rate Maps – Mary Kay Verdery, Assistant Planning Officer, Jennifer Huff, Environmental Resources Management (ERM) – Ms. Verdery and Ms. Huff, consultant for the County, provided an overview of the update to the FEMA riverine flood insurance maps for Talbot County which will result in the rewrite of the County’s Floodplain Management Ordinance to include an updated Flood Insurance Study (FIS) and Digital Flood Insurance Rate Maps (DFIRMS). Ms. Huff distributed a handout for the Commission and Council’s review detailing the proposed changes to the current Floodplain Management Ordinance which was adopted in 1985 and last updated in 1992. The County’s Floodplain Management Ordinance will be consistent with the Maryland Model Floodplain Management Ordinance; will incorporate applicable goals, objectives and action statements in the County’s 2011 Hazard Mitigation Plan; and will incorporate standards and policies to enable portions of the County to qualify under the Community Rating System for reduced flood insurance premiums for property owners. Discussion ensued. An update of the coastal floodplain maps will also take place later this winter. Ms. Verdery noted there are discrepancies between the coastal maps and the riverine maps and suggested that the riverine maps appear to be more accurate. Ms. Verdery and Mark Cohoon, GIS Manager, will work on identifying discrepancies between the two sets of maps. The proposed Floodplain Management Ordinance will be a topic of discussion at the Planning Commission meeting to be held on February 6th. Following review and

recommendation by the Planning Commission, it is anticipated that the County Council will introduce the Floodplain Ordinance at their February 26, 2013 meeting.

CASH STATEMENT 1/15/2013

BALANCE 1/8/2013			\$24,378,185.18
UHC CLAIMS 1/8/2013			(59,032.40)
RONB QTRLY BOND PAYMENT			(9,478.60)
STATE REPORT 12/2012			(1,608,392.52)
BANK CHARGES 12/2012			(1,266.60)
INTEREST ON ACCTS 12/2012			7,598.56
TRANS LOCAL SHARE TO AIP36			(3,048.11)
STATE BOARD OF ELECTIONS PPE 12/11&12/25/2012			(8,490.76)
DEPOSITS			1,699,106.34
CHECKS			(731,214.52)
BALANCE 1/15/2013			<u>\$23,663,966.57</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP-34	BALANCE 1/8/2013	15,304.15	
	DEPOSITS	28,821.00	44,125.15
AIP-35			36,284.23
AIP36	BALANCE 1/8/2013	27,361.74	
	TRANS FR GEN FUND	3,048.11	
	CHECKS	(3,048.11)	27,361.74
AIP37			340.19
AIP38			14,013.26
AIRPORT ACCOUNTS TOTAL BALANCE			<u>\$122,124.57</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.12%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,320.00</u>
GRAND TOTAL ALL FUNDS			<u>\$41,794,411.14</u>

CASH STATEMENT 1/22/2013

BALANCE 1/15/2013			\$23,663,966.57
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RETURNED CHECKS	(628.62)
UHC CLAIMS 1/15/2013	(103,141.99)
PAYROLL –FD/SS/MS WH 1/18/2013	(113,682.42)
SECU DED	(8,291.20)
DEFERRED COMP DED	(9,250.60)
MD WH	(28,651.52)
PENSION DED	(28,104.05)
ACH TRANSFER	(10,081.75)
FLEX SPENDING ACCT	(2,453.59)
DEPOSITS	434,202.81
CHECKS	(783,982.11)
VOID CHECK NO. 281229	885.47
BALANCE 1/22/2013	<u>\$23,011,177.00</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	44,125.15
AIP-35	36,284.23
AIP36	27,361.74
AIP37	340.19
AIP38	14,013.26
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$122,124.57</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.12%	18,000,000.00

TOTAL INVESTED **\$18,000,000.00**

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

GRAND TOTAL ALL FUNDS **\$41,141,621.57**