



# Talbot County, Maryland



Easton, Maryland

MINUTES

May 14, 2013

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

- I. Agenda – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, May 14, 2013.
- II. Minutes – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, May 7, 2013.
- III. Disbursements – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Disbursements of May 14, 2013.
- IV. Proclamation: Older Americans Month – May 2013 –The Clerk read a proclamation into the record in recognition of May as Older Americans Month. The Proclamation spoke of the contributions of older Americans to the diversity, strength and unity of their communities and of the importance for support systems, technologies, and resources necessary to meet the needs of a growing elderly population. Prior to presentation of the proclamation, Gary Gunther, Executive Director of Upper Shore Aging, expressed appreciation to the Council for their support of senior citizens. He stated that the theme of this year’s Older Americans Month is “Unleash the Power of Age,” which recognizes the contributions of older citizens, some of whom continue to work and volunteer into their 80’s and 90’s. Mr. Gunther extended an invitation to the Council to attend the Senior Celebration Luncheon on Friday, May 31, 2013 from 11:30 a.m. to 1:00 p.m. at the Talbot County Senior Center at Brookletts Place. Judy Shuler, Manager of the Talbot County Senior Center at Brookletts Place, thanked the Council for their support of the Senior Center. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the Proclamation by voting 5 – 0 as follows:

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

Mr. Duncan presented the Proclamation to Mr. Gunther and Ms. Shuler who accepted on behalf of those organizations in Talbot County which serve the elder population.

- V. Presentation of Mid-Shore Mental Health Systems, Inc’s. Community Mental Health Plan – Holly Ireland, Executive Director, Mid-Shore Mental Health Systems, Inc. – Ms. Ireland briefed the Council on the mission of Mid-Shore Mental Health Systems, Inc. (MSMHS), which is responsible for managing the regional public mental health services for Caroline, Dorchester, Kent, Queen Anne’s and Talbot Counties. She stated that the mission, developed 20 years ago, includes ensuring that mental health services are integrated to serve the whole community. She stated that in the past couple of years, integration of services has become increasingly brought to fruition due to the many recent changes in healthcare regulations on the State and federal level. Ms. Ireland reviewed sources of funding for MSMHS, outlined the programs and services offered by MSMHS and the changes already in progress or anticipated to be forthcoming to the provision of public mental health care services following passage of new State and federal guidelines and

reductions in funding. Council discussion with Ms. Ireland ensued. Following the presentation, Ms. Ireland requested Council approval of a Letter of Agreement designating MSMHS as the Core Service Agency with regard to participating counties' responsibilities for the management of the public health system; no County funding is required. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council approved the Letter of Agreement by voting 5 – 0 as follows:

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

VI. Introduction of Numbered Resolution:

A RESOLUTION TO APPROVE THE SALE OF SIX (6) UNIMPROVED LOTS LOCATED ON U.S. ROUTE 50 AND CLEARVIEW ROAD, EASTON, MARYLAND, CONSISTING OF APPROXIMATELY 1.395 ACRES IN TOTAL AREA, MORE OR LESS, FOR THE TOTAL SUM OF THREE HUNDRED AND FIFTY-ONE THOUSAND THREE HUNDRED AND TWENTY-FOUR (\$351,324) DOLLARS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney Mike Pullen briefed the Council on the purpose of the legislation. He stated that in 1988, Talbot County accepted Federal Aviation Administration (FAA) grant funds for the purchase of property on Clearview Road on U.S. Rt. 50 near Easton Airport for the purpose of noise abatement at Easton Airport. He stated that since the land is no longer needed for that public purpose, conditions of the grant require that the County now dispose of the land. Mr. Pullen stated that the County had solicited bids for the purchase of the land; the resolution provides for the County to enter into a contract with the highest responsive bidder for the property which is located in the County, immediately adjacent to the Town of Easton. Council discussion with Mr. Pullen ensued. The Resolution was then introduced by Mr. Pack and Ms. Price as Resolution No. 205. A public hearing was scheduled for Tuesday, June 11, 2013 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO APPROVE AGREEMENTS BETWEEN TALBOT COUNTY AND DORCHESTER COUNTY, CAROLINE COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, WICOMICO COUNTY, WORCESTER COUNTY, AND SOMERSET COUNTY RESPECTIVELY, FOR MUTUAL AID BETWEEN THE RESPECTIVE SHERIFFS' OFFICES was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pullen stated that the legislation was being offered at the request of the Talbot County Sheriff's Office for the purpose of seeking reciprocal agreements with the law enforcement agencies referenced in the legislation. He stated that the agreements would provide for the sharing of personnel and resources in emergency situations while helping to ensure the immunity of those officers when acting outside their jurisdictions. Council discussion with Mr. Pullen ensued. The legislation was introduced by Mr. Duncan, Mr. Hollis, and Ms. Price as Bill No. 1237. A public hearing was scheduled for Tuesday, June 11, 2013 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VII. Eligible for vote:

Resolution 204, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN, SEPTAGE MANAGEMENT PLAN, AND SOLID WASTE MANAGEMENT PLAN TO ADD A NEW CAPITAL PROJECT TO UPGRADE THE TALBOT COUNTY BIO-SOLIDS FACILITY LOCATED AT 9786 KLONDIKE ROAD, TAX MAP 18, PARCEL 57 TO ADD RECEIVING AND TREATMENT CAPABILITY FOR BROWN GREASE, EQUIPPED WITH ODOR

CONTROL, PROPOSED FOR FY 2014 WITH FUNDING IN THE AMOUNT OF \$6,000,000 THROUGH THE RURAL UTILITY SERVICE PROGRAM, USDA RURAL DEVELOPMENT AGENCY(*Bio-Solids Facility, Klondike Road, Easton, Maryland*)was read into the record by the Clerk and brought forward for vote. Prior to the vote, County Engineer Ray Clarke stated that the purpose of the legislation is to add the project to the County’s Comprehensive Water and Sewer Plan as a capital project in an effort to secure U.S. Department of Agriculture Rural Development funding for upgrades to the Bio-Solids Facility, including the construction of a new brown grease receiving and disposal facility; at the time of purchase of the facility by the County, a grease treatment facility was at the location. Mr. Clarke stated that his office is still awaiting notification from the national Rural Development office regarding the availability of funding and advised that the design has not been completed at this point in time. He stated that on May 6, 2013, he had met with adjacent property owners to address the questions and concerns they had expressed at the public hearing. Mr. Clarke outlined various facets of current and proposed operations at the Klondike Road facility and Council discussion ensued with Mr. Clarke. Mr. Pack made a motion to approve Resolution No. 204; Mr. Hollis seconded the motion, with the condition that Mr. Clarke’s recommendation that the Department of Public Works include the adjacent property owners in the design process when appropriate, was included. The Council approved Resolution No. 204 by voting 5 – 0 as follows:

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

Resolution No. 204 is effective immediately.

- VIII. Update by Talbot County Board of Health – Kathy Foster, R.N., M.S., Talbot County Health Officer – Ms. Foster briefed the Council on the following: (1) Summer Health Issues – Ms. Foster stated that as warmer weather approaches, individuals should take precautions to avoid exposure to the sun during the hours of 10:00 a.m. to 4:00 p.m., and to protect against overexposure by using sunscreen, hats and sunglasses; (2) Tick-borne illnesses – Ms. Foster stated that the area continues to see an increase in the tick population and that tall grasses and wooded areas should be avoided if possible; individuals should use a tick repellent containing Deet and wear light colored long sleeves and long pants when in tick-infested areas. She demonstrated correct tick removal procedures, stating that individuals experiencing redness in the area of a tick bite appearing as a bulls-eye should seek medical attention for possible Lyme Disease; (3) Grilling Safety – Ms. Foster reviewed procedures for food safety when grilling, including keeping foods at proper temperatures to prohibit growth of bacteria, and use of separate cutting boards for raw meats and vegetables. Ms. Foster then briefed the Council on several other issues, including: (4) Heroin Use in Talbot County – She stated that health officials are concerned about the growing use of heroin both in Talbot County and nationwide, stating that heroin is now cheaper and easier to obtain than illegal prescription drugs. She stated that there have been several recent deaths in Talbot County attributed to heroin overdoses. Ms. Foster advised that her office, in conjunction with health departments in other counties in the Mid-Shore Region, is looking into the development of a heroin use prevention program; (5) Talbot County Senior Care Program – Ms. Foster thanked the Council for their proposed funding of the Senior Care Program in the FY 2014 Budget; she stated that she has requested \$32,000 in additional funding from the State Department of Aging for the Senior Care Program due to increased demand for program services; (6) Affordable Care Act – Ms. Foster stated that Seedco of New York has been awarded the bid by the State of Maryland to enroll individuals in health insurance under the Affordable Care Act for our region (Dorchester County through Harford County). She stated that Seedco currently provides services for the Department of Social Services in several counties throughout Maryland; beginning in October, Seedco representatives will be working with the Area Health Education Council to hire

individuals to seek out those individuals who do not have health insurance to enroll them in a medical assistance or private insurance program, depending upon eligibility. Ms. Foster will continue to update the Council on a regular or as needed basis.

IX. County Manager's Report:

- A. Bid No. 13-08, TRAFFIC LINE STRIPING OF PARKING AREAS - TALBOT COUNTY PUBLIC LANDINGS – Requested Council approval to award Bid No. 13-08 to the lowest bidder, Asphalt Management, LLC in the sum of \$11,344.00; said funding for the project will come from State Maintenance Grant funds and previously budgeted County funds. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the award by voting 5 – 0 as follows:

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

- B. Maryland Energy Administration (MEA) Smart Energy Communities Grant Agreement – Requested Council approval to accept funding of up to \$60,000 from the MEA Smart Energy Communities Grant; said funding to be used by Talbot County for development of policies with the following goals: (1) Reduce conventional centralized electricity generation serving government building by meeting 20% of those buildings' electricity demand with distributed renewable energy generation by 2022; and (2) Establish a petroleum consumption baseline for all local government vehicles, and put in place a comprehensive program designed to reduce the baseline by 20 percent within five (5) years of the baseline year. Mr. Craig stated that should the County accept the grant award to begin implementing the policies, the policies would need to be adopted by the County by December 31, 2013. Council discussion with Mr. Clarke ensued. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved acceptance of the MEA Smart Energy Communities Grant by voting 5 – 0 as follows:

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

- C. Transportation Alternatives Program (TAP) Funding Grant Application – Requested Council approval to apply for and accept TAP grant funding continued improvements for Dutchmans Lane; said funding would be used for sidewalks on the south side of the roadway and for implementation of best management practices related to stormwater runoff at that location. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council approved submittal of the grant application by voting 5 – 0 as follows:

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

- D. Update on Bid No. 13-07, DESIGN-BUILD OF FORCE MAIN OUTSIDE THE VILLAGE OF ROYAL OAK, MARYLAND – Mr. Craig stated that on April 23, 2013, the Council had conditionally approved the award of Bid No. 13-07, pending notification from the Maryland Department of the Environment (MDE) that funding was available. He stated that the County has since been notified by MDE that the project has been approved to move forward.
- E. Talbot County Drug Task Force Forfeiture Agreement – Requested Council approval of the States Attorney’s recommendation, on behalf of the Talbot County Drug Task Force, to enter into a Drug Task Force Forfeiture Agreement with the Oxford Police Department to have the Oxford Police Department serve as the seizing authority for personal property seized in connection with cases investigated by the Talbot County Narcotics Task Force. Mr. Craig stated that the Talbot County Sheriff has advised the State’s Attorney that he will no longer serve as the seizing authority; all parties involved in the Narcotics Task Force are aware of, and are in agreement with, the proposal to have the Oxford Police Department serve in that capacity. Council discussion ensued. The matter was deferred to the Council meeting of Tuesday, May 21, 2013 in order that the State’s Attorney and the Chairman of the Talbot County Drug Task Force could be in attendance to brief the Council.

X. Council Comments:

Mr. Hollis - No comments.

Mr. Pack - No comments.

Ms. Price - Ms. Price congratulated the Easton High School Girls Tennis Team who recently won the Bayside Championship. Ms. Price stated that the team’s four-year record is 72-3.

Mr. Duncan - No comments.

Mr. Bartlett – No comments.

- XI. Upon motion by Mr. Pack, seconded by Ms. Price, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters; to reconvene at 3:30 p.m. for final Budget deliberations and at 5:30 p.m. for a Work Session with County Engineer Ray Clarke to discuss proposals for On-Site Sewage Disposal Systems; and to reconvene in Executive Session on Tuesday, May 21, 2013 at 12:30 p.m. for discussion of legal, personnel, and real estate matters, and at 1:30 p.m. for the legislative session by voting 5 – 0 as follows:

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

The meeting adjourned at 3:27 p.m.

The transcript of the May 14, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XII. On Tuesday, May 14, 2013, an Executive Session of the Talbot County Council convened at 12:50 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508 (a)(1)(i)(3)(4)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; for a legal/real estate matter for legal advice concerning the relocation of Memorial Hospital at Easton to County owned property; and for real estate matters to discuss a proposal for disposal of public property and to discuss a proposal for acquisition of property for a public purpose. The Executive Session ended at 1:30 p.m.

- XIII. Budget Work Session (Final Deliberations) – The Council held a Work Session for final deliberations on the FY 2013-2014 Budget. Various budget line items were discussed and voted upon. Those items which were approved will be incorporated into an amendment to the FY 2013-2014 Budget which will be scheduled for introduction at the Council meeting on Tuesday, May 21, 2013. The amendment, if introduced, and Bill No. 1236, are eligible for vote on Tuesday, May 21, 2013.
- XIV. Work Session to Discuss Proposals to Provide for Operation and Maintenance of On-Site Sewage Disposal Systems Utilizing Best Available Technology (BAT), as Required by Maryland State law and the Code of Maryland Regulations – Ray Clarke, County Engineer – The Council held a work session with County staff to address the concerns expressed by citizens at the April 16, 2013 public hearing on Bill No. 1235, A BILL TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO INSPECT AND MAINTAIN ON-SITE SEWAGE DISPOSAL SYSTEMS INSTALLED IN TALBOT COUNTY THAT HAVE BEEN APPROVED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT ("MDE") AS BEST AVAILABLE TECHNOLOGY FOR REMOVAL OF NITROGEN, TO ESTABLISH A \$250 FEE FOR SUCH INSPECTION AND MAINTENANCE SERVICES, SUBJECT TO CHANGE BY THE COUNTY COUNCIL FROM TIME TO TIME, TO ESTABLISH MINIMUM TIME FRAMES, STANDARDS, AND PROCEDURES FOR ENFORCEMENT, CIVIL PENALTIES FOR NON-COMPLIANCE, AND TO AUTHORIZE COLLECTION OF UNPAID FEES OR CIVIL PENALTIES THROUGH USE OF EXISTING PROCEDURES FOR THE SALE OF REAL PROPERTY FOR NON-PAYMENT OF REAL PROPERTY TAXES. County Engineer Ray Clarke provided a brief outline of the legislation and the concerns expressed by the citizens, particularly with regard to proposed fee for inspection by the County. He stated that in April 2012, the Maryland Department of the Environment (MDE) passed regulations requiring that all On-Site Sewage Disposal Systems (OSDS) using Best Available Technology (BAT) be operated, maintained, and inspected at least annually for the life of the system. He stated that State regulations allow the following options for maintenance: (1) County established management of the systems; (2) Service contract with a certified service provider; and (3) Self-inspection by property owner, if certified. Mr. Clarke presented staff's recommendations for permitting fees and the various options for maintenance. He emphasized the importance of maintaining accurate records on each of the systems installed in Talbot County to insure that when audited by MDE, the County is able to provide accurate, up-to-date records. Council discussion ensued with Mr. Clarke and those citizens in attendance. Bill No. 1235 is eligible for vote on Tuesday, May 21, 2013.

**CASH STATEMENT 5/14/2013**

<b>BALANCE 5/07/2013</b>			\$14,399,347.42
UTMC QTRLY BOND PAYMENT			(2,833.00)
STATE BOARD OF ELECTIONS PPE 4/16/2013			(4,859.30)
STATE REPORT 4/2013			(56,558.75)
BANK CHARGES 4/2013			(995.94)
INTEREST ON ACCT 4/2013			3,930.17
UHC CLAIMS THRU 5/7/2013			(24,913.43)
PAYROLL-FD/SS/MS WH 5/10/2013			(109,710.98)
SECU DED			(7,024.77)
DEFERRED COMP DED			(9,390.60)
MD WH			(27,252.64)
PENSION DED			(27,482.61)
ACH TRANSFER			(9,221.75)
FLEX SPENDING ACCT			(2,438.59)
DEPOSITS			723,618.73
CHECKS			(733,401.63)
<b>BALANCE 5/14/2013</b>			<b><u>\$14,110,812.33</u></b>
<b><u>AIRPORT ACCOUNTS</u></b>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP-34			43,565.34
AIP-35			36,284.23
AIP36			19,272.58
AIP37			311.62
AIP38			3,257.70
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>			<b><u>\$102,691.47</u></b>
<b>INVESTMENTS – CERTIFICATES OF DEPOSIT</b>			
<b><u>CERTIFICATE DATE</u></b>	<b><u>MATURITY DATE</u></b>	<b><u>RATE</u></b>	<b><u>AMOUNT</u></b>
PNC-MLGIP INVESTMENTS TOTAL		0.09%	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>\$32,221,823.80</u></b>