



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

July 31, 2018

Present – President Jennifer L. Williams, Vice President Corey W. Pack, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Anthony Kupersmith, and Assistant County Attorney, Mary O'Donnell. The meeting was held in the Meeting Room of the Talbot County Free Library, 100 West Street, Easton, Maryland 21601.

- I. Agenda – Ms. Williams requested and received Council's unanimous consent for approval of the Agenda of Tuesday, July 31, 2018.
- II. Disbursements – Ms. Williams requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, July 31, 2018.
- III. Eligible for Vote:

Resolution No. 262, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE 2018 GENERAL ELECTION TO AMEND SECTION 614 OF THE TALBOT COUNTY CHARTER TO LIFT THE REVENUE CAP FROM TWO PERCENT TO TWO AND ONE-HALF PERCENT; TO ELIMINATE THE REFERENCE TO CONSUMER PRICE INDEX; TO CLARIFY THE TERMINOLOGY FOR PROPERTIES INCLUDED ON THE TAX ROLLS; AND, TO AUTHORIZE A TEMPORARY INCREASE OF ONE CENT PER ONE HUNDRED DOLLARS OF ASSESSED VALUE ABOVE THE TWO AND ONE-HALF PERCENT LIMIT FOR EACH OF THE FOUR FISCAL YEARS FOLLOWING ADOPTION OF THE AMENDMENT, was read into the record by the Clerk and brought forward for vote. Prior to the vote, Ms. Price stated that an amendment is being offered which would change the chart listed in the resolution to verbiage in order to more clearly clarify the intent of the resolution. The Clerk read the proposed amendment into the record. Mr. Kupersmith stated that the purpose of the amendment is intended to clarify the proposal in the resolution which pertains to the penny per year; it does not change the terms of the financial impact of the resolution. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved deletion of the chart in Resolution No. 262 and incorporating verbiage in its place by voting 5 – 0 as follows:

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

Prior to vote on Resolution No. 262, as amended, Council members made the following comments:

Ms. Price - Ms. Price stated the County has identified three capital projects which are anticipated to cost the County approximately \$3 to 4 million in debt service per year for which there are no funds: the new Easton Elementary School; a new Sheriff's Office; and a new Health Department building. She stated that the County continues to fall behind in being able to be competitive with other jurisdictions in recruiting and retaining Emergency Services personnel and is losing valued employees to surrounding counties. She stated that the proposal

provides for approximately \$2 million in additional Public Safety revenues. She stated that eliminating the CPI-U, increasing the revenue cap from 2% to 2.5%, and adding \$.01 per year will bring in between \$6 and \$7 million per year for four years; over eight years approximately \$15 million and after 15 years, approximately \$22 million. Ms. Price concluded her comments by stating that the Council tried to identify enough funding to pay for the capital projects, enhance emergency services and the regular increased costs for the remaining County services without too much burden on the taxpayers, while still being fiscally responsible with taxpayers' money. She stated that she hopes the Council is able to get something on the ballot in November so that the citizens can decide what is in the best interest for Talbot County and what services it can provide for its citizens.

Mr. Pack - Mr. Pack stated that the cost of doing business is increasing. He reiterated the upcoming capital projects previously named by Ms. Price, adding that there are more capital projects the Council is looking to initiate but there needs to be a way to pay for them. He stated that the Talbot County Business Center not only houses the Sheriff's Office but also houses several very expensive pieces of emergency services equipment, including the emergency ambulance bus – once that building comes down, all the equipment housed there will need to be relocated. He stated that the capital expenditures, combined with the operational costs for people to keep our roadways safe, respond to the emergency needs in the county, and stay competitive with surrounding counties for salaries and benefits is costly. Mr. Pack stated that the Council had spoken with Sheriff Gamble regarding the number of deputies who have already left or who have indicated their intention to leave Talbot County for positions in other counties on the Eastern Shore or on the western shore. He stated that Talbot County realizes it cannot compete dollar for dollar but we need to find a way to keep our workforce at a competitive level, the current revenue tax structure is not keeping us competitive and, in his opinion, the CPI-U should never have been on this county since it is not an urban area. Mr. Pack concluded his comments by stating that, in his opinion, this language is a start and that hopefully everyone will take a look at it and seriously think about it in November because we have to do something different than we are doing right now.

Ms. Williams – Ms. Williams stated that an increase of one half percent in the revenue cap from 2.0 % to 2.5% would mean an increase in County revenues by \$200,000 a year, or about \$10 per tax account; an increase from 2.0 % to 3.0 percent would mean an increase in County revenues by \$400,000 a year, or less than \$25 per tax account. She stated that the County is not looking to increase taxes by much but is looking for much needed help to provide services that our citizens have come to expect and want. She stated the reason the Council is trying to put something on the ballot in November is so that our citizens can say “yes,” we are happy to pay a little bit more so that County services can continue at the current level, or decide “no,” they don't want to pay more, in which case some hard decisions will need to be made at budget time next year.

Mr. Bartlett - Mr. Bartlett stated that he is the only Council member not running for reelection and he wanted the remaining four members to work together to put one of the resolutions on the ballot since it takes a 4/5 vote to do so. He expressed his appreciation to all those who are here tonight and, in his opinion, everyone will go into the voting booth in November and decide whether you, in essence, raise your

own property taxes or not. He stated that he has been on the Council for 12 years and we have been through some very difficult times with the tax cap in place all the way along, and, in his opinion, we have always managed to run the county as efficiently as we can. He expressed his belief that the benefit to having a tax cap is that the Council knew it could not spend money foolishly and had to watch every penny, and therefore is not in favor of raising the tax cap. He stated that the County has always had a 15% Rainy Day Fund that is carried over every year but is unused unless there is an emergency. He stated that the County has also put a lot of money away for future retirement benefits, even through a difficult economy. Mr. Bartlett stated that he realized that there are pressures on the County departments, particularly Emergency Services, and stated that, in his opinion, we do need to reallocate some money, but he is not sure that raising taxes is the right way to do it as it is also an affordability issue to be able to afford to live here and low taxes are what attracts many people to live here. Mr. Bartlett indicated his intention to probably vote “no” on both matters, but encouraged those in attendance to think when they go into the voting booth about whether these additional taxes are worthwhile to help with emergency services, because, in his opinion, we do need to reallocate some funding for needs in that department as well as the Roads Department. Mr. Bartlett concluded his comments by expressing his appreciation to everyone for attending the meeting.

Mr. Callahan – Mr. Callahan stated that his position with regard to emergency services is the same as that of several other Council members. He stated that he is in the fire department, and has been for the last 30 years, and in his opinion, we are going to have to do something with all the services we offer the people in Talbot County; not only to provide services, but to recruit and retain the firefighters and all employees. He stated that in the last couple of years the fire departments have struggled with ways to retain members; the Council has given them funding to try to keep their members and to keep the fire departments going. He stated that, in his opinion, Talbot County has some of the best ambulance services in the state; the need is going to continue to grow so the County is going to need some help. He stated that he has been on the Council for four years and has looked at the budget year in and year out, and, in his opinion, it is time that the Council asks for some help; it is necessary to support something and it is the Council’s job to provide something for county citizens to consider. He stated that the Talbot County Taxpayers Association is in support of Resolution No. 262, as amended, and asked that citizens also support it. He concurred with Ms. Williams’ statement that if the Charter Amendment doesn’t pass, that’s fine, but the Council will have to make decisions which affect everybody even though it is really hard to make service decisions if we don’t have the money. Mr. Callahan concluded his comments by again asking everyone to support Resolution No. 262, as amended.

Resolution No. 262, as amended, was brought forward for vote. The Council approved Resolution No. 262, as amended, by voting 4 – 1 as follows:

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

Resolution No. 262, as amended, is effective immediately. *In accordance with Section 805 of the Talbot County Charter, this proposed amendment to the Charter shall be submitted to the voters of the County at the next general election occurring after adoption of this Resolution (November 6, 2018). If at the election the majority of votes cast on the question are in favor of this proposed amendment, the amendment stands enacted from and after the thirtieth calendar day following the election.*

Resolution No. 263, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE 2018 GENERAL ELECTION TO AMEND SECTION 614 OF THE TALBOT COUNTY CHARTER TO LIFT THE REVENUE CAP FROM TWO PERCENT TO THREE PERCENT; TO ELIMINATE THE REFERENCE TO CONSUMER PRICE INDEX; TO CLARIFY THE TERMINOLOGY FOR PROPERTIES INCLUDED ON THE TAX ROLLS; AND, TO AUTHORIZE A TEMPORARY INCREASE OF ONE CENT PER ONE HUNDRED DOLLARS OF ASSESSED VALUE ABOVE THE THREE PERCENT LIMIT FOR EACH OF THE FOUR FISCAL YEARS FOLLOWING ADOPTION OF THE AMENDMENT, was read into the record by the Clerk. Ms. Williams requested a motion to bring Resolution No. 263 to vote. As there was no motion, no further action was taken by the Council on Resolution No. 263.

IV. Public Hearings:

Bill No. 1401, A BILL TO REPEAL AND REPLACE TALBOT COUNTY CODE CHAPTER 190, ENTITLED “ZONING, SUBDIVISION, AND LAND DEVELOPMENT”, IN ITS ENTIRETY, AND TO ENACT AN ENTIRE NEW CHAPTER 190 OF THE TALBOT COUNTY CODE TO IMPLEMENT ZONING CONTROLS AND REGULATIONS CONSISTENT WITH AND PURSUANT TO THE 2016 TALBOT COUNTY COMPREHENSIVE PLAN, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. The public hearing on Bill No. 1401 was continued to Tuesday, August 14, 2018 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

Bill No. 1402, A BILL TO AMEND THE OFFICIAL ZONING MAPS OF TALBOT COUNTY, MARYLAND (SPECIFICALLY, MAPS 1, 4, 5, 6, 10, 11, 12, 14, 16, 22, 24, 30, 31, 32, 33, 38, 39, 40, 40A, 41, 42, 43, 44, 44A, 45, 46, 47, 48, 49, 51, 55, AND 56) AND TO REZONE THE AFFECTED LANDS CONSISTENT WITH THE 2016 TALBOT COUNTY COMPREHENSIVE PLAN, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. The public hearing on Bill No. 1402 was continued to Tuesday, August 14, 2018 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

Bill No. 1403, A BILL TO ADOPT THE TALBOT COUNTY NOISE ORDINANCE PURSUANT TO ENVIRONMENT ARTICLE §3-105 AND §3-401, ET SEQ., MARYLAND CODE ANN. AND TO AMEND SECTIONS OF CHAPTER 11 (ALCOHOLIC BEVERAGES) AND CHAPTER 15 (ANIMALS) TO MAKE SUCH CHAPTERS CONSISTENT WITH THE TALBOT COUNTY NOISE ORDINANCE, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. The public hearing on Bill No. 1403 was continued to Tuesday, August 14, 2018 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

V. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council voted to adjourn and to reconvene on Tuesday, August 14, 2018 by voting 5 – 0 as follows:

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

The meeting adjourned at 9:10 p.m.

The transcript of the July 31, 2018 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- VI. On Tuesday, July 31, 2018 a Closed Session of the Talbot County Council convened at 4:30 p.m. in the Bradley Meeting Room and County Council Conference Room. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council met in Closed Session by voting 4 – 0 as follows:

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

In accordance with General Provisions Article § 3-305(b)(1)(i) the purpose of the Closed Session was for a personnel matter to conduct an interview for the Airport Manager position. The Closed Session ended at 4:55 p.m.

- VII. On Monday, July 30, 2018, a Closed Session of the Talbot County Council convened at 6:20 p.m. in the Wye Oak Room, Talbot County Community Center, 10028 Ocean Gateway, Easton, Maryland. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council met in Closed 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 General Provisions Article § 3-305(b)(7)(8) the purpose of the Closed Session was for legal matters for legal advice regarding interpretation of electrical standards in the floodplain; and to consult with the County Attorney regarding the possible filing by the owner of Wylder Hotel regarding a 1988 Court Order involving the County. The Closed Session ended at 7:40 p.m.

- VIII. Work Session on Proposed Amendments to Chapter 121, Public Landings with Talbot County Parks & Recreation Advisory Board, Preston Peper, Director, Department of Parks & Recreation; Joanne Dickey, Landings Enforcement Officer, Department of Parks & Recreation – The Talbot County Council met with representatives of the Parks & Recreation Advisory Board, the Director of the Department of Parks & Recreation and the Landings Enforcement Officer on Monday, July 30, 2018 at 5:00 p.m. in the Wye Oak Room of the Talbot County Community Center, 10028 Ocean Gateway in Easton. Discussion included, among other matters, the current number of boat slips rented by the County at its landings; rental fees; the timing of billing for the rental of slips, abandoned equipment, and the assessment of monetary penalties for violation of boat slip rental leases. The meeting ended at 6:15 p.m.

**CASH STATEMENT 7/31/2018**

BALANCE 7/24/2018			\$ 26,024,162.37
TOTAL ADP PAYROLL PPE 7/13/2018			(643,974.15)
DEFERRED COMP DED PPE 7/13/2018			(13,189.04)
PENSION DED PPE 7/13/2018			(36,035.90)
SECU DED PPE 7/13/2018			(3,733.95)
DEFERRED COMP PPE 7/13/2018 PLAN 401(A)			(4,202.33)
RETIREE HEALTH TRANSFER			(10,000.00)
FLEX SPENDING BENEFITS PPE 7/13/2018			(3,376.30)
ELECTION BOARD PPE 7/3/2018			(7,954.66)
CIGNA CLAIMS THRU 7/23/2018			(29,448.50)
INTEGRA CLAIMS THRU 7/23/2018			(83,593.40)
NOVITAS HC CLAIM DUPLICATE ENTRY			(2,738.45)
RETIREMENT GIFT CARD D. SKINNER			(250.00)
BANK CHARGES 6/2018			(2,865.67)
INTEREST ON ACCOUNTS 6/2018			(14,890.00)
RETURNED CHECK #(S) 2048, 1136, 1142			(3,418.67)
DEPOSITS			9,662,174.72
CHECKS			(721,715.32)
<b>BALANCE 7/31/2018</b>			<b><u>34,134,730.75</u></b>
<b><u>AIRPORT ACCOUNTS</u></b>			
AIP42			0.00
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>			<b><u>0.00</u></b>
<b>INVESTMENTS – CERTIFICATES OF DEPOSIT</b>			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		1.93%	18,000,000.00
1880 BANK			10,035,267.28
<b>TOTAL INVESTED</b>			<b><u>\$28,035,267.28</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>\$15,570.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>			<b><u>\$62,185,568.03</u></b>