



# Talbot County, Maryland



Easton, Maryland

MINUTES

March 12, 2013

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

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, March 12, 2013.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of February 26, 2013.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of March 5, 2013 and March 12, 2013.
- IV. Presentation of Award to Talbot County by National Weather Service – Joe Miketta, Warning Coordination Meteorologist, National Weather Service, Mt. Holly, New Jersey – Mr. Miketta presented a National Weather Service *StormReady* Program award to Talbot County for the County’s effective management of weather-related hazards and dissemination of information to citizens regarding the events; the award is valid for three years. Mr. Hollis, Ms. Price, Michael Boldosser, Talbot County Emergency Planner, Clay Stamp, Director, Talbot County Department of Emergency Services, and Brian LeCates, Division Chief – Emergency Medical Services, Talbot County Department of Emergency Services accepted the award on behalf of Talbot County.
- V. Update by Maryland Environmental Service – Steve Tomczewski, Program 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 period October through December 2012, Mid-Shore I had transferred approximately 7,500 tons of trash and light waste and the number of Homeowners Drop-Off (HODO) utilizing the facility during that timeframe was approximately 9,000; a total of approximately 500, \$10.00, and 570, \$20.00 punch cards had also been sold during the same timeframe. He stated that although Mid-Shore I remains in interim closure status, and its permit is still in effect, MES, at the direction of the Maryland Department of the Environment, has been requested to proceed with capping of the landfill with a two-foot cover of dirt. Mr. Tomczewski cited economic reasons for proceeding with the capping of the facility. He stated that costs related to various monitoring and maintenance costs for closure continue for 30 years following actual closure of the facility; but that the 30-year clock does not start until the facility has been capped and as such, costs incurred since closure of the landfill in December 2010 have eroded a portion of the funding designated for that purpose. Council discussion ensued with Mr. Tomczewski with regard to various methods being considered for permanently capping the landfill. With regard to the Mid-Shore Regional Landfill in Caroline County (Mid-Shore II), Mr. Tomczewski stated the following: Mid-Shore II buried approximately 100,000 tons of trash last year, a reduction of approximately 20,000 tons from the previous year, primarily due to one waste hauler no longer utilizing Mid-Shore II as they own their own landfill out of state. Council expressed concern regarding the reduction of tonnage coming into the landfill and discussion ensued with Mr. Tomczewski regarding the effects of the reduction in tonnage and ways in which the participating counties could possibly mitigate the reduction; he advised that MES is instituting a \$2.00 increase in the tipping fee at the landfill as a means of offsetting the reduction and that MES has also requested that

the municipalities include in any RFPs to prospective haulers a condition which requires that trash go to Mid-Shore Regional Landfill; should costs to operate the landfill exceed revenues, the participating counties are responsible for covering the shortfall. Mr. Tomczewski stated that permitting and design of Cell # 2 is approximately 80% complete, with construction of the cell anticipated to begin in spring 2014 and that the Holly Road HODO continues to operate. He then briefed the Council on the Mid-Shore Regional Recycling Program, the operations of which were assumed by MES in July 2012. He stated that MES has now replaced most of the igloos at County recycling sites with 8-yard containers and now has approximately 150 igloos available for placement at additional recycling locations; he stated that he and Ray Clarke continue to work on placement of a recycling site in Tilghman. MES will continue to update the Council on a regular or as-needed basis.

VI. Public Hearing:

Bill No. 1231, A BILL TO AUTHORIZE FUTURE ACCEPTANCE, ROAD CLOSURE, AND TRANSFER OF A CERTAIN PORTION OF MD. RT. 662C (THE "ROADWAY") IDENTIFIED IN AN AGREEMENT BETWEEN TALBOT COUNTY, MARYLAND AND THE STATE HIGHWAY ADMINISTRATION, WHICH ROADWAY SHALL NO LONGER BE NEEDED FOR PUBLIC USE AS A STATE HIGHWAY, AND THEREAFTER TO DONATE THE COUNTY'S INTEREST IN THE ROADWAY TO SHORE HEALTH SYSTEM, INC., ("SHS") FOR NO CONSIDERATION, BY CONFIRMATORY QUIT CLAIM DEED, WITHOUT WARRANTY OF ANY KIND, FOR USE BY SHS IN CONJUNCTION WITH PROPERTY OTHERWISE CONVEYED BY THE COUNTY TO SHS FOR CONSTRUCTION OF A NEW HOSPITAL AND REGIONAL MEDICAL CENTER, was brought forward for public hearing. Prior to the public hearing, County Attorney Mike Pullen stated that the proposed legislation outlines negotiations between Shore Health System, Inc. and the Maryland State Highway Administration (SHA) for the closing of a portion of MD Rt. 662, subject to several contingencies which must occur before the legislation becomes effective: (1) the reconstruction of a portion of the existing MD Rt. 662, including a loop for through traffic, at the expense of Shore Health System according to SHA standards, and which must be to the satisfaction of SHA and have been opened for use by the public; and (2) the construction, according to the County's specifications, of a new rear entrance to the Talbot County Community Center at the expense of Shore Health System, acceptance of the new entrance by the County, and the opening of the new entrance to the public. Mr. Pullen stated that once the contingencies occur, SHA will transfer to the County, at no cost, the abandoned portion of the road to the County; the County will, in turn, transfer the road to Shore Health System, at no cost, once it has been determined that the portion of the road is no longer needed for a public purpose. The public was then afforded an opportunity to comment on the legislation. At Council's direction, Mr. Pullen will prepare Findings of Facts regarding the continued need for the subject portion of MD Rt. 662 as outlined, as a public road, in the event all the contingencies occur.

VII. Presentation of Check from Talbot Paramedic Foundation to Talbot County – Wayne Dyott, President, Talbot Paramedic Foundation; Members, Talbot Paramedic Foundation – Mr. Dyott and members of the Talbot Paramedic Foundation presented the Council with a symbolic check in the sum of \$70,000 which represented the Talbot Paramedic Foundation's portion of funding, in partnership with the County, for the purchase of four LifePak<sup>®</sup>15 Monitor/Defibrillators at a cost of \$35,000 each; the purchase is part of the Talbot Paramedic Foundation's on-going commitment efforts to replace aging LifePak<sup>®</sup>12 units. Council members expressed appreciation to Mr. Dyott and members of the Paramedic Foundation in attendance for their long-term commitment to the citizens of Talbot County.

VIII. Update on Effects of Sequestration on Easton Airport – Mike Henry, Manager, Easton Airport - Mr. Henry briefed the Council on the effects of sequestration on Easton Airport. He thanked the Council for having forwarded letters to the Congressional delegation in an effort to have the Airport's contract air traffic control tower remain open. He stated that his office had recently received correspondence from the Federal

Aviation Administration (FAA) dated March 7, 2013 advising that contract towers which fell below the threshold of 150,000 annual operations or 10,000 commercial operations would be subject to closure on April 7, 2013. He stated that the FAA has since advised that individual consideration would be given to airports deemed to have an impact on “national interest.” Mr. Henry stated that, in his opinion, the consideration was encouraging because in 2012, Easton Airport had been designated as one of only 84 national airports in the country, the highest designation a General Aviation airport can receive, and a designation which reflects the importance and contribution of the airport to the National Airspace System. He stated that in addition to housing the Maryland State Police helicopter, Trooper 6, Easton Airport is also one of three “force-down” airports due to its proximity to Washington, DC during such events as Presidential Inaugurations and State of the Union addresses when increased national security procedures are instituted. Mr. Henry provided information on the impact of sequestration to airports, stating that 43 of the 84 towers at national airports are scheduled to be closed; the 251 contract towers in the United States handle approximately 25% of air traffic. He stated that as one of several safety measures the Airport will take in anticipation of the tower’s closure, the process for operating at a non-towered Easton Airport has been posted on the Airport’s website. Council discussion ensued with Mr. Henry regarding the information presented and measures the Airport will take to ensure the safety of the flying public, should the tower close. The FAA will accept comments regarding reconsideration for tower closure until March 13, 2013 Mr. Henry will continue to update the Council.

IX. County Manger’s Report:

- A. Talbot County Blue Ribbon Commission Oversight Committee – Requested Council approval for the reappointment of Connie Loveland to a three-year term on the Talbot County Blue Ribbon Commission Oversight Committee; said term will expire on April 1, 2016. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved the reappointment by voting 3 – 0 as follows:

Mr. Pack - Aye  
Mr. Hollis – Aye  
Ms. Price – Aye

- B. Contract with EnerNOC Demand Smart – Requested Council’s approval to piggyback off Talbot County Public Schools’ existing contract with EnerNOC Demand Smart for an energy curtailment program at several County facilities; EnerNOC receives funding from PJM, a regional transmission organization that coordinates the movement of wholesale electricity in various areas of the country, including Maryland, to avoid the importation of electricity into the PJM grid which increases costs to consumers. By participating in the curtailment program during peak or test events, the County will be able to generate revenue. Council discussion ensued with County Engineer Ray Clarke regarding specifics of the proposal, and if approved, his recommendation as to which County facilities should be incorporated into the curtailment program. Upon motion Mr. Hollis, seconded by Ms. Price, the Council approved entering into a contract with EnerNOC for the following County facilities: the Region II, Region V and Martingham Wastewater Treatment Plants, and the major pumping stations, by voting 3 – 0 as follows:

Mr. Pack – Aye  
Mr. Hollis– Aye  
Ms. Price – Aye

- C. Tipping Fee Increase at the Mid-Shore Regional Landfill – Requested Council approval of the County Engineer’s recommendation to increase the tipping fee at the Talbot County Waste

Transfer Station by \$2.00, from \$65 to \$67 per ton, with the increase to become effective July 1, 2013. Mr. Craig stated that Maryland Environmental Service is increasing the tipping fee at the Mid-Shore Regional Landfill in Caroline County (Mid-Shore II) from \$58 to \$60 per ton to offset the loss of revenue resulting from a hauler under contract with several towns who no longer disposes of trash at Mid-Shore II. Council expressed concern about trash moving out of the system and the resulting increasing prices; discussion ensued with Ray Clarke, County Engineer. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved raising the tipping fee at the Talbot County Waste Transfer Station from \$65 to \$67 per ton beginning July 1, 2013, and requested that Mr. Clarke notify the towns within the week so that the towns could incorporate the increase into their municipal budgets for FY 2014 by voting 3 – 0 as follows:

Mr. Pack – Aye  
Mr. Hollis – Aye  
Ms. Price – Aye

Council also requested that Maryland Environmental Service be notified of the increase in the tipping fee at the Waste Transfer Station so that haulers can be notified at least 30 days prior to the increase, as is required.

- D. Replacement Computers – Requested Council approval of the Director of Information Technology’s recommendation to piggyback on the State of Maryland’s contract with Dell Computers for the purchase of 35 replacement computers from Dell at a cost of \$34,125; Dell Computers is the preferred vendor for various State departments and Talbot County due to their record for service and excellent warranty coverage; funding for the purchase of the computers was approved in the FY 2013 budget. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved purchase of the computers by voting 3 – 0 as follows:

Mr. Pack – Aye  
Mr. Hollis – Aye  
Ms. Price - Aye

- E. Talbot County Government Bay Street Building Lining of Sewer Lateral – Requested Council approval to award installation of the placement of a liner into approximately 160 feet of the 6” terra cotta sewer lateral from the County’s Bay Street Building to the main sewer line to Tri-State Grouting in the sum of \$16,640; requested said cost to be paid for with contingency funding which the County Manager certified is available; installation of the liner will correct cracked sections of the terra cotta piping and is guaranteed for 50 years. Upon motion by Ms. Price, seconded by Mr. Hollis, the Council approved the award and use of contingency funding by voting 3 – 0 as follows:

Mr. Pack – Aye  
Mr. Hollis – Aye  
Ms. Price - Aye

X. Council Comments:

Mr. Hollis - No comments.

Ms. Price – No comments.

Mr. Pack – No comments.

- XI. Upon motion by Ms. Price, seconded by Mr. Hollis, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters; to reconvene for a Work Session with the Emergency Services Advisory Board; to reconvene for a Work Session with County Engineer, Ray Clarke, on Tuesday, March 19, 2013 at 4:30 p.m. in the Bradley Meeting Room to discuss proposed Comprehensive Water and Sewer Plan Amendments, including a proposal to extend sewer service to Thorneton Road, Chance Farm Road, and Edge Creek Road in Royal Oak; to reconvene on Monday, March 25, 2013 at 5:00 p.m. in the Bradley Meeting Room for budget presentations by County departments and agencies; and to reconvene in Executive Session on Tuesday, March 26, 2013 at 5:00 p.m. for discussion of legal, personnel, and real estate matters and at 6:00 p.m. for the regularly scheduled meeting by voting 3 – 0 as follows:

Mr. Pack – Aye  
Mr. Hollis – Aye  
Ms. Price - Aye

The meeting adjourned at 3:05 p.m.

The transcript of the March 12, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XII. On Tuesday, March 12, 2013, an Executive Session of the Talbot County Council convened at 12:40 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Ms. Price, seconded by Mr. Hollis, the Council met in Executive Session by voting 3 – 0 as follows:

Mr. Hollis – Aye  
Mr. Pack – Aye  
Ms. Price – Aye

Mr. Bartlett and Mr. Duncan were absent.

Mr. Duncan arrived at 4:15 p.m.

In accordance with State Article § 10-508 (a)(1)(i)(3)(4)(7)(8) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees and to discuss a vacancy in Parks and Recreation; for a legal/real estate matter for legal advice concerning relocation of Memorial Hospital at Easton to County owned property and the timetable for same; for a real estate matter to discuss possible disposal of County property; and for a legal matter to discuss potential litigation involving Talbot County. The Executive Session recessed at 1:30 p.m. and reconvened at 4:15 p.m. The Executive Session ended at 6:15 p.m.

- XIII. Work Session with Emergency Services Advisory Board – Wayne Dyott, Chairperson; Members, Emergency Services Advisory Board – Mr. Dyott and members of the Advisory Board thanked the Council for continuing to make public safety a top priority. Mr. Dyott presented a brief overview of the Board's on-going mission to provide excellent emergency medical services to the citizens of Talbot County. Various Board members presented information on the strengths of emergency services in Talbot County, including a dedicated workforce, strategic planning initiatives and preparedness for disasters, and the Career Tech Firefighter/EMT program; information on challenges to the provision of emergency services in the County was also presented, including strained resources due to increased demand on the 9-1-1 system, retention of highly qualified personnel, and space restraints at the 9-1-1 Center. The Board presented its

recommendations for Council’s consideration. The Emergency Services Advisory Board will continue to update the Council on a regular or as-needed basis.

**CASH STATEMENT 3/05/2013**

<b>BALANCE 2/26/2013</b>		\$18,697,602.79
UHC CLAIMS THRU 2/26/2013		(54,025.44)
BOARD OF EDUCATION 2/2013		(2,860,960.00)
INTEGRA 3/2013		(14,838.72)
PAYROLL-FD/SS/MS WH 3/1/2013		(114,239.96)
SECU DED		(8,240.83)
DEFERRED COMP DED		(9,335.60)
MD WH		(28,235.94)
PENSION DED		(28,266.92)
ACH TRANSFER		(10,096.75)
FLEX SPENDING ACCT		(2,603.59)
DEPOSITS		6,760,050.67
CHECKS		(839,108.92)
<b>BALANCE 3/5/2013</b>		<b><u>\$21,487,700.79</u></b>

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP-34		44,125.15
AIP-35		36,284.23
AIP36		8,520.90
AIP37		340.19
AIP38		14,013.26
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>		<b><u>\$103,283.73</u></b>

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.11%	18,000,000.00
<b>TOTAL INVESTED</b>			<b><u>\$18,000,000.00</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>\$8,320.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>			<b><u>\$39,599,304.52</u></b>

**CASH STATEMENT 3/12/2013**

<b>BALANCE 3/5/2013</b>		\$21,487,700.79
UHC CLAIMS 3/5/2013		(17,593.05)
TAL CO MD GEN OBLIGATION AIRPORT BOND – 2002		(34,650.00)

BANK CHARGES 2/2013	(1,688.89)
INTEREST ON ACCT 2/2013	3,898.81
SUMMONS ACCT STOP PAYMENTS	260.00
STATE BOARD OF ELECTION PPE 2/19/2013	(4,859.29)
STATE REPORT 2/2013	(151,525.90)

DEPOSITS	1,994,703.60
CHECKS	(536,237.56)
VOID CHECK NO.S 281876,281940,281942,282027	1,959.73

**BALANCE 3/12/2013** **\$22,741,968.24**

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS				--
AIP-34	BALANCE 3/5/2013	44,125.15		
	DEPOSITS	5,019.00		49,144.15
AIP-35				36,284.23
AIP36				8,520.90
AIP37	BALANCE 3/5/2013	340.19		
	DEPOSITS	1,069.00		1,409.19
AIP38				14,013.26

**AIRPORT ACCOUNTS TOTAL BALANCE** **\$109,371.73**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.11%	18,000,000.00

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

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

**GRAND TOTAL ALL FUNDS** **\$40,859,659.97**