



Talbot County, Maryland



Easton, Maryland

MINUTES

January 26, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, County Manager R. Andrew Hollis, Assistant County Manager James Urbanczyk and County Attorney Michael Pullen.

- I. Agenda – Agenda of January 26, 2010 was approved upon motion by Mr. Duncan, seconded by Mr. Bartlett, with the Council voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- II. Minutes – Minutes of January 12, 2010 were brought forward for approval. Mr. Pack requested that his statements under Item XI. Council Comments be corrected to reflect that the essay contest was sponsored by the Dr. Martin Luther King, Jr. Basketball Classic, not Talbot Mentors. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the January 12, 2010 Minutes, as amended, by voting 5 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- III. Disbursements – Disbursements of January 19, 2010, and January 26, 2010 were approved upon motion by Mr. Pack, seconded by Mr. Foster, with the Council voting 5 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- IV. Presentation of Joint Use Agreement with Board of Education – John Masone, Assistant Superintendent for Support Services, Talbot County Public Schools; Rick Towle, Director, Talbot County Department of Parks & Recreation – Mr. Masone gave a brief outline of the proposed Facility Use Agreement between Talbot County Department of Parks and Recreation and the Talbot County Board of Education. The terms of the Facility Use Agreement mirror those of the original 2004 Agreement between the two parties and allow Parks & Recreation staff access to portions of the school facilities without the necessity of school personnel on site to oversee building access and facility maintenance, and the costs associated with same. Mr. Masone emphasized that security at school facilities would not be compromised. The Agreement provides that Parks & Recreation staff will be responsible for opening, closure, clean-up and security of school grounds when in use for their programs, resulting in cost-savings for all parties. Upon motion by

Mr. Bartlett, seconded by Mr. Duncan, the Council approved the Joint Use Agreement as presented by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- V. Use of St. Michaels Middle High School Grounds - Following Mr. Masone's presentation, Mr. Harrison requested confirmation of the Board of Education's denial of use of the St. Michaels Middle High School grounds by the St. Michaels Volunteer Fire Department for the location of their annual carnival. Mr. Masone, reporting for the Board, confirmed that the Board had voted unanimously to deny use of the school grounds for said purposes and outlined several reasons for their decision; Council discussion ensued. Mr. Harrison requested that a letter of invitation be drafted to the President of the Board of Education, inviting the Board to attend the Council meeting of Tuesday, February 9, 2010 to provide Council with an explanation for their decision.
- VI. Presentation by Office of Planning & Zoning on Proposed Amendments to Talbot County Bill No. 1162 as Recommended by the Critical Area Commission - Sandy Coyman, Planning Officer; Mary Kay Verdery, Assistant Planning Officer – Mr. Coyman and Ms. Verdery briefed the Council on proposed changes to Bill No. 1162 as recommended by the State of Maryland Critical Area Commission following the passage of House Bill 1253 in 2009. Ms. Verdery stated that in September 2009, the Critical Area Commission had voted to send Bill No. 1162 back to Talbot County to address approximately 86 concerns outlined by the Commission. She stated that Planning & Zoning staff, in conjunction with the County Attorney, had condensed the 86 concerns to the seven (7) proposals now before the Council for introduction as legislation. She continued that the Planning Commission had voted 5 – 0 at its November 4, 2009 meeting to forward the Critical Area Commission's recommendations to Council for approval. Council discussion ensued.
- VII. Introduction of Legislation:
- A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, ZONING, SUBDIVISION AND LAND DEVELOPMENT, TO ADDRESS CERTAIN CHANGES TO BILL NO. 1162 AS REQUIRED BY THE STATE OF MARYLAND CRITICAL AREA COMMISSION FOR LOCAL CRITICAL AREA PROGRAM COMPLIANCE was introduced by Mr. Bartlett, Mr. Duncan, and Mr. Pack as Bill No. 1179. A public hearing was scheduled for Tuesday, February 23, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.
- VIII. County Manager's Report:
- A. Bid No. 10-01, WYE LANDING – BOATING ACCESS SITE IMPROVEMENTS - Requested Council approval of the Assistant County Engineer's recommendation to award Bid No. 10-01 to the low bidder, George & Lynch, Inc., in the sum of \$384,500.00 for construction of a new boat ramp and piers. The project, originally anticipating utilizing \$100,000 in County funds will now utilize \$22,000 to approximately \$46,000 in County funds with receipt of additional federal funding; unspent County funds are anticipated to be used for additional improvements to the facility. It was noted that this project is in the capital budget. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- B. Bid No. 09-28, ENGINEERING SERVICES – NEAVITT PUBLIC LANDING SHORE EROSION CONTROL PROJECT - Requested Council approval of the Assistant County Engineer’s recommendation to award Bid No. 09-28 to the low bidder, Lane Engineering, LLC, in the sum of \$8,640.00; said engineering work and subsequent improvements will be funded by an existing, 10-year, no-interest State of Maryland DNR Shore Erosion loan in the sum of \$76,000.00. It was noted that his project is in the capital budget. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- C. Maryland Energy Administration Grant Application – Requested Council approval to submit a grant application to the Maryland Energy Administration Energy Efficiency and Conservation Block Grant Program for a grant in the sum of \$208,000, with the possibility of additional funding, for seven possible renewable energy and energy conservation projects in Talbot County totaling \$602,000 based upon the assumption of additional grant monies; no County funding is required. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved submittal of the grant application by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- D. Maryland Department of Housing and Community Development Emergency Shelter Grant - Requested Council approval for the Neighborhood Service Center, on behalf of Talbot County, to apply for an Emergency Shelter Grant from the Maryland Department of Housing and Community Development in the amount of \$27,206; said funding to be used to assist in the operation of the transitional homeless shelter on Aurora Street in Easton; no County funding is required. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council approved submittal of the application by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- E. Talbot County Board of Appeals – Requested Council approval for the appointment of John Mathis to a three-year term on the Talbot County Board of Appeals as an alternate, with the caveat that he relinquish his current position as the Alternate Talbot County Hearing Officer;

said term will expire February 11, 2013. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the appointment by voting 4 – 1 as follows:

Mr. Harrison – Aye
Mr. Pack – Nay
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- F. Talbot County Drug and Alcohol Abuse Council – Requested Council approval for the appointment of David Spencer, Chief of Police of the Town of Easton, to the Talbot County Drug and Alcohol Abuse Council to fill the seat vacated by former Easton Police Chief Ben Blue; said appointment is by virtue of his position; requested Council approval for the appointment of Doug Devenyns, Director of the Talbot County Detention Center, to complete the term of Lawrence DiNisio, former Warden of the Talbot County Detention Center; said term will expire on July 1, 2012. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the appointments by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

IX. Council Comments:

Mr. Bartlett - No comments.

Mr. Pack - Mr. Pack commented that he had received reports from the American Red Cross regarding the situation in Haiti where more than 112,250 have been killed and more than 800,000 people have been displaced. He encouraged Talbot County citizens to contribute toward assistance to the citizens of that country in their great hour of need, adding that many churches and other non-profit organizations were already mobilizing efforts to do so.

Mr. Foster- Mr. Foster seconded Mr. Pack's comments. He continued that there are several organizations which hold their annual meetings this time of year, including the Corn Club and the Talbot Agricultural Organization. Mr. Foster stated that he had attended the dinner at the Ag Center the previous evening where Paul Spies had been the featured speaker on the topic of the grape industry in Talbot County. Mr. Foster stated that he had been impressed with the large turnout, even with the downturn in the economy. He added that the organization seems to be prospering and has several projects lined up, despite the rainy weather. He reminded everyone that the Talbot County Ag Center is available to be leased by organizations in the county. Mr. Foster advised that several plays are currently ongoing in local schools, including *The Adventures of Tom Sawyer* at Easton Middle School, and *Jekyll & Hyde* at St. Michaels Middle High School, adding that the Country School would soon be holding its annual production. Mr. Foster stated that, in his opinion, Talbot County offers its citizens numerous opportunities to participate in many types of entertainment venues. He concluded his comments by stating that the Boy Scouts will be celebrating a milestone anniversary at the Episcopal Cathedral in Easton on Sunday at 6:00 p.m. and encouraged everyone to attend.

Mr. Duncan - Mr. Duncan spoke on the recent passing of Russel Kacher, commenting that Mr. Kacher was, in his opinion, a true gentleman and a wonderful citizen who believed in making Talbot County the best place to live that it could possibly be. Mr. Duncan continued that he had also attended the Corn Club dinner and was happy to report that by and large, the farmers had had a prosperous year, including the best corn yield ever. He added that he had enjoyed the evening with members of the farm community and was delighted to hear that that they had had such a good year.

Mr. Harrison - Mr. Harrison reminded everyone of the upcoming Winterfest EMS Conference the weekend of January 28th – 31st in Tilghman. He stated that the Conference, which provides a weekend of EMS provider training, is the longest-running emergency medical services conference in the state and has been the most well attended in the state for the last five years. Mr. Harrison concluded his comments by advising that the Council would be holding a work session at 2:30 p.m. on the Talbot County Community Center Addition Project, followed by a 3:30 p.m. work session on the Solid Waste Plan for Talbot County.

X. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council voted to adjourn and to reconvene for Administrative Function and Executive Session following the two work sessions, and to reconvene in Executive Session on Tuesday, February 9, 2010 at 12:30 p.m. for discussion of legal, personnel, and real estate matters by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack - Aye
Mr. Duncan - Aye
Mr. Foster - Aye
Mr. Bartlett- Aye

Mr. Duncan requested that Channel 15 remain on the air for the work session on the Talbot County Community Center Addition Project.

The meeting adjourned at 2:45 p.m.

The transcript of the January 26, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XI. Prior to the meeting on January 26, 2010 an Executive Session of the Talbot County Council convened at 12:45 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council met in Executive Session by voting 3 - 0 as follows:

Mr. Harrison – Not present
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Not present
Mr. Bartlett – Aye

Mr. Foster arrived at 1:00 p.m.

Mr. Harrison arrived at 1:05 p.m.

In accordance with State Article §10-508(a)(1)(i)(4)(7)(8) the purpose of the Executive Session was for a legal/real estate matter to obtain legal advice concerning the possible relocation of Memorial Hospital at Easton to County-owned property and the timetable for same, and to receive an update on a legal/real estate matter involving encroachment at Villa Landing; for a legal matter to obtain legal advice regarding the

permitting of the Trappe Wastewater Treatment Plant by the Maryland Department of the Environment; for a real estate matter to discuss a real estate matter regarding a company’s ability to expand in Talbot County; and for personnel matters to discuss appointments to various County boards and committees, to discuss a personnel matter involving Talbot Family Network; and to discuss a personnel matter involving the State’s Attorney’s Office. The meeting recessed at 1:30 p.m., reconvened at 5:10 p.m. and ended at 7:30 p.m.

XII. Work Session on Talbot County Community Center Addition Project – Jim Cox, Architect, The Lukmire Partnership, Inc.; Lori Musican, Project Architect; The Lukmire Partnership, Inc; Rick Towle, Director, Talbot County Parks & Recreation; Members, Talbot County Parks & Recreation Advisory Board – Mr. Cox and John Farwell, Chairman of the Talbot County Parks & Recreation Advisory Board , briefed the Council on the results of the Feasibility Study for the proposed expansion of the Talbot County Community Center. Mr. Farwell advised that the Parks & Recreation Advisory Board Subcommittee on the proposed addition project had held numerous meetings with user groups and the general public to gather input on the proposed addition. He added that the Parks & Recreation Advisory Board and the Subcommittee were in complete agreement with the presentation being made before the County Council by Lukmire Partnership. Mr. Cox outlined the proposed \$6 million addition and stated that, in his opinion, the facility can be designed to offer the flexibility needed to encompass many user groups, for the monies allotted. Mr. Cox stated that the Feasibility Study had taken into account the site characteristics, the incorporation of many green elements, and having the current building remain open during the construction phase. He continued that it was his firm’s opinion that Option A, an addition of 37,440 square feet, would provide the best value for the County’s monies and would also least impact the site. Council discussion ensued as to various features of the addition, including the cost of maintenance of same. During the discussion of the netting system, Mr. Foster requested that the architect include an add-alternate for a solid partition system around the perimeter of the playing fields. Mr. Bartlett requested a detailed breakdown of the General Conditions of the Cost Estimate portion of the Feasibility Study. Mr. Harrison requested that Parks & Recreation Director Rick Towle provide Council with information on the self-sufficiency of the Community Center. Council will consider approval to solicit a proposal from The Lukmire Partnership, Inc. for Phase II (Design Phase) of the Community Center addition project at its Tuesday, February 9, 2010 meeting.

XIII. Work Session on Solid Waste Management Plan for Talbot County – Ray Clarke, County Engineer; John Allen, Manager, Environmental Operations – Mr. Clarke briefed the Council on several proposals for solid waste management in Talbot County upon closure of Mid-Shore Regional Landfill I in December 2010. He advised that Talbot County will need to review and develop solutions for transferring waste to the new site, Mid-Shore II, in Caroline County, as well as the possible continuation of the homeowner’s drop-off (known as HODO). Mr. Clarke presented Council with the anticipated costs related to transporting and disposing of the County’s solid waste, advising that although the least expensive option is to utilize the existing assets of Mid-Shore I through the establishment of a new waste transfer station, there are costs related to the establishment and maintenance of a transfer station. Council discussion ensued as to the funding for the solid waste management plan. Mr. Clarke stated that the anticipated costs derived by his department are based on the number of parcels within Talbot County. At Council’s request, Public Works staff will provide information on the number of residential parcels only within Talbot County.

CASH STATEMENT 1/19/2010

BALANCE 1/12/2010	\$11,070,936.74
RETURNED CHECKS	(15,741.96)
TRANS LOCAL MATCH TO AIP30	(1,672.00)
STATE REPORT 12/2009	(1,550,016.88)
MLGIP INT ON ACCT 11&12/2009	863.12
BANK CHARGES 12/2009	(707.75)

INTEREST ON ACCT 12/2009	1,837.12
DEPOSITS	501,516.34
CHECKS	(981,474.46)
VOID CHECK NO.S 257581,258675	4,244.66
BALANCE 1/19/2010	9,029,784.93

AIRPORT ACCOUNTS

AIP29	BALANCE 1/12/2010	\$21,616.63	
	DEPOSITS	12,261.47	
	CHECKS	(11,758.00)	27,092.10
AIP30	BALANCE 1/12/2010	45,714.61	
	DEPOSITS	1,184.10	
	TRANS FR GEN ACCT	1,672.00	
	CHECKS	(47,364.00)	1,206.71
AIP-32			597.01
AIP33-DSA			2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS			-
AIP-34-NEW	BALANCE 1/12/2010	-	
	DEPOSITS	9,495.00	9,495.00
AIP-35-NEW	BALANCE 1/12/2010	4,200.00	
	DEPOSITS	67,196.00	71,396.00
AIRPORT ACCOUNTS TOTAL BALANCE			<u>\$112,291.82</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
08/04/2009	01/26/10	0.66%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00
03/31/2009	03/31/10	2.11%	6,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.15%	3,000,000.00

TOTAL INVESTED **\$57,000,000.00**

PETTY CASH BALANCE **\$6,500.00**

GRAND TOTAL ALL FUNDS **\$66,148,576.75**

CASH STATEMENT 1/26/2010

BALANCE 1/19/2010	\$9,029,784.93
MDE/WATER QUALITY LOAN 2008A	(511,799.86)
UHC CLAIMS THRU 1/19/2010	(39,451.00)
RETURNED CHECK	(123.02)
PAYROLL – FD/SS/MS WH 1/22/2010	(115,069.72)
SECUR DED	(10,787.77)
DEFERRED COMP DED	(9,468.45)
MD WH	29,504.97)
PENSION DED	(22,418.83)
ACH TRANSFER	(11,650.00)
FLEX SPENDING ACCT	(2,255.29)
DEPOSITS	478,313.75
CHECKS	(835,857.40)
VOID CHECK NO.S 258897	105.11
BALANCE 1/26/2010	<u>7,919,817.48</u>

AIRPORT ACCOUNTS

AIP29	27,092.10
AIP30	1,206.71
AIP-32	597.01
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIP34-NEW	9,495.00
AIP-35-NEW	71,396.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$112,291.82</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
08/04/2009	01/26/10	0.66%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00
03/31/2009	03/31/10	2.11%	6,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.14%	3,000,000.00
TOTAL INVESTED			<u>\$57,000,000.00</u>

PETTY CASH BALANCE	<u>\$6,500.00</u>
GRAND TOTAL ALL FUNDS	<u>\$65,038,609.30</u>