



Talbot County, Maryland



Easton, Maryland

MINUTES

July 10, 2012

Present – Vice President R. Andrew Hollis, Dirck K. Bartlett, Thomas G. Duncan, Laura E. Price, County Manager John C. Craig, and County Attorney Michael Pullen. President Corey W. Pack was absent.

- I. Agenda – Mr. Hollis requested that “Discussion of Burn Ban” be added as an agenda item and received Council’s unanimous consent for approval of the Agenda, as amended, of Tuesday, July 10, 2012.
- II. Minutes – Mr. Hollis requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, June 26, 2012.
- III. Disbursements – Mr. Hollis requested and received Council’s unanimous consent for approval of the disbursements of July 3, 2012 and July 10, 2012.
- IV. Presentation by Eastern Shore Land Conservancy – Amy Owsley, Deputy Director, Eastern Shore Land Conservancy; Josh Hastings, Policy Manager, Eastern Shore Land Conservancy; and Sarah Abel, Community Design Manager, Center for Towns – Ms. Owsley briefed the Council on the purpose and mission of Eastern Shore Land Conservancy (ESLC) which has celebrated its 22nd year. Mr. Hastings stated that to date, ESLC has been instrumental in the preservation of approximately 53,000 acres in the mid and upper Eastern Shore, including approximately 13,500 acres in Talbot County, and outlined the various options available for land preservation and several policy initiatives of ESLC at the State and local level. Ms. Abel briefed the Council on her focus as Community Design Manager, Center for Towns, which assists localities with the development of policies, resources and design solutions to help provide the localities with more sustainable futures from economic, cultural and public interest standpoints. Ms. Abel then briefed the Council on several on-going community initiatives such as the St. Michaels pedestrian network, the design study for Easton Point Park, location of YMCA facility in St. Michaels and stormwater study for the Town of Oxford.
- V. Discussion of the Need to Institute a Process for Implementing a Burn Ban for Talbot County – Clay Stamp, Director of Talbot County Emergency Services; Jamie McNeal, Fire Chief, Easton Volunteer Fire Department; Chris Robertson, Regional Fire Manager, Maryland Department of Natural Resources; John Keyser, President, Talbot County Fire and Rescue Association. Mr. Stamp, on behalf of his department, the various agencies represented, the Talbot County Sheriff’s Office, and other local Police Departments, expressed concern over recent extremely dry weather conditions and requested that Council enter into a discussion of the possible enactment of a burn ban, who will be responsible for the enactment and how it can most effectively be done. Representatives of the agencies in attendance then briefed the Council on recent challenges to manpower and resources encountered by their agencies in fighting fires. Mr. McNeal stated that the seven fire chiefs in the County are in favor of some type of burn ban; Mr. Keyser advised that the Firemen’s Association is in favor of a ban as well. Council discussion with the representatives ensued regarding the timeframe for implementation of a burn ban and the components to include in same. Mr. Stamp requested Council’s consideration for the formation of a committee to draft a burn ban ordinance; County Attorney Michael Pullen stated that he would draft an ordinance for Council’s consideration at the next meeting which would allow the Council and the County react to these types of conditions immediately and efficiently; he also indicated his willingness to serve on a committee, should one be formed. Council discussion of the matter ensued. At Council’s request, the various fire service agencies will work with Mr. Pullen to make recommendations to the Council.

- VI. Presentation of Maryland Agricultural Land Preservation Foundation (MALPF) District and Easement Applications – Martin Sokolich, Talbot County Long Range Planner – Mr. Sokolich provided a PowerPoint presentation which outlined preserved land in Talbot County, including approximately 11,000 acres which has thus far been preserved under the MALPF program, and the 2012 District Applications. He stated that in the past, the County has submitted applications to the State for sale of easements of properties each year. However, due to the State’s recent budget shortages, it has become a 2-year process; monies allocated in FY 2012 will be combined with FY 2013 funding and will be used to make applications in 2013 for the following categories: New Districts – property owners who wish to become involved in the MALPF program, and Applications from property owners who have also applied for easements. He stated that 32 district applications were submitted in Talbot County this year, nine (9) of which meet the basic MALPF program requirements for soil quality, acreage, proximity to other preserved properties, etc. Mr. Sokolich requested Council approval to submit the nine district applications, in rank order, to the MALPF program for consideration for acceptance into the program; all nine proposed districts were recommended for approval by the Planning Commission and the Agricultural Preservation Advisory Board. Council discussion ensued. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved forwarding the nine district applications to the State by voting 4 – 0 as follows:

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

Mr. Sokolich also requested Council approval to use a portion of the \$7,000 available in local MALPF funding to pay for appraisals on two additional properties so the County can make those properties eligible for “second round” offers by the State. He stated that MALPF will only pay for appraisals on eight of the nine applications; if the County pays for the additional appraisals, it increases the chances of the properties being selected for easement purchases in the State’s “second round.” He stated that the existing fund balance of \$7,000 is not enough to be used for its primary purpose, as a match for State funding. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved used of the funding as requested by voting 4 – 0 as follows:

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

- VII. Update on Hog Neck Golf Course – Andy Halverson, Head Golf Professional, Hog Neck Golf Course – Mr. Halverson introduced Golf Course Superintendent, Owen Sutherland, and members of the Talbot County Golf Board in attendance, Jack Fischer and Mel Newell; member Mark Cherwien was unable to attend. Mr. Halverson thanked the County Council and those departments which had assisted him with acclimating to his position at Hog Neck Golf Course. Mr. Halverson then briefed the Council on operations at Hog Neck for 2012. He stated that although near perfect golfing conditions existed in the spring, the recent heat and dry weather have impacted the golf course; he commended the golf course staff for an outstanding job of maintaining the 27 hole, 240 acre property. He stated that the perception of the Hog Neck facility has dramatically changed for the better in the past few months, as indicated by customers and staff, and the course is beginning to see significant return business from both individuals and groups. Mr. Halverson stated that the Hog Neck Golf Course is, in his opinion, a tremendous asset to Talbot County and he envisions a bright future for the facility, but that maintenance of the facility as an asset requires funding for promotion and upkeep. He requested Council consideration that excess revenues (profit) from Hog Neck Golf Course be held in a separate enterprise fund specifically for use at Hog Neck for capital

improvement projects needed to keep the facility running; Hog Neck is currently part of an Enterprise Fund which includes the golf course and the Talbot County Community Center. Council concurred with Mr. Halverson's request. At Council's request, Mr. Halverson will include requests for capital improvements at Hog Neck Golf Course in the next budget cycle.

VIII. Council Consideration of, and Vote on, McNeal Annexation Application (9818 and 9802 Ocean Gateway – Map 25, Parcels 5 and 6) to the Town of Easton – Sandy Coyman, Planning Officer, briefed the Council on an annexation zoning waiver request by the owners of approximately 2.4 acres of property near Easton Airport under the 5-year hold of the County's zoning requirements. Mr. Coyman stated that on March 7, 2012, the Planning Commission unanimously recommended that the County Council approve the waiver request. He stated that since March 7, 2012, the Town of Easton has approved the parcels for annexation and the annexation is scheduled for introduction in August 2012. He outlined the County's role in the annexation process which reviews existing zoning (Town Conservation) with that of the proposed Town zoning following annexation (Business Commercial). Mr. Coyman stated that if the proposed density or use of the property is 50 percent or higher than its present use, the County Council must waive the County's zoning requirements or invoke the 5-year rule, which would allow the Town to proceed with the annexation but would not allow the property to be zoned significantly different than the County's current zoning. He stated that the Town Conservation zoning district is characterized by agricultural and low density residential uses and is usually a designated holding zone around existing municipalities which may at some point in the future be annexed into the Town. Mr. Coyman stated that the parcels for which the waiver is being requested are also located within the County's Gateway Overlay District which requires additional setbacks, landscaping, signage, etc. but for the purposes of annexation does not affect the intensity of use; Business Commercial, the proposed zoning by the Town of Easton, provides for light industrial services, commercial establishments and some types of public facilities. Council discussion ensued with Mr. Coyman, Sharon Van Emburgh, attorney for the Town of Easton, and Sarah Everhart, attorney for the property owners. Ms. Van Emburgh stated that annexation of the subject parcels is based on the anticipation that Memorial Hospital will relocate to the adjacent property. Mr. Bartlett, Mr. Hollis and Ms. Price expressed their concerns for approval of the waiver prior to the finalization of the transfer of the proposed site for the relocation of the hospital from the County to Shore Health System, Inc. Council discussion again ensued. Mr. Duncan made a motion to waive the County's five year zoning hold on the property. The motion failed for lack of a second. Therefore, the property will continue to be zoned Town Conservation. Council stated that the once the hospital project is underway, the applicant is welcome to come back to reapply for the waiver of the five-year hold.

IX. County Manger's Report:

A. Mid-Shore Mental Health Systems, Inc. – Board of Directors – Requested Council approval for the appointment of Kathleen Foster, RN, MS to a four-year term on the Mid-Shore Mental Health Systems, Inc. Board of Directors; said term will expire in June 30, 2016. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved the appointment by voting 4- 0 as follows:

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

B. Talbot County Parks and Recreation Advisory Board – Requested Council approval for the reappointment of Jeffrey Harrison to represent the Bay Hundred District and Doug Edsall to represent the Chapel District to four-year terms on the Parks and Recreation Advisory Board;

said terms will expire on July 1, 2016. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the reappointments by voting 4 – 0 as follows:

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

- C. Talbot County Tourism Board – Requested Council approval for the reappointment of Mike Richards to represent the Bed and Breakfast sector and Erik Neil to represent Countywide Cultural Attractions to four-year terms on the Tourism Board; said terms will expire on July 1, 2016. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the reappointments by voting 4 – 0 as follows:

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

- D. Easton Airport Contract Extension with Oxford Lawn and Landscape - Requested Council approval for a one-year extension of the contract with Oxford Lawn and Landscape, to allow them to complete work on the Airport Capital Improvement Program Environmental Assessment and obstruction removal project; the contract will be extended from August 31, 2012 to August 31, 2013. There has been a delay in obtaining a Wetland Permit from Maryland Department of the Environment for this project and in addition, the Delmarva Fox Squirrel breeding season begins September 15th which will prohibit any work in the forested area. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the extension of the contract by voting 4 – 0 as follows:

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

- E. Bid 12-07, FURNISHING, DELIVERY AND APPLICATION OF CRS-2 EMULSIFIED ASPHALT, TALBOT COUNTY, MARYLAND – Mr. Craig stated that no bids had been received for Bid 12-07 which was opened on July 5th. Mr. Craig will be working with Richard Ball, Roads Superintendent, on either rebidding this project or researching piggyback options with other local contracts.

X. Council Comments:

Mr. Duncan – Mr. Duncan commented on the 4th of July festivities around the County and congratulated those involved with the fireworks display, band concerts and scheduling of community events.

Ms. Price – No comments.

Mr. Bartlett – No comments.

Ms. Price - No comments.

Mr. Hollis - Mr. Hollis invited the community to attend the Chautauqua program at Londonderry this evening.

XI. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters, and to reconvene in Executive Session on Tuesday, July 24, 2012 at 5:00 p.m. for discussion of legal, personnel, and real estate matters, and for the regularly scheduled legislative session at 6:00 p.m. by voting 4 – 0 as follows:

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

The meeting adjourned at 3:23 p.m.

The transcript of the July 10, 2012 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XII. On Tuesday, July 10, 2012, an Executive Session of the Talbot County Council convened at 12:35 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council met in Executive Session by voting 4 – 0 as follows:

Mr. Bartlett – Aye
Mr. Duncan – Aye
Mr. Hollis – Aye
Mr. Pack – Absent (called in via conference call at 1:15 p.m.)
Ms. Price – Aye

In accordance with State Article § 10-508 (a)(i)(3)(4)(7)(14) the purpose of the Executive Session was for discussion of a legal/real estate matter for legal advice concerning the possible relocation of Memorial Hospital at Easton to County owned property and the timetable for same; for a real estate matter to discuss acquisition of property for a public purpose; for legal advice on pending contract negotiations; and for a personnel matter to discuss appointments to various County boards and committees and to discuss hiring a consultant for a project. The Executive Session recessed at 1:30 p.m. and reconvened at 3:30 p.m. The Executive Session ended at 4:30 p.m.

CASH STATEMENT 07/03/2012

BALANCE 6/26/2012	\$2,797,343.86
RONB QUARTERLY BOND PAYMENT	(9,478.60)
UHC CLAIMS THRU 6/26/2012	(42,126.11)
STATE BOARD OF ELECTIONS PPE 6/30/2009 & 6/12/2012	(9,299.96)
BOARD OF EDUCATION JUNE 2 ND HALF	(1,350,125.00)
INCOME TAX 6/2012	3,742,379.69
DEPOSITS	975,351.83
CHECKS	(815,670.74)
BALANCE 07/03/2012	<u>\$5,288,374.97</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	15,622.99
AIP-35	37,082.09
AIP36	8,535.74
AIP37	532.80
AIP38	--
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$61,773.62</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/19/2011	07/17/12	0.61%	4,000,000.00
10/18/2011	07/18/12	0.26%	3,000,000.00
10/18/2011	07/18/12	0.26%	5,000,000.00
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00
PNC-MLGIP INVESTMENTS TOTAL	0.14%	6,000,000.00	
TOTAL INVESTED			<u>\$25,000,000.00</u>
PETTY CASH BALANCE			<u>\$6,800.00</u>
GRAND TOTAL ALL FUNDS			<u>\$30,356,948.59</u>

CASH STATEMENT 07/10/2012

<u>BALANCE 7/3/2012</u>	\$5,288,374.97
INTEGRA 7/2012	(13,697.28)
UHC CLAIMS THRU 7/3/2012	(35,504.10)
TRANS LOCAL MATCH TO AIP36	(518.02)
PAYROLL-FD/SS/MS WH 7/6/2012	(134,163.52)
SECU DED	(9,255.43)
DEFERRED COMP DED	(10,222.72)
MD WH	(34,775.77)
PENSION DED	(28,871.28)
ACH TRANSFER	(10,731.75)
FLEX SPENDING ACCT	(2,764.29)
DEPOSITS	694,365.32
CHECKS	(779,145.76)

BALANCE 7/10/2012 **\$4,923,090.37**

AIRPORT ACCOUNTS

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP-34		15,622.99
AIP-35		37,082.09
AIP-36	BALANCE 7/3/2012	8,535.74
	TRANS FR GEN FUND	518.02
	CHECKS	(518.02)
		8,535.74
AIP-37		532.80
AIP-38		--

AIRPORT ACCOUNTS TOTAL BALANCE **\$61,773.62**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/19/2011	07/17/12	0.61%	4,000,000.00
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10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.13%	6,000,000.00

TOTAL INVESTED **\$25,000,000.00**

PETTY CASH BALANCE **\$6,800.00**

GRAND TOTAL ALL FUNDS **\$29,991,663.99**