



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

January 27, 2015

Present – President Corey W. Pack, Vice President Laura E. Price, Dirck K. Bartlett, Chuck F. Callahan, Jennifer L. Williams, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Staff Attorney Tony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, January 27, 2015.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of January 13, 2015.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, January 20, 2015 and Tuesday, January 27, 2015.
- IV. Quarterly Update by Talbot County Sheriff, Joe Gamble – Sheriff Gamble introduced Captain Scott Mergenthaler of the Talbot County Sheriff’s Office; Capt. Mergenthaler was recently promoted from Lieutenant to Captain. Sheriff Gamble then updated the Council on recent staffing assignments within the Sheriff’s Office, including the return of a deputy to Talbot County from Queen Anne’s County; the graduation of two deputies from the Police Academy in December 2014, the filling of courthouse security positions, in-house staffing of the Talbot County Drug Task Force and on-going interviews for a deputy handler for a drug dog; Sheriff Gamble stated that the drug dog is being funded by private donations. He expressed his appreciation to Talbot Partnership for providing a fresh perspective on substance abuse prevention and stated that since taking the oath of office he had met with various community groups regarding the substance abuse issues in Talbot County and had provided them with informational pamphlets supplied by Talbot Partnership. Sheriff Gamble stated that Parents First, a parent support group, was recently formed through Mid Shore Community Foundation for the purpose of assisting families struggling with addiction issues. Sheriff Gamble outlined the initiative of his office to have County deputies trained by the Health Department in the use of NARCAN, a nasal mist which has the ability to bring a person out of an opioid coma. He stated that once the Maryland State Police policy on use of the nasal mist has been modified for use by Talbot County, the training will take place. Council expressed its appreciation to the Sheriff for his on-going outreach to various groups in the community, the public/private partnership initiatives related to substance abuse issues in Talbot County and the participation of the Talbot County Sheriff’s Office in the Joint Drug Task Force. Council discussion ensued with Sheriff Gamble as various topics related to the duties of the Sheriff’s Office were brought forward.
- V. Presentation on and Discussion of the Knapps Narrows Marina Dredging Project – Sean Callahan, Company Principal, Senior Planner and Cambridge Branch Manager, Lane Engineering, LLC – Mr. Callahan briefed the Council on the issue of “shoaling” in the Knapps Narrows federal channel. He stated that at some locations within the channel the water depths are no more than 1.9 to 2.9 feet deep, and the channel has shifted, causing concerns that boats will run aground as they attempt to enter the Narrows. Mr. Callahan stated that the Knapps Narrows federal navigation channel is scheduled to be dredged in October 2015 by the U.S. Army Corps of Engineers. He stated that the owners of Knapps Narrows Marina have obtained a permit from the Maryland Department of the Environment (MDE) to privately dredge the channel directly in front of the Marina, but are willing to also perform a minimal amount of dredging in the

federal channel so that boats can get in and out of the Narrows. Mr. Callahan stated that the private dredging will take place in mid-February 2015, prior to boating and tourist season. He requested Council's consideration to forward a letter in support of an amendment to the dredging permit for Knapps Narrows Marina to allow the owners of the Marina to dredge a portion of the federal channel to put the channel back on the correct side of the channel maker so that boats may safely navigate Knapps Narrows. Council discussion with Mr. Callahan ensued and Council agreed to take the request under advisement.

- VI. Presentation by Talbot County Blue Ribbon Commission Oversight Committee: Youth Risk Behavior Survey Data and Strategies – Beth Williams, Member, Talbot County Blue Ribbon Commission Oversight Committee; Sharon Huseman, Executive Director, Talbot Partnership; Paula Lowry, Prevention Coordinator, Talbot County Health Department – Ms. Huseman stated that the purpose of the Survey, last conducted in 2007, is to enable health professionals to review youth risk behavior, to indicate trends in youth risk behavior and to formulate policies to address the trends. Ms. Williams and Ms. Huseman briefed the Council on the results of the statistical data produced by the 2013 Youth Risk Behavior Survey as well as Talbot County's ranking within each category. Ms. Williams cited the following information from the Survey: the use of alcohol and marijuana has remained at essentially the same levels as reported in the 2007 Survey, the use of cigarettes is down considerably but the use of smokeless tobacco has increased; and the use of heroin, ever during a respondent's lifetime, increased for both 10<sup>th</sup> and 12<sup>th</sup> grade students. Council discussion ensued with Ms. Williams, Ms. Huseman and representatives of those organizations involved in substance abuse prevention, particularly the increasing use of heroin. Ms. Lowry stated that the Blue Ribbon Commission Oversight Committee, under the direction of the newly appointed chairman, Steve Capranica, plans to move forward with new strategies for prevention of substance abuse, including soliciting assistance from Ken Kozel, CEO, University of Maryland Shore Regional Health. The Youth Risk Behavior Survey was administered to high school students in grades 9 through 12 in spring 2013, while the 2007 Survey only included students in grades 10 and 12.
- VII. Demonstration of MUNIS<sup>®</sup> Self Service – Judith Shuler, Manager, Permits & Inspections Manager; Larry Schuyler, Building Inspector/Plumbing & HVAC; Grace Foringer, Staff Assistant, Permits & Inspections; Steve Thomas, Building and Codes Compliance Officer/Inspector – Ms. Shuler and Ms. Foringer provided a demonstration of the new MUNIS<sup>®</sup> Self-Service application and permit tracking system available on the Talbot County website. She stated that the system allows citizens to view and track applications and permits on file at the County Office of Permits and Inspections. Ms. Shuler stated that any updates made to the application or permit is immediately reflected in the system; the Self-Service tracking system is also linked to computers in the Office of Environmental Health and reflects updates by that office as well. The MUNIS<sup>®</sup> Self-Service tracking system includes such information as the type and location of the project; the property owner's name; type of permit; the various inspections performed during the project, etc. The self-service system was instituted in an effort to increase efficiency in the County's permitting process. Council discussion ensued with Ms. Shuler as various features of the self-service tracking system were demonstrated. The Council congratulated the Office of Permits and Inspections on these most recent improvements to the permitting process.

VIII. Introduction of Legislation:

A BILL TO PROVIDE THAT REGULATED ACTIVITIES WITHIN NONTIDAL WETLANDS AND THEIR BUFFERS THAT ARE AUTHORIZED BY A PERMIT OR LETTER OF EXEMPTION FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AND DEVELOPMENT ACTIVITIES THAT DO NOT REQUIRE A PERMIT OR LETTER OF EXEMPTION FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, ARE NOT SUBJECT TO THE REQUIREMENT FOR A TWENTY-FIVE FOOT BUFFER FROM THE EDGE OF NONTIDAL WETLANDS UNDER § 190-123 C AND § 190-140 B, TALBOT COUNTY CODE was brought forward for introduction. Prior to introduction, County Attorney Mike Pullen stated that the legislation would provide that regulated activities

within nontidal wetlands in the buffers that are authorized by a permit or letter of exemption from MDE are not subject to the County's local 25-foot buffer, and to provide that development activities that are not eligible or do not require a permit or letter of exemption from MDE are also exempt from the 25-foot nontidal wetland buffer requirement at the local level. The legislation was read into the record by the Clerk and introduced by Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Bill No. 1298. A public hearing was scheduled for Tuesday, February 24, 2015 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601. \*

*\*Note: After the Council meeting, but prior to advertisement of the public hearing for Bill No. 1298, it was determined that the legislation had not been forwarded to the Planning Commission for review. As the advertising requirement for the February Planning Commission meeting could not be met, the public hearing date for Bill No. 1298 was changed to Tuesday, March 10, 2015 at 2:00 p.m. in order to provide the Planning Commission an opportunity to review the legislation at its regularly scheduled meeting on Wednesday, March 4, 2015, and to provide a recommendation on the legislation to the Council by the new public hearing date for Bill No. 1298, March 10, 2015.*

- IX. Quarterly Update by Talbot County Economic Development Commission – Geoff Oxnam, Chairman, Talbot County Economic Development Commission; Paige Bethke, Director, Talbot County Office of Economic Development; Members, Talbot County Economic Development Commission – Ms. Bethke introduced Geoff Oxnam as the newly elected chairman of the Economic Development Commission. Ms. Bethke expressed appreciation to the Marketing Committee for their many hours spent preparing, distributing and verifying a Business Climate Survey forwarded to a sample population of Talbot County businesses in June 2014. She stated that approximately 400 businesses were asked to respond to the 15-question Survey outlining twelve business climate indicators (Banks, Schools, Housing, Labor, Government, Commercial Real Estate, Professional Support Services, Healthcare, Retail, Recreation, Airport and Infrastructure). The purpose of the Survey was to assess the strengths and weaknesses of the existing business climate, as recommended by Sage Policy Group in 2013 in order to better determine opportunities for business attraction efforts to Talbot County. Ms. Bethke then gave a brief outline of the findings of the Survey and the rankings of the categories. Council discussion ensued with Ms. Bethke and Mr. Oxnam as each category was brought forward; Council will continue to review the data provided by the Survey. Ms. Bethke then outlined other initiatives of the Marketing Committee, including the purchase from Dunn and Bradstreet of the names of all the materials test laboratories in the United States. She stated that the Marketing Committee has identified materials testing as a potential industry for attraction to Talbot County; letters will be forwarded to the various laboratories and follow-up calls will be made to determine their possible interest in relocation to Talbot County. Ms. Bethke then requested Council's consideration of the Economic Development Commission's recommendation to adopt a Brownfields Revitalization Incentive Program (BRIP), a State of Maryland program since 2004. She stated that the purpose of the program is to provide financial assistance to owners of properties toward costs to conduct an Environmental Assessment on those properties identified through assessment as "brownfields," lands that are contaminated with toxic or hazardous materials defined by the Environmental Protection Agency (EPA) which are no longer viable until reclamation takes place. She stated that an Environmental Assessment is required in order to determine the extent of the contamination. Ms. Bethke stated that should the County choose to register as a Program participant, the Economic Development Commission also recommends that the County pass legislation that would award a Real Property Tax credit of 50% of the increased value of the property for five (5) years after cleanup of the property has been completed; the BRIP is often used for infill development. Ms. Bethke stated that the Office of Economic Development has retained business retention specialist, Mark Greene, as a consultant for a period of six months. Mr. Greene will assist Ms. Bethke with calling on local businesses; information gathered will then be compiled in the tracking system "Executive Pulse." Ms. Bethke and Mr. Oxnam also briefed the Council on recent employment statistics for Talbot County; Council discussion ensued with Ms. Bethke and Mr. Oxnam as the various statistics were brought forward. Ms. Bethke concluded her presentation by stating that the Economic Development

Commission and Office of Economic Development will be hosting a Finance Forum on Wednesday, February 18, 2015 from 3:00 p.m. to 5:00 p.m. at the Academy Arts Museum; representatives of organizations providing financial resources to small businesses will be in attendance. The Economic Development Commission and the Office of Economic Development will continue to update the Council on a regular or as needed basis.

X. County Manager's Report:

A. Change Order No. 1, Bid No. 13-25, TALBOT COUNTY BIO-SOLIDS UTILIZATION FACILITY ENGINEERING SERVICES - Requested Council approval of the County Engineer's recommendation to award Change Order No. 1 for Bid No. 13-25 to Bayland Consultants and Designers, Inc. in the sum of \$45,400.00 in order to comply with equipment changes and new discharge permit requirements at the Bio-Solids Utilization Facility. Bill Wolinski, Environmental Engineer, provided detailed information on the request. Upon motion by Mr. Bartlett, seconded by Ms. Williams, the Council approved the Change Order by voting 5 – 0 as follows:

Mr. Pack – Aye  
Ms. Williams – Aye  
Mr. Bartlett – Aye  
Ms. Price – Aye  
Mr. Callahan – Aye

B. Bio-Solids Utilization Facility Improvements – Requested Council approval of the County Engineer's request to submit a grant application to the Maryland Water Quality Infrastructure Financing Program for loans and loan forgiveness in the sum of \$1,500,000 through the State Revolving Fund; if approved, said funding will assist with additional costs associated with equipment changes and the new 2.4 million gallon holding tank requirements at the Facility. Upon motion Mr. Bartlett, seconded by Ms. Price, the Council approved moving forward with submittal of the grant/loan application by voting 5 – 0 as follows:

Mr. Pack – Aye  
Ms. Williams – Aye  
Mr. Bartlett – Aye  
Ms. Price – Aye  
Mr. Callahan – Aye

C. Request from Department of Public Works for Martingham Sewer Extension Project – Requested Council approval of the County Engineer's recommendation to submit a grant application to the Water Quality Infrastructure Financing Program for loans and loan forgiveness in the sum of \$500,000; if approved, said funding will be used to assist with construction costs for the Martingham Sewer Extension Project pump station improvements and force main in order to lessen the amount of U.S.D.A. Rural Development loan funding used. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved moving forward with submittal of the grant/loan application by voting 5 – 0 as follows:

Mr. Pack – Aye  
Ms. Williams – Aye  
Mr. Bartlett – Aye  
Ms. Price – Aye  
Mr. Callahan – Aye

XI. Council Comments:

Mr. Callahan - No comments.

Ms. Price - No comments.

Mr. Bartlett - No comments.

Ms. Williams - No comments.

Mr. Pack - No comments.

XII. Planning Commission Public Hearing on Draft Comprehensive Plan – Mary Kay Verdery, Planning Officer – Ms. Verdery briefed the Council on the upcoming Planning Commission public hearing on the Draft Comprehensive Plan. She stated that a public hearing will be held at 6:00 p.m. on Thursday, January 29, 2015 in the Bradley Meeting Room; written comments will be accepted until Monday, February 2, 2015. Ms. Verdery stated that the Planning Commission will continue the public hearing of January 29, 2015 following its regularly scheduled meeting on Wednesday, February 4, 2015; if needed, the public hearing will again be continued on February 5, 2015. She stated that all comments received by the Planning Commission will be forwarded to the County Council as part of the Council’s public hearing process. She emphasized that the Draft Comprehensive Plan as it presently exists is the Planning Commission’s public hearing draft; the Council will conduct its own work sessions and public hearings. She stated that the document remains a draft until adopted as legislation by the County Council. Individuals wishing to submit comments on the Draft Comprehensive Plan may do so by forwarding an email to Martin Sokolich, Long Range Planner, at [msokolich@talbotcountymd.gov](mailto:msokolich@talbotcountymd.gov), (410) 770-8032, or by mailing comments to the Office of Planning and Zoning, 215 Bay Street, Easton.

XIII. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters and to reconvene on Tuesday, February 10, 2015 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. Pack – Aye
- Ms. Williams - Aye
- Mr. Bartlett– Aye
- Ms. Price - Aye
- Mr. Callahan– Aye

The meeting adjourned at 8:31 p.m.

The transcript of the January 27, 2015 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XIV. On Thursday, January 15, 2015, an Executive Session of the Talbot County Council convened at 4:00 p.m. in the County Council Conference Room. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council met in Executive Session by voting 5 - 0 as follows:

- Mr. Bartlett – Aye
- Mr. Callahan – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Ms. Williams – Aye

In accordance with State Article § 10-508(a)(1)(i)(3)(7)(8) the purpose of the Executive Session was for a legal matter for legal advice regarding potential litigation involving Talbot County. The Executive Session ended at 5:15 p.m.

- XV. On Tuesday, January 27, 2015, an Executive Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Executive Session by voting 5 - 0 as follows:

- Mr. Bartlett – Aye
- Mr. Callahan – Aye
- Mr. Pack – Aye
- Ms. Price – Aye
- Ms. Williams – Aye

In accordance with State Article § 10-508(a)(1)(i)(7)(8) the purpose of the Executive Session was for legal advice regarding a legal matter involving Talbot County; for personnel matters to discuss appointments to various County boards and committees, and to discuss filling a vacancy in the Department of Public Works. The Executive Session recessed at 6:00 p.m. and reconvened at 8:40 p.m. The Executive Session ended at 9:45 p.m.

- XVI. Work Session on Total Maximum Daily Loads/Watershed Improvement Plan (TMDLs/WIPs) – Mary Kay Verdery, Planning Officer; Martin Sokolich, Long Range Planner; Ray Clarke, County Engineer; Bill Wolinski, Environmental Engineer – The Council held a work session with staff on Tuesday, January 20, 2015 to review the County’s goals and strategies for reaching the goals for TMDLs and WIPs. Staff provided a PowerPoint presentation which depicted statistical information regarding current nitrogen and phosphorus loading information for the agricultural, urban, municipal wastewater and septic sectors, as well as anticipated reductions for the target dates of 2017 and 2025. Various strategies for the urban sector, of which Talbot County is considered a part, were outlined, including roadside drainage ditch conversion to biological treatment systems; roadside ditch operation and maintenance for water quality management; implementation of stormwater gross pollutant filters; lawn fertilization management program; tree planting programs; and town/village/community-based Watershed Implementation Plans; previous funding secured for implementation of various strategies, as well as anticipated funding for ongoing and future projects were also outlined. Council discussion ensued with staff as each strategy was brought forward.

**CASH STATEMENT 1/20/2015**

BALANCE 1/13/2015	\$33,163,899.24
BANK CHARGES 12/2014	(1,149.47)
INTEREST ON ACCTS 12/2014	7,158.31
RETURNED CHECK	(570.66)
REINSURANCE PAYMENT 1-12/2014	(31,913.28)
POSTAGE WIRE	(3,000.00)
STATE REPORT 12/2014	(1,518,331.32)

PAYROLL-FD/SS/MS WH 1/16/2015	(126,297.24)
SECU DED	(6,034.83)
DEFERRED COMP DED	(10,254.87)
MD WH	(31,327.14)
PENSION DED	(31,226.29)
ACH TRANSFER	(11,236.75)
FLEX SPENDING ACCT	(3,016.55)

DEPOSITS	654,981.27
CHECKS	(1,711,396.04)
VOID CHECK NO.S 296359,296553,296571	1,129.85

**BALANCE 1/20/2015** **30,341,414.23**

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP37			16,762.37
AIP39			73,794.25
AIP40			--
AIP41	BALANCE 1/13/20	18,585.98	
	DEPOSIT	31,051.61	
	CHECK	(15,095.39)	34,542.20

**AIRPORT ACCOUNTS TOTAL BALANCE** **125,098.82**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.05%	18,000,000.00

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

**PETTY CASH BALANCE** **\$8,570.00**

**GRAND TOTAL ALL FUNDS** **\$48,475,083.05**

**CASH STATEMENT 1/27/2015**

BALANCE 1/20/2015	\$30,341,414.23
POSTAGE WIRE – TOURISM	(500.00)
DEPOSITS	772,657.13
CHECKS	(762,871.52)
<b>BALANCE 1/27/2015</b>	<b><u>30,350,699.84</u></b>

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS				--
AIP37				16,762.37
AIP39				73,794.25
AIP40				--
AIP41	BALANCE 1/20/2015	34,542.20		
	DEPOSIT	71,016.00		
	CHECK	(78,906.27)		26,651.93

**AIRPORT ACCOUNTS TOTAL BALANCE** **117,208.55**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.05%	18,000,000.00

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

**PETTY CASH BALANCE** **\$8,570.00**

**GRAND TOTAL ALL FUNDS** **\$48,476,478.39**