



Talbot County, Maryland



Easton, Maryland

MINUTES

January 8, 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 8, 2013.
- II. Minutes – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Minutes of December 11, 2012, December 18, 2012 and December 21, 2012.
- III. Disbursements – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Disbursements of December 26, 2012, January 2, 2013, and January 8, 2013.
- IV. Update by Blue Ribbon Commission Oversight Committee – Hilary Spence, Chairperson, Blue Ribbon Commission Oversight Committee; Beth Williams, Member, Blue Ribbon Commission Oversight Committee (BRCOC) – Ms. Spence stated that the purpose of the BRCOC is to implement the recommendations of the Blue Ribbon Commission with regard to reducing the high rates of substance abuse in Talbot County. She then briefed the Council on initiatives of the BRCOC since its last meeting with the Council in January 2012, stating that the Council had requested that the BRCOC proceed with providing recommendations on the following: (1) Liquor License Fees; (2) Sanctions for Code Violations; and (3) Enforcement Issues, including underage possession, adult responsibilities, and penalties. Council discussion ensued with Ms. Spence and members of the BRCOC as each topic was brought forward. The BRCOC’s recommendations to the Council, including a request for consideration of codification of sanctions, were also brought forward; Council discussion again ensued. The BRCOC will continue to update the Council on a regular or as-needed basis.
- IV. County Manger’s Report:
 - A. Talbot County Adult Public Guardianship Review Board – Requested Council approval for the reappointment of Wendy Young-Dyott, Debbye Jackson, Glen Klakring, Dr. Robert Blatchley, Tyler Young and Kerri Engels to three-year terms on the Talbot County Adult Public Guardianship Review Board; said terms will expire on January 1, 2016. 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. Bid No. 12-20, ROOF CONSULTING SERVICES - ST. MICHAELS ELEMENTARY & MIDDLE/HIGH SCHOOLS – Requested Council approval of the Department of Public Works recommendation to award Bid No. 12-20 to the lowest bidder, Russell Cather Levi, in the sum

of \$9,295.00. 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. Bid No. 12-21, TIMBER BULKHEAD IMPROVEMENTS - GRACE CREEK LANDING – Requested Council approval of the recommendation of the Department of Public Works to award Bid No. 12-21 to the lowest bidder, Heinsohn Contracting, Inc., in the alternate bid sum of \$105,577.00; said alternate bid price includes lower cost bank run gravel versus graded aggregate (crushed stone) since paving is not scheduled until late summer/early fall of 2013. Upon motion by Mr. Duncan, 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

V. Council Comments:

Mr. Hollis – No comments.

Mr. Pack – No comments.

Mr. Duncan – No comments.

Ms. Price- Ms. Price stated that she and her colleagues had attended the Maryland Association of Counties (MACo) Winter Conference last week where they had attended, in her opinion, several excellent sessions. She stated that her favorite topics were the State’s budget, the TMDLs (Total Maximum Daily Loads) and WIP (Watershed Implementation Plan), and that, in her opinion, the sessions were very informative and worth the time to attend.

Mr. Bartlett - No comments.

- VI. Upon motion by Ms. Price, seconded by Mr. Pack, the Council voted to adjourn to a 2:30 p.m. Work Session on Proposed On-Site Sewerage Disposal System (OSDS) Regulations, a 3:30 p.m. Work Session with County staff and members of the Public Works Advisory Board and Planning Commission on Proposed Village Growth and Sewer Policy; to reconvene in Executive Session following the work sessions for discussion of legal, personnel and real estate matters; to reconvene for a meeting with the Planning Commission on Wednesday, January 9, 2013 at 6:00 p.m. to discuss the Development Rights and Responsibilities Agreement (DRRA) between Talbot County, the Town of Easton and Shore Health System, Inc., and at 7:00 p.m. for a Joint Work Session with the Planning Commission to discuss the Floodplain Ordinance and riverine updates to the Flood Insurance Rate Maps; and to reconvene on Tuesday, January 22, 2013 at 5:00 p.m. in Executive Session for discussion of legal, personnel, and real estate matters and at 6:00 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 3:31 p.m.

The transcript of the January 8, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- VII. On Tuesday, January 8, 2013, an Executive Session of the Talbot County Council convened at 12:00 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 3 – 0 as follows:

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

Mr. Pack arrived at 12:05 p.m.

Mr. Hollis was present for Executive Session beginning at 1:20 p.m.

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 interview a candidate for Tourism Director; 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 12:15 p.m., reconvened at 1:20 p.m., recessed at 1:30 p.m., reconvened at 5:00 p.m. The Executive Session ended at 7:50 p.m.

- VIII. Work Session on Long Term Economic Development Strategic Plan for Talbot County – Anirban Basu, Chairman & CEO of Sage Policy Group, Inc.; Members of the Economic Development Commission; Paige Bethke, Director, Economic Development – The Council held a work session at 12:00 p.m. with Mr. Basu, Ms. Bethke, and members of the Talbot County Economic Development Commission to review various economic data for Talbot County. Sage Policy Group, Inc., an economics consulting firm, has been hired by the County and several of its incorporated municipalities to develop a long-term strategic plan to help guide the future management, prioritization and allocation of resources for development of infrastructure to support a viable tax base for the County and the Towns. The Plan will detail possible short and long-term goals; the County and the Towns will then determine which of the goals they may wish to pursue. Mr. Basu presented data to the Council which included statistical information on Talbot County’s population by age, gender, educational attainment, household income, and income distribution for the 2000 – 2010 timeframe; statistical information on employment data by size of business and sector (private, industry, government) was also presented. Council discussion ensued with Mr. Basu. Sage Policy Group, Inc. will continue to analyze the data and will present a SWOT (Strengths, Weaknesses, Opportunities, Threat) Assessment to the County and incorporated Towns on February 4, 2013 and February 5, 2013. The Long-Term Economic Development Strategic Plan is anticipated to be finalized by April 2013.
- IX. Work Session on Proposed On-Site Sewerage Disposal System (OSDS) Regulations – Ray Clarke, County Engineer; Bill Wolinski, Environmental Engineer – The Council held a work session at 2:30 p.m. to discuss a proposed management program for On-Site Sewerage Disposal Systems. Mr. Clarke stated that there are

approximately 8,000 on-site septic systems in Talbot County, approximately 4,500 – 4,600 of which are located in the Critical Area. He stated that the 2005 County Comprehensive Plan calls for the adoption of a septic plan that requires all new septic systems, as well as those needing repairs, to meet state-of-the-art standards of treatment utilizing Best Available Technology (BAT). Mr. Clarke stated that the goal of a comprehensive program to manage and upgrade on-site sewerage disposal systems is to reduce the amount of pollutants, including nitrogen, phosphorus, and fecal coliform, which seep into the surface and groundwater from the septic systems and eventually into the Chesapeake Bay and its tributaries. Mr. Clarke stated that since 2007 Bay Restoration grant funding has afforded approximately 220 homeowners in Talbot County the opportunity to have denitrification units installed in their septic systems for the purpose of reducing pollutants and improving water quality. Mr. Clarke and Mr. Wolinski then outlined the proposed septic system management program which would include the following: a funding mechanism for inspection and oversight for the maintenance, repair and replacement of On-site Sewage Disposal Systems (OSDS) as outlined in the Total Maximum Daily Loads (TMDLs) as required under the Watershed Implementation Plan; the extension of public sewer on a restricted and denied access basis to Villages to upgrade OSDS to achieve Enhanced Nutrient Removal (ENR) levels; and the upgrade of OSDS for remaining properties with BAT to reduce nitrogen pollutant loadings in accordance with federal and State regulations. Council discussion ensued with Mr. Clarke and Mr. Wolinski regarding various facets of the proposed Enhanced Operation and Maintenance Program, including annual anticipated cost to homeowners, staff required for system inspections and a tracking system for required reporting to the Maryland Department of the Environment. Mr. Clarke stated that State law requires that denitrification units be inspected once every five years; the first units 110 units installed will require inspection in 2013. Council will continue the discussion following review of the State legislation requiring 5-year inspection of denitrification units.

- X. Work Session on Proposed Village Growth and Sewer Policy – Ray Clarke, County Engineer; Sandy Coyman, Planning Officer; Martin Sokolich, Long Range Planner; Members, Public Works Advisory Board; Members, Planning Commission – The Council held a work session at 3:30 p.m. to discuss Village Growth and Sewer Policy. Tom Hughes, member of the Talbot County Planning Commission, stated that there is currently a subdivision moratorium in effect in the Village Centers; the moratorium will expire in late April 2014. He stated that, in his opinion, sewer policy for the Villages is a complex problem as the County must comply with the tier system required under Maryland Senate Bill 236, *Sustainable Growth and Agricultural Preservation Act of 2012*. Mr. Hughes stated that the County’s philosophy for growth in its Villages has not changed. He then gave a brief description of the term “Village,” as described in the 2005 Comprehensive Plan for the County’s 22 Villages as those areas of the County which are of low or moderate intensity residential communities with limited neighborhood commercial and service uses, which vary in character and size, and which are visually an important component to the rural character of the County. The definition also states that although the Villages are residential in character and contain some limited business, services and civic uses, they also serve as a contrast to the more open surrounding areas, should maintain their unique sense of place, and are not growth areas, but are separate. He stated that should the County wish to pick up the failing septic systems within the Villages, the Planning Commission is recommending that available capacity be closely watched and that the County concentrate on connecting existing houses using the formula of one (1) house or buildable lot to one (1) connection into the system; Additional recommendations of the Planning Commission include modifying existing Village sewer service areas; continue existing zoning of one (1) dwelling unit per two (2) acres with a minimum lot size of one (1) acre; split zoning on large parcels; provide for areas of limited sewer availability, *i.e.*, parcels which are set off by themselves but abut a sewer connection; strengthening of the language in the Comprehensive Plan; and amending the Comprehensive Water and Sewer Plan to memorialize the policy going forward. Maps of the Villages were presented which depicted the zoning designations; shellfish closure areas; Priority Funding Area (PFA) designations; and Talbot County Tier Designation 3B under SB 236. Council discussion ensued with staff and Public Works Advisory Board and Planning Commission representatives. Council will continue to review the matter.

CASH STATEMENT 12/26/2012

BALANCE 12/18/2012	\$21,111,170.65
UHC CLAIMS 12/18/2012	(34,251.66)
POSTAGE WIRE	(3,000.00)
INTEGRA 1/2013	(14,458.24)
RETURNED CHECKS	(1,880.13)
SALE & INTEREST ON CE@TALBOT BANK	3,011,151.03
M&T BANK PUBLIC IMP BOND SERIES 2008/BANK-NY BAL	(23,600.00)
PAYROLL-FD/SS/MS WH 12/21/2012	(100,876.43)
SECUR DED	(8,284.96)
DEFERRED COMP DED	(9,342.66)
MD WH	(27,097.77)
PENSION DED	(28,356.88)
ACH TRANSFER	(10,081.75)
FLEX SPENDING ACCT	(2,391.09)
DEPOSITS	4,331,869.29
CHECKS	(1,002,910.04)
VOID CHECK NO 280666	1,015.63
BALANCE 12/26/2012	<u>\$27,188,674.99</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	15,304.15
AIP-35	36,284.23
AIP36	27,361.74
AIP37	340.19
AIP38	14,013.26
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$93,303.57</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.13%	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>\$45,290,298.56</u>

CASH STATEMENT 1/2/2013

BALANCE 12/26/2012	\$27,188,674.99
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UHC CLAIMS 12/26/2012	(25,767.12)
DEPOSITS	925,907.50
CHECKS	(168,319.93)
VOID CHECK NO 280736	17.00
BALANCE 1/2/2013	<u>\$27,920,512.44</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	15,304.15
AIP-35	36,284.23
AIP36	27,361.74
AIP37	340.19
AIP38	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>
PNC-MLGIP INVESTMENTS TOTAL		0.13%	18,000,000.00

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

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

GRAND TOTAL ALL FUNDS **\$46,022,136.01**

CASH STATEMENT 1/8/2013

BALANCE 1/2/2013 \$27,920,512.44

UHC CLAIMS 1/2/2013 (33,973.00)

BOARD OF EDUCATION 12/2012 (2,860,960.00)

PAYROLL –FD/SS/MS WH 1/4/2013 (112,159.95)

 SECU DED (8,291.20)

 DEFERRED COMP DED (9,250.60)

 MD WH (27,673.27)

 PENSION DED (28,373.39)

 ACH TRANSFER (10,106.75)

 FLEX SPENDING ACCT (2,541.09)

DEPOSITS 851,936.11

CHECKS (1,300,933.22)

BALANCE 1/8/2013 **\$24,378,185.18**

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS --

AIP-34	15,304.15
AIP-35	36,284.23
AIP36	27,361.74
AIP37	340.19
AIP38	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>
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PNC-MLGIP INVESTMENTS TOTAL		0.13%	18,000,000.00
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TOTAL INVESTED **\$18,000,000.00**

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

GRAND TOTAL ALL FUNDS **\$42,479,808.75**