



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

June 28, 2016

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

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, June 28, 2016.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, May 24, 2016 and June 7, 2016.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, June 28, 2016.
- IV. Presentation of Senior Care Program – Dr. Fredia Wadley, Talbot County Health Officer; Kate Stinton, RN, LCSW, Community Health Nurse Supervisor, Talbot County Health Department – Dr. Wadley briefed the Council on the various services provided during FY 2016 by the Talbot County Health Department’s Senior Care Program to 125 of the county’s neediest and most vulnerable elderly citizens aged 65 and older. She stated that all clients receive case management services from social workers whose focus is on the psycho-social needs of the individuals and their families; nurse case management services and financial assistance are also provided. She stated that although funding in FY 2017 will remain the same as in FY 2016, \$150,000 (\$100,000 from the State through Upper Shore Aging and \$50,000 from Talbot County), the Health Department anticipates serving 165 individuals by the Program. The Senior Care Program is a cooperative effort between the Department of Aging, the Talbot County Department of Social Services and the Talbot County Health Department. Council discussion ensued with Dr. Wadley regarding the various federal, State and local programs for care of vulnerable elderly citizens. She advised that Upper Shore Aging maintains a catalog of services available to seniors, their families and caregivers. Dr. Wadley then requested Council approval of the Senior Care Annual Plan for FY 2017. Upon motion by Mr. Callahan, seconded by Ms. Williams, the Council approved the Senior Care Program for FY 2017 by voting 5 – 0 as follows:

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

Dr. Wadley thanked the Council for their continued support of the Senior Care Program.

V. Introduction of Administrative Resolution:

An ADMINISTRATIVE RESOLUTION DESIGNATING THE COUNTY MANAGER AS RESIDENT AGENT FOR TALBOT COUNTY, MARYLAND was brought forward for introduction. Prior to introduction, County Attorney, Mike Pullen, stated that the purpose of the administrative resolution is to comply with State law which requires that every corporate entity have a resident agent who is an individual residing in the state who is authorized to receive service on behalf of that entity. He stated that if approved, the administrative resolution authorizes County Manager, Andy Hollis, to accept service on behalf of Talbot County. The Clerk then read the administrative resolution into the record. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Administrative Resolution by voting 5 – 0 as follows:

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

VI. Introduction of Numbered Resolutions:

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP A CERTAIN PARCEL OF LAND LOCATED ON BACHELOR POINT ROAD IN THE TOWN OF OXFORD, MARYLAND, FROM THE CURRENT CLASSIFICATION OF “UNPROGRAMMED” TO “W-1” AND “S-1” IMMEDIATE PRIORITY STATUS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Engineer, Ray Clarke, stated that the purpose of the proposed amendment is to have the County’s Comprehensive Water and Sewer Plan be consistent with the Town of Oxford’s Comprehensive Water and Sewer Plan to reflect the recent annexation of the parcel of property referenced in the proposed amendment into the town of Oxford. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Resolution No. 228. A public hearing was scheduled for Tuesday, July 26, 2016 at 6:15 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP CERTAIN PROPERTIES LOCATED IN THE SOUTH CLIFTON NEIGHBORHOOD ADJACENT TO THE TOWN OF EASTON, MARYLAND (THE PROPERTIES) FROM THE CURRENT CLASSIFICATION OF “UNPROGRAMMED” TO “W-1” AND “S-1” IMMEDIATE PRIORITY STATUS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Engineer, Ray Clarke, stated that the purpose of the proposed amendment is to correct the 2002 update of the County Comprehensive Water and Sewer Plan which inadvertently omitted the subject property from the Plan at the time of the update. Mr. Clarke stated that the area currently receives water and sewer service from the Town of Easton, but is within the Town. Council discussion ensued with Mr. Clarke. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 229. A public hearing was scheduled for Tuesday, July 26, 2016 at 6:15 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VII. Introduction of Legislation:

A BILL TO AMEND TALBOT COUNTY CODE § 58-2, § 58-5, AND § 58-12 TO LIMIT THE HEARING OFFICER'S AUTHORITY TO CONDUCT ADMINISTRATIVE REVIEWS TO CIVIL PENALTIES CLAIMED BY THE COUNTY THAT TOTAL \$5,000 OR LESS, CUMULATIVELY, TO SPECIFY HOW THE JURISDICTIONAL AMOUNT IS DETERMINED, TO PROVIDE THAT THE WRITTEN DECISION OF THE HEARING OFFICER SHALL BE FINAL AND BINDING, AND GENERALLY RELATING TO ADMINISTRATIVE REVIEWS OF AMOUNTS OF CIVIL PENALTIES IMPOSED BY THE COUNTY FOR CODE VIOLATIONS was brought forward for introduction. Prior to introduction, County Attorney, Mike Pullen outlined the provisions in the legislation. The legislation was then read into the record by the Clerk and introduced by Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Bill No. 1346. A public hearing was scheduled for Tuesday, July 26, 2016 at 6:15 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VIII. Public Hearing:

Resolution No. 227, A RESOLUTION TO ADOPT A TEMPORARY MORATORIUM ON THE PERMITTING OF SOLAR ARRAY ENERGY SYSTEMS OCCUPYING AN AREA TWO (2) ACRES OR GREATER FOR A PERIOD OF SIX (6) MONTHS PENDING CONSIDERATION AND ADOPTION OF SUCH LEGISLATION AS THE COUNTY COUNCIL MAY CONSIDER ADVISABLE TO PROMOTE PUBLIC HEALTH, SAFETY, AND WELFARE, was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Planning Officer, Mary Kay Verdery, stated that it was at the recommendation of the Planning Commission that the moratorium came about due to the Commission's concern that each time a solar array energy system came before them for review, the proposed project was larger than the preceding one. She stated that in light of proposals and/or establishment of solar array systems in surrounding counties, it was the Planning Commission's recommendation that Talbot County should take the opportunity to look at the bigger picture and to form a group to specifically review the issue so that legislation specific to solar array energy systems can be developed. There is currently no language in the County Code specific to solar arrays as a type of renewable energy. The public was then afforded an opportunity to comment on the legislation. Mr. Pack requested that the Planning Office provide the Council with a map detailing the current infrastructure (transformers and electric lines) for review. Upon motion by Ms. Williams, seconded by Mr. Callahan, Resolution No. 227 was brought to second reader. Upon motion by Mr. Bartlett, and no objection by the Council, a full reading of the Resolution was waived. The Council approved Resolution No. 227 by voting 5 – 0 as follows:

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

IX. County Manager's Report:

A. Request from Department of Public Works – Requested Council approval to install a three inch (3") pipe on the Cahall property in the Aveley Farms subdivision as approved by Resolution No. 202; total cost of the project is \$45,000, of which \$20,000 will be temporarily paid for by the Region II Sanitary District, Bay Restoration Funding will pay \$20,000 and the property owner will pay \$5,000. County Engineer, Ray Clarke, stated that installation of the larger pipe

is in preparation of the eventual provision of sewer to the entire Aveley subdivision. Council discussion ensued with Mr. Clarke. The Council approved the request by voting 5 – 0 as follows:

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

- B. Request from Roads Department – Requested Council approval of the Roads Superintendent’s recommendation to purchase a specialized truck with Bearcat asphalt distributor from EW Trucks of Easton in the sum of \$197,665; funding of \$200,000 was allocated in the FY17 budget for the purchase. Council discussion ensued with Roads Superintendent, Warren Edwards, regarding the specifics of the request. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the request by voting 5– 0 as follows:

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

- C. Bid No. 16-10, HOME RUN BAKER/CORDOVA PARK WALKING TRAILS – TALBOT COUNTY, MARYLAND – Requested Council approval of the Parks and Recreation Department Director’s recommendation to award Bid No. 16-10 to the low bidder, Barker’s Landing Excavation, LLC, in the sum of \$104,211.80; said cost is 90% reimbursable from Program Open Space funding. Upon motion by Mr. Callahan, seconded by Ms. Williams, the Council approved the bid award by voting 5 – 0 as follows:

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

- D. County Offices Closed – Mr. Hollis stated that County offices would be closed on Monday, July 4, 2016 in commemoration of the July 4<sup>th</sup> holiday.

- E. Solar Array Committee – Requested Council approval for the appointment of the following individuals to the Solar Array Committee: Cory Buxton as a representative of the Talbot County Public Works Advisory Board, and Frank Cavanaugh as a citizen representative. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the appointments by voting 5 – 0 as follows:

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

- F. Talbot County Animal Control Board – Requested Council approval for the reappointment of Mary Newcomb to a three-year term on the Talbot County Animal Control Board as a representative having specialized knowledge or expertise relevant to the Board’s functions; said term will expire on July 1, 2019. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the reappointment by voting 5 – 0 as follows:

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

- G. Talbot County Economic Development Commission – Requested Council approval for the reappointment of Craig Wanner to a three-year term on the Talbot County Economic Development Commission; said term will expire on June 30, 2019. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

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

- H. Talbot County Local Emergency Planning Committee (LEPC) – Requested Council approval to forward the names of the following individuals to the Governor’s Office for consideration of reappointment to three-year terms on Talbot County’s Local Emergency Planning Committee: Cheryl Lewis, Dana Meintzer , Peter Welty, Jr., Shannon Potter Dill, Joseph Gamble, and Judy Bottorf. Mr. Hollis also requested Council approval to forward the names of Commissioner Michael Bibb, Michael Boldosser, and Josh Bollinger to the Governor’s Office for consideration of appointment to three-year terms on the LEPC. If approved, said terms will expire on August 1, 2019. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved forwarding the names to the Governor for consideration of reappointment and appointment by voting 5 – 0 as follows:

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

- I. Talbot County Parks and Recreation Advisory Board – Requested Council approval for the reappointment of Jeffrey Harrison to a four-year term on the Talbot County Parks and Recreation Advisory Board as a representative of the Bay Hundred District; said term will expire on July 1, 2020. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the reappointment by voting 5 – 0 as follows:

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

- J. Talbot County Local Drug and Alcohol Abuse Council - Requested Council approval for the reappointment of Alexandra Duff, Neil Edwards, Doug Devenyns and Holly Ireland to four-year terms on the Talbot County Local Drug and Alcohol Abuse Council; said terms will expire on July 1, 2020. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the reappointments by voting 5 – 0 as follows:

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

- K. Talbot County Tourism Board – Requested Council approval for the reappointment of Ian Fleming, Angela Eade, and Dolores Jones to four-year terms on the Talbot County Tourism Board; said terms will expire on July 1, 2020. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the reappointments by voting 5 – 0 as follows:

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

X. Council Comments:

- Ms. Williams - Ms. Williams stated that she had spent the weekend in St. Michaels at the St. Michaels Harbour Inn and Marina and that while there she was delighted to see individuals at several adjoining tables reading the new tourism guides and talking about what they were going to do that day. She congratulated Cassandra Vanhooser, Tourism Director, on her efforts producing the new guide and stated that, in her opinion, it was exciting to see people really enjoying reading it and planning their weekend based on the guide.
- Mr. Bartlett - Mr. Bartlett stated that he and his wife had enjoyed watching the cardboard boat races in Oxford and had enjoyed seeing Senator Addie Eckardt wading into the Bay to see if she could see her shoes, after which, the politician version of the cardboard boat races took place. He stated that Delegate Johnny Mautz was also in attendance. He stated that it was a really exciting race to watch, and in his opinion, the cardboard boat races had gotten a lot better since only one person had to bail out of their boat this year.
- Ms. Price - Ms. Price stated that she had placed 50 new tourism guides in her store and after one week there are only about four left. She stated that she is amazed by how many guides have gone out of her store and she hopes the sales in her store keep pace with the number of tourism guides that have gone out.
- Mr. Callahan: Mr. Callahan stated that the Council had recently had a dinner meeting with the Board of Education and that, in his opinion, it was a big deal to get together and discuss various issues related to the schools, including

new busses and a new school. He stated that he thinks the public needs to realize that the County does a a lot of good work with education, and he commended Superintendent Kelly Griffith on doing, in his opinion, a great job. Mr. Callahan concluded his comments by wishing everyone a happy July 4<sup>th</sup> holiday.

Mr. Pack -

Mr. Pack stated that it was good to be home after having recently attended a conference in Florida.

- XI. Upon motion by Ms. Williams seconded by Mr. Callahan, the Council voted to adjourn and to reconvene in Closed Session for discussion of legal, personnel and real estate matters as listed on the Statement for Closing the Meeting which is available for public review; and to reconvene on Tuesday, July 12, 2016 at 1:30 p.m. The Council will be convening in Open Session at 12:30 p.m. and immediately adjourning into Closed Session for discussion of legal, personnel and real estate matters as listed on the Statement for Closing that meeting by voting 5 – 0 as follows:

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

The meeting recessed at 7:25 p.m.

The transcript of the June 28, 2016 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XII. On Tuesday, June 28, 2016 a Closed Session of the Talbot County Council convened at 5:00 p.m. in the County Council Conference Room. Upon motion by Ms. Williams, seconded by Mr. Callahan, 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)(1)(i)(3)(7)(8)(14) the purpose of the Closed Session was for personnel matters to discuss appointments to various County boards and committees; to discuss a personnel matter in the Department of Planning and Zoning; to discuss a personnel matter in the Office of Economic Development; to discuss a personnel matter in the State’s Attorney’s Office; and to discuss a recommendation of appointment of Department of Social Services Executive Director; for real estate matters to discuss the possible acquisition of property for a public purpose; and to discuss the possible disposition of County owned property; and for legal matters to discuss litigation involving the County and to discuss a Code enforcement matter at Talbot Trailer Park and short-term rental property. The Closed Session ended at 8:35 p.m.

- XIII. Meeting with Talbot County Board of Education – The Talbot County Council held a meeting with the Talbot County Board of Education on Tuesday, June 21, 2016 at the Talbot County Free Library. Attendees at the meeting included members of the Board of Education (Michael Garman, Susie Hayward, Juanita Hopkins, Sandy Kleppinger, David Short and Otis Sampson); Kelly Griffith, Ed.D., Superintendent,

Talbot County Public Schools; Charles Connolly, Director of Finance, Talbot County Public Schools; Kevin Shafer, Director of Support Services, Talbot County Public Schools; Lynne Duncan, Director of

Human Resources and Student Services, Talbot County Public Schools; Steve Wilson, Director of Information Technology, Talbot County Public Schools; members of the Talbot County Council (Dirck Bartlett, Chuck Callahan, Laura Price, Jennifer Williams); Andrew Hollis, Talbot County Manager; and Angela Lane, Talbot County Finance Director. Various topics were discussed including the EMT/Fire and Rescue pathway program offered through the Career and Technology program. Approximately five students are enrolled in the program for next year. Council discussed the importance of the program to the Talbot County Volunteer Fire and Rescue Association and local volunteer fire departments. Mr. Short encouraged local businesses to partner with the Career and Technology program such as the Chef Cook program and Graphic Design. Ms. Griffith noted that she is working with the Chamber of Commerce on getting the word out about the program. Council discussed the impact of the current real property tax revenue cap on the County’s budget. The Board of Education expressed interest in partnering with the Council, should a ballot initiative be introduced, to educate the public on this issue. The feasibility study on Easton Elementary School is complete. The Board of Education, with concurrence from the County Council, is recommending Option C which is a consolidation of the two buildings. The Board of Education is awaiting a letter from Maryland State Department of Education. Notice of funding from the State is anticipated in October 2017. Phase 2 of the St. Michaels Roof project is out to bid. Repair work will take place this summer. The St. Michaels YMCA project is anticipated to begin in summer 2017. A Pathways in Technology Early College High School (P-TECH) grant has been awarded to the Upper Eastern Shore (Caroline, Queen Anne’s and Talbot counties in partnership with Chesapeake College). This is a one-year planning grant. The P-TECH program would enhance the Career and Technology Program and may offer classes in agriculture, computer sciences, and health sciences.

**CASH STATEMENT 06/21/2016**

BALANCE 6/14/2016	\$16,002,844.68
INTEGRA CLAIMS THRU 6/13/16	(62,319.20)
RETIREE’S HEALTH INSURANCE JUNE 2016	(18,215.79)
BD OF EDUCATION 6/2016 1 <sup>ST</sup> HALF	(1,465,665.50)
RETURNED CHECK	(30.00)
PAYROLL-FD/SS/MS WH PPE 6/3/2016	(139,627.34)
DEFERRED COMP DED	(11,526.78)
MD WH	(34,607.00)
PENSION DED	(32,956.63)
SECU DED	(5,217.11)
ACH TRANSFER	(14,326.75)
FLEX SPENDING ACCT	(2,968.33)
DEPOSITS	7,028,828.20
CHECKS	(1,219,057.63)
<b>BALANCE 6/21/2016</b>	<b><u>20,025,184.82</u></b>

**AIRPORT ACCOUNTS**



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AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP37	16,762.37
AIP39	73,794.25
AIP40	30,252.21
AIP41	39,343.53

**AIRPORT ACCOUNTS TOTAL BALANCE 160,152.36**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.38%	18,000,000.00

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

**PETTY CASH BALANCE \$15,570.00**

**GRAND TOTAL ALL FUNDS \$38,200,877.18**

**CASH STATEMENT 06/28/2016**

BALANCE 6/21/2016	\$20,025,154.82
INTEGRA CLAIMS THRU 6/20/16	(84,096.55)
DEPOSITS	596,315.63
CHECKS	(387,793.40)
VOID CHECK # 308377	1,500.00
<b>BALANCE 6/28/2016</b>	<b><u>20,151,080.50</u></b>

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP37	16,762.37
AIP39	73,794.25
AIP40	30,252.21
AIP41	39,343.53

**AIRPORT ACCOUNTS TOTAL BALANCE 160,152.36**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.37%	18,000,000.00

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

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**PETTY CASH BALANCE**

**\$15,570.00**

**GRAND TOTAL ALL FUNDS**

**\$38,326,802.86**