



TALBOT COUNTY, MARYLAND

County Council

MINUTES

June 9, 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 Assistant County Attorney Anthony Kupersmith.

- I. Agenda – The Agenda was brought forward for approval. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council voted to add an agenda item entitled: *Presentation on FY16 Budget Reconsideration for the Talbot County Senior Center - Childlene Brooks, Manager, Talbot County Senior Center following Item V., Maryland Association of Counties (MACo) Update – Michael Sanderson, Executive Director, MACo; Isiah “Ike” Leggett, President, MACo Board of Directors and County Executive, Montgomery County* by voting 5 – 0 as follows:

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

Mr. Pack then requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, June 9, 2015, as amended.

- II. Minutes – The Minutes of Tuesday, May 12, 2015 were brought forward for approval. The Council approved the Minutes by voting 4 – 0 – 1 as follows:

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

Ms. Price abstained from voting as she was absent for the meeting of May 12, 2015.

Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, May 26, 2015.

- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, June 2, 2015.

Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, June 9, 2015.

- IV. Maryland Association of Counties (MACo) Update – Michael Sanderson, Executive Director, MACo; Isiah “Ike” Leggett, President, MACo Board of Directors and County Executive, Montgomery County - Mr. Leggett gave a brief outline of the experience he brings to the role as MACo president, stating that he is

now serving his third term as Montgomery County Executive and previously served four terms on the Montgomery County Council. He stated that, in his opinion, all the counties in the state face the same issues, and he views Montgomery County and the other counties in the state as one serving the entire state and its citizens. Mr. Sanderson briefed the Council on MACo initiatives during the 2015 Legislative Session in Annapolis, including the passage of legislation to address the heroin crisis in the state; securing funding in the State budget for local roadways, health departments, community colleges, etc., and several legislative initiatives related to local land use issues, protection of local revenues, public safety reforms, and local autonomy. He stated that MACo was successful in opposing or amending proposed legislation seeking to hand down unfunded mandates from the State and proposed legislation which would have increased the administrative complexities of local governments. He then briefed the Council on several recent federal court rulings, including the fiscal impact of the U.S. Supreme Court ruling in the *Comptroller of the Treasury of Maryland v Wynne, et ex.* and the ruling related to Waters of the U.S. (Clean Water Rule). Mr. Sanderson stated that it is the responsibility of MACo, the organization which represents the 23 counties of Maryland and Baltimore City in legislative matters which come before the Maryland General Assembly, to make sure that policymakers in Annapolis understand how proposed legislation may affect county services and taxpayers. Mr. Sanderson concluded his comments by noting several topics of discussion which will be on the agenda at the MACo Summer Conference in Ocean City from August 12-15, 2015. Council expressed their appreciation to Mr. Leggett for his leadership of MACo and discussion ensued with Mr. Sanderson and Mr. Leggett as various matters were brought forward. Mr. Sanderson and Mr. Leggett will continue to update the Council on a regular or as-needed basis.

- V. Presentation on FY16 Budget Reconsideration for the Talbot County Senior Center - Childlene Brooks, Manager, Talbot County Senior Center – Ms. Brooks expressed her appreciation to the Council for all the County has done, and continues to do, to support the Talbot County Senior Center. She apologized for the negative press Council had received in the local newspaper following Council’s non-approval of Upper Shore Aging’s request to fund all or a portion of the \$27,303 shortfall in funding in State and federal funding to the agency until concerted efforts had been made by Upper Shore Aging and the Senior Center to raise funding from the private sector to help alleviate the shortfall; the majority of the reduction in funding affects the nutritional programming services (Meals on Wheels) offered by Upper Shore Aging. Ms. Brooks stated that the Senior Center anticipates receipt of approximately \$14,000 in funding from various sources; Council discussion ensued with Ms. Brooks. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved utilizing FY 16 contingency funding, which the County Manager certified is available, to appropriate \$13,303 back to the Senior Center FY 16 budget for the Meals on Wheels program by voting 5 – 0 as follows:

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

- V. Quarterly Update by Maryland Environmental Service – Steve Tomczewski, Executive Director, Environmental Operations, Maryland Environmental Service (MES) – Mr. Tomczewski briefed the Council on activities at the former Mid-Shore Regional Landfill in Talbot County (Mid-Shore I). He stated that for the timeframe of January through March 2015, Mid-Shore I had transferred approximately 6,646 tons of trash; the number of Homeowner Drop-Off (HODO) customers utilizing the facility during that timeframe was approximately 6,095, with 711 tons of yard waste received; 373 \$10.00, and 441 \$20.00 punch cards were sold. Mr. Tomczewski advised that since the \$20.00 punch cards are the most popular, MES is looking into an automated punch card machine. With regard to the closure project for Mid-Shore I, Mr. Tomczewski stated that MES signed a Letter of Intent on December 31, 2014 to sell landfill gas to Easton Utilities; Easton Utilities plans to construct a landfill gas-to-energy facility at the Mid-Shore I location by

Fall 2015. He stated that design and permitting continue for installation of the generator portion of the project which is anticipated to be completed in December 2015. He stated that a Notice to Proceed has been issued to Harnden Group, LLC of Mechanicsburg, Pennsylvania to begin capping work; soil from the Ackerman Farm is being utilized for final grading prior to placement of the geomembrane cap on the facility which is anticipated to take place in December 2015. With regard to the Mid-Shore Regional Landfill in Ridgely, Caroline County (Mid-Shore II), Mr. Tomczewski stated that the facility buried approximately 23,072 tons of trash from January to March 2015 and the Holly Road HODO collected 458 tons of trash. Mr. Tomczewski stated that placement of trash in Cell #4, the first Cell to be constructed at Mid-Shore II, is complete and construction of Cell #2 was completed in April 2015. Mr. Tomczewski stated that construction of the wetland mitigation project continues on the Ackerman Farm adjacent to Mid-Shore II; approximately 30,000 cubic yards of fill is being moved to Mid-Shore I for final grading of the site prior to capping; utilization of the fill from Mid-Shore II will help off-set the cost of capping. He stated that effective July 1, 2015, the Mid-Shore II tipping fee will increase \$2 per ton, from \$60 to \$62; Mid-Shore I will increase from \$67 to \$69 per ton. Mr. Tomczewski also provided statistical information for the Midshore Recycling Program for Calendar Year 2014, stating that 90% of the recycling, by weight, was glass at 896 tons. Council discussion ensued with Mr. Tomczewski as various items were brought forward. Maryland Environmental Service will continue to update the Council on a regular or as-needed basis.

- VII. Presentation of Request to Submit Grant Application to the Federal Aviation Administration to Conduct an Environmental Assessment at Easton Airport as Part of the Airport's Five-Year Capital Improvement Program – Mike Henry, Manager, Easton Airport – Mr. Henry requested Council's approval to apply for and accept grants from the Federal Aviation Administration (FAA) and the Maryland Aviation Administration (MAA) to conduct an Environmental Assessment at Easton Airport. Mr. Henry stated that at this time, the amount of the grant request is anticipated to be \$400,000 as outlined in the Airport's draft Capital Improvement Plan submitted to the FAA and MAA on March 26, 2015; if the grant is approved, the FAA will pay 90%; the MAA 5% and Easton Airport the remaining 5%. Council discussion with Mr. Henry ensued. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved submittal of the grant applications, with the understanding that once the final cost of the Environmental Assessment is known, Council will be advised of same, by voting 5 - 0 as follows:

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

- VIII. Presentation of Request to Enter into an Agreement with AECOM® for Professional Planning and Environmental Services for an Environmental Assessment at Easton Airport as part of the Airport's Five-Year Capital Improvement Program – Mike Henry, Manager, Easton Airport – Mr. Henry requested Council's approval to have AECOM® provide professional planning services for the new Environmental Assessment for Easton Airport. He stated that URS, which was recently acquired by AECOM®, performed the previous Environmental Assessment at the Airport and is very familiar with the project. Council discussion ensued with Mr. Henry and Jennifer Lutz, Aviation Department Manager, AECOM®. Upon motion by Ms. Price, seconded by Ms. Williams, the Council approved entering into an agreement with AECOM® by voting 5 – 0 as follows:

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

IX. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION DESIGNATING THE MARYLAND STATE POLICE AS THE PRIMARY LAW ENFORCEMENT UNIT TO RECEIVE REQUIRED RECORDS FROM JUNK DEALERS AND SCRAP METAL PROCESSORS FOR EACH PURCHASE OF CERTAIN JUNK OR SCRAP METAL IN THE STATE IN ACCORDANCE WITH HOUSE BILL 1174 AND SENATE BILL 99 was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Mike Pullen, stated that the administrative resolution formally establishes the point of reporting for the types of transactions described in the administrative resolution. He stated that State law requires junk dealers, scrap metal processors and pawnbrokers to record each transaction and to submit a copy of those records to the Maryland State Police; the county or town which serves as the principal place of business for the junk dealer or scrap metal processor is required to adopt a resolution designating a location for record collection. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the administrative resolution was brought forward for vote. 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

X. Introduction of Numbered Resolution:

A RESOLUTION TO APPROVE EXECUTION OF A LONG-TERM LEASE OF UNIMPROVED LAND AT THE EASTON AIRPORT, DESCRIBED AS LOT 9375, WHICH IS APPROXIMATELY 37,500 SQUARE FEET, FOR A TERM OF 30 YEARS WITH AN OPTION FOR A SINGLE 5-YEAR RENEWAL, WITH RENT OF \$27,300 PER YEAR SUBJECT TO ANNUAL ESCALATION IN AN AMOUNT EQUAL TO THE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX WITH A CAP OF FIVE PERCENT (5%), AND WITH A REQUIREMENT THAT THE TENANT CONSTRUCT AN AIRCRAFT HANGAR APPROXIMATELY 80' X 80' THAT IS TO BECOME THE PROPERTY OF THE AIRPORT AT THE EXPIRATION OR EARLIER TERMINATION OF THE LEASE was read into the record by the Clerk and brought forward for introduction. The resolution was introduced by Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 221; Mr. Bartlett recused himself from introducing the legislation as he personally knows the individual proposing to build a hangar at the location described. A public hearing was scheduled for Tuesday, June 23, 2015 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

XI. County Manager's Report:

A. Talbot County Commission on the Aging – Requested Council approval for the appointment of Mary Ellen Shea and Rosealee Potter to three-year terms on the Talbot County Commission on the Aging; said terms will expire on April 1, 2018. Upon motion by Ms. Williams, 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

- B. Talbot County Golf Board – Requested Council approval for the reappointment of Melvin “Mel” Newell to a three-year term on the Talbot County Golf Board; said term will expire on June 1, 2018. 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

- C. Talbot County Public Works Advisory Board – Requested Council approval for the reappointment of Roger Bollman to a four-year term on the Talbot County Public Works Advisory Board as a representative of District 1; said term will expire on May 1, 2019. Upon motion by Mr. Bartlett, 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

- D. Talbot County Department of Social Services Board of Directors - Requested Council approval for the reappointment of Berenice Orellana to a three-year term on the Talbot County Department of Social Services Board of Directors; said term will expire on June 30, 2018. 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

- E. Request from Talbot County Roads Department - Requested Council approval of the Acting Roads Superintendent’s recommendation to purchase a 2015 Ford F250 one-ton utility pick-up truck at a cost of \$28,449.00 by piggybacking on a State of Maryland contract; \$28,000 of the cost is included in the FY2015 Budget; the remaining \$449.00 will come from funds raised through the sale of surplus Roads Department equipment in March 2015. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved the purchase by voting 5 – 0 as follows:

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

- F. Public Outreach Meeting – Mr. Hollis stated that staff from the Talbot County Office of Planning and Zoning and representatives from the Maryland Department of the Environment, and Federal Emergency Management Agency will be holding a public outreach meeting on Thursday, June 11, 2015 at 6:00 p.m. at the Best Western/St. Michaels Inn in St. Michaels to present and discuss the recent changes to Talbot County’s Flood Insurance Rate Maps (FIRMs) and how the change may affect properties. Attendees will have an opportunity to view a flood map of their property, ask questions, and comment on the maps. Individuals may contact the Talbot County Department of Planning and Zoning at (410) 770-8030 for additional information.
- G. Work Session on Draft Comprehensive Plan – Mr. Hollis stated the Council will be holding a work session on the Draft Comprehensive Plan, as recommended to the Council by the Planning Commission, on Monday, June 15, 2015 from 4:00 p.m. to 6:00 p.m. in the Meeting Room at the Talbot County Free Library.
- H. Road Closure – Mr. Hollis stated that the segment of Goldsborough Neck Road between Glebe Road and Villa Road will be closed from June 8, 2015 to July 6, 2015 for repairs to the culvert in that portion of the road.

XII. Council Comments:

Ms. Williams – Ms. Williams stated that she was glad the Council was able to work with Upper Shore Aging to come to a resolution with regard to their budget shortfall, which, in her opinion, works well for both the County and for Upper Shore Aging. She concurred with Ms. Price’s statement that it represents a great public-private partnership and she looks forward to continuing to work with them by supporting them and assisting them in finding support in the community.

Mr. Bartlett – No comments.

Ms. Price - No comments.

Mr. Callahan - No comments.

Mr. Pack - No comments.

- XIII. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters; to reconvene on Monday, June 15, 2015 from 4:00 p.m. to 6:00 p.m. in the Meeting Room of the Talbot County Free Library for a work session on the Draft Comprehensive Plan; and to reconvene at 5:00 p.m. on Tuesday, June 23, 2015 at 5:00 in Executive Session for discussion of legal, personnel, and real estate matters, and for the regularly scheduled meeting at 6:00 p.m. 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 2:57 p.m.

The transcript of the June 9, 2015 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIV. On Tuesday, June 9, 2015, an Executive Session of the Talbot County Council convened at 12:30 p.m. in the Bradley Meeting Room and the County Council Conference Room. Upon motion by Mr. Callahan, 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 personnel matters to discuss appointments to various County boards and committees; to discuss filling the vacancy for the Talbot County Health Officer; to discuss conduct by the Planning Commission; to discuss filling a vacancy in the Roads Department; and to discuss a personnel matter in the Economic Development Office; for legal/real estate matters for legal advice regarding encroachment of County property; for a legal matter to discuss legal advice regarding entering into a contract with a property owner for a public purpose; and for a real estate matter to discuss the possible disposition of County property and the possible acquisition of property and appraisal of same. The Executive Session recessed at 1:25 p.m. and reconvened at 3:05 p.m. The Executive Session ended at 5:10 p.m.

- XV. Work Session on Draft Grant Policy for Non-County Agencies – The Council held a work session with staff on Monday, June 8, 2015 in the Bradley Meeting Room to discuss proposed guidelines for distribution of a portion of funding derived from Atlantic Broadband franchise fees to non-County agencies making grant requests to the County. County Manager, Andy Hollis, and Assistant County Manager, Jessica Morris, stated that Finance Director, Angela Lane, had contacted the other counties in Maryland regarding funding requests to their respective counties and had advised that most counties included the funding as a discretionary line item in their budgets. Council also reviewed draft language for an “Outside Agency Operating Grant Request” form; additions, deletions and changes in language to the form, as requested by Council, will be incorporated for Council’s further consideration at a date yet to be determined.

CASH STATEMENT 6/2/2015

BALANCE 5/26/2015	\$18,763,831.41
UHC CLAIMS THRU 5/26/2015	(45,441.35)
STATE ADMIN BRD OF ELECTIONS PPE 4/28&5/12/2015	(16,683.87)
RETURNED CHECKS	(258.83)
SHRF/SUMMONS ACCT ADDTL CHECK CHGS	(19.79)
BOARD OF EDUCATION 5/2015	(2,878,842.00)
GOLF EQUIPMENT LEASE 5/2015	(4,222.00)

DEPOSITS	512,068.71
CHECKS	(480,048.25)
BALANCE 6/2/2015	<u>15,850,384.03</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP37	16,762.37
AIP39	73,794.25
AIP40	27,036.21
AIP41	
BALANCE 5/26/2015	107,036.83
CHECKS	(64,497.14)

AIRPORT ACCOUNTS TOTAL BALANCE	<u>160,132.52</u>
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INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00

TOTAL INVESTED	<u>\$18,000,000.00</u>
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PETTY CASH BALANCE	<u>\$8,570.00</u>
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GRAND TOTAL ALL FUNDS

<u>CASH STATEMENT 6/9/2015</u>	<u>\$34,019,086.55</u>
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BALANCE 6/2/2015	\$15,850,384.03
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ST/MAA AND FAA GRANT TRANSFERS TO AIP41	(58,641.55)
INTEGRA 6/2015	(17,121.60)
TAL CO MD PUBLIC IMP BONDS SERIES 2008 6/2015	(347,400.00)
UHC CLAIMS THRU 6/2/2015	(95,002.81)
GOLF COURSE BANK CHGS ADDTL THRU 4/2015	(10,295.47)
INTEREST ON ACCTS THRU 4/2015	2,443.00

PAYROLL – FD/SS/MS WH 6/5/2015	(129,286.23)
SECUR DED	(5,930.19)
DEFERRED COMP DED	(11,294.87)
MD WH	(32,097.98)
PENSION DED	(31,713.72)
ACH TRANSFER	(12,021.75)
FLEX SPENDING ACCT	(3,129.89)

DEPOSITS	6,245,458.72
CHECKS	(602,015.99)

BALANCE 6/9/2015	<u>20,742,333.70</u>
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AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP37	16,762.37

AIP39			73,794.25
AIP40			27,036.21
AIP41	BALANCE 6/2/2015	42,539.69	
	TRANS FR GEN FUND	593.97	43,133.66

AIRPORT ACCOUNTS TOTAL BALANCE **160,726.49**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00

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

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

GRAND TOTAL ALL FUNDS **\$38,911,630.19**