



# Talbot County, Maryland



Easton, Maryland

MINUTES

November 23, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, County Manager John C. Craig and County Attorney Michael Pullen.

I. Agenda – Agenda of November 23, 2010 was approved upon motion by Mr. Pack, seconded by Mr. Bartlett, with the Council voting 5 – 0 as follows:

Mr. Harrison - Aye  
Mr. Pack –Aye  
Mr. Duncan - Aye  
Mr. Foster – Aye  
Mr. Bartlett - Aye

II. Minutes – Minutes of November 9, 2010 were approved upon motion by Mr. Duncan, seconded by Mr. Foster, with the Council voting 5 – 0 as follows:

Mr. Harrison - Aye  
Mr. Pack –Aye  
Mr. Duncan - Aye  
Mr. Foster - Aye  
Mr. Bartlett – Aye

III. Disbursements – Disbursements of November 16, 2010 and November 23, 2010 were approved upon motion by Mr. Foster, seconded by Mr. Bartlett, with the Council voting 5 - 0 as follows:

Mr. Harrison - Aye  
Mr. Pack –Aye  
Mr. Duncan - Aye  
Mr. Foster - Aye  
Mr. Bartlett – Aye

IV. Presentation of Proclamation to Eugene “Gene” Daisy – The Clerk read a proclamation into the record in recognition of Eugene “Gene” Daisy’s lifetime of service to his community, his state and his country, calling particular attention to his service and devotion to veterans and veterans’ organizations, including Easton VFW Post #5118. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the Proclamation as presented by voting 5 – 0 as follows:

Mr. Harrison - Aye  
Mr. Pack –Aye  
Mr. Duncan - Aye  
Mr. Foster - Aye  
Mr. Bartlett – Aye

Mr. Harrison presented the Proclamation to Mr. Daisy, who accepted on behalf of all the members of Easton VFW Post # 5118.

- V. Presentation of Proclamation: November as National Home Care and Hospice Month – The Clerk read a proclamation into the record in recognition of the vital services the dedicated professionals of home health care and hospice organizations provide to aged, disabled and infirmed individuals. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the Proclamation as presented by voting 5 – 0 as follows:
- Mr. Harrison – Aye  
Mr. Pack – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett - Aye
- VI. Recognition of Governor’s Office of Crime Control and Prevention Byrne Grant to Talbot County Drug Court – The Honorable Broughton Earnest, Judge, Circuit Court of Maryland for Talbot County; Glen Plutschak, Drug Court Coordinator, Talbot County Circuit Court; Kathy Foster, R.N., M.S., Talbot County Health Officer; Holly Ireland, Acting Executive Director, Mid-Shore Mental Health Systems, Inc.; Captain Horace Johnson, Talbot County Department of Corrections; Captain Leone Tillman, Talbot County Detention Center; Robert L. Hanson, Acting Assistant Regional Administrator, Department of parole and Probation; Roshanda Roberts, Case Manager, Talbot County Drug Court – Judge Earnest advised the Council that the Talbot County Drug Court is the recipient of Byrne Grant funding from the Governor’s Office of Crime Control and Prevention. Mr. Plutschak stated that the Drug Court had received Council approval earlier this year to apply for the one-year, non-renewable grant in the sum of \$64,000.00, of which \$55,009 had been awarded. He stated that a portion of the grant funding will be used for client services including, Secure Remote Alcohol Monitoring System (SCRAM) devices, transportation, vocational and educational training, childcare, with most of the funding used for in-patient treatment. Ms. Foster stated that the in-patient funding will allow treatment to begin in 48 hours, resulting in higher treatment success rates, including an anticipated 37% less arrests and a lower recidivism rate.
- VII. Update on Critical Area Mapping Project – Sandy Coyman, Planning Officer; Mary Kay Verdery, Assistant Planning Officer – Mr. Coyman and Ms. Verdery briefed the Council on the Critical Area Mapping Update Project. Ms. Verdery stated that Talbot County is one of two pilot counties selected by the State of Maryland Department of Natural Resources for the project which involves the remapping of critical areas via a State-determined shoreline and a 1,000 foot tidal wetlands boundary as outlined in the provisions of 2008 Maryland HB1253. Ms. Verdery explained that the Draft Critical Area maps will be presented at public informational meetings scheduled on the following dates and locations: Tuesday, December 7, 2010 and Monday, December 13, 2010 from 6:00 p.m. to 9:00 p.m. at the Talbot County Community Center, 10028 Ocean Gateway, Easton; and Thursday, December 16, 2010 from 6:00 p.m. to 9:00 p.m. at the St. Michaels Library, 106 Fremont Street, St. Michaels. County staff, Town representatives and representatives of the Critical Area Commission will be present at the meetings to address property owners’ questions. The draft maps will be available, as will computer terminals, to afford the public an opportunity to review their parcels of property in relation to the areas outlined on the draft maps. Ms. Verdery advised that the draft maps preliminarily indicate that approximately 70 Talbot County properties not previously in the Critical Area now will be included in the Critical Area, and another 140 properties have been identified by the draft maps as having a 50% or greater change in the acreage of their property in the Critical Area. Ms. Verdery stated that letters have been forwarded to those individuals advising them of same. Following the public information meetings, areas requiring further review and analysis will be addressed, and appropriate corrections will be made. The revised draft maps will then be formally transmitted from the Department of Natural Resources to Talbot County, and the Critical Area Commission will notify the County that the mapping project is complete as specified in the mapping legislation. Talbot County will then have 24

months to notify the public, and via the legislative process, formally amend its program by adopting the Statewide Base Maps with the shoreline and landward boundary of tidal wetlands, as amended, the digitally generated and geo-referenced 1,000-foot Critical Area boundary, and all applicable Zoning and Critical Area designations. The public is encouraged to pre-register for the public information meetings at [www.dnr.state.md.us/critical\\_area/mapupdate.html](http://www.dnr.state.md.us/critical_area/mapupdate.html).

VIII. County Manager's Report:

- A. Bid No. 10-27, REQUEST FOR FARM LAND RENTAL PROPOSALS, LONGWOODS ROAD AND OCEAN GATEWAY PROPERTIES – Requested Council's approval to award Bid No. 10-27. Mr. Craig stated that award of the bid had been postponed from the Tuesday, November 9, 2010 Council meeting in order to provide the County Attorney an opportunity to review all bid submittals; of the four (4) bids received, one had not been submitted on the bid form included in the bid packet, but instead had been submitted as a separate bid for each of the three (3) parcels available for lease. He stated that the County Attorney has advised that Council has the prerogative to award the bid as it chooses. He advised that staff had spoken with the two highest bidders, Cecil H. Gannon & Sons, Inc. and Tim Bishop's Pro-Farm Service. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved the award of Bid No. 10-27 as follows: Parcel 1 of 17 acres to Cecil H. Gannon & Sons, Inc. in the sum of \$161.00 per acre; Parcel 1 of 78.49 acres to Tim Bishop's Pro-Farm Service in the sum of \$165.01 per acre; and Parcel 3 of 148 acres to Cecil H. Gannon & Sons, Inc. in the sum of \$161.00 per acre, by voting 5 – 0 as follows:

Mr. Harrison – Aye  
Mr. Pack – Aye  
Mr. Duncan – Aye  
Mr. Foster – Aye  
Mr. Bartlett - Aye

Mr. Foster suggested that the next Council consider a policy decision on whether use of the bid forms is required. Mr. Craig stated that bid instructions have been changed to reflect that use of the forms will now be required.

- B. Closure of County Offices – Mr. Craig advised that County offices will be closed on Thursday, November 25, 2010 and Friday, November 26, 2010 for Thanksgiving.
- C. Waterfowl Festival - Mr. Craig congratulated the Waterfowl Festival on their recent event, adding that he and his family had attended the festivities each day.
- D. Maryland-Asia Environmental Partnership Award – Advised the Council that Paige Bethke, Director of the Talbot County Office of Economic Development, had received a Sustainable Economic Development Leader Award from Maryland-Asia Environmental Partnership. The award will be formally presented at a ceremony in Washington, D.C. on Thursday, December 2, 2010.
- E. Update on Dutchmans Lane - Mr. Craig advised that Dutchmans Lane reopened to two-way traffic at mid-day on Friday, November 19, 2010. He thanked the community for their patience during the seven week closure and stated that construction project activities are anticipated to

continue for approximately three more weeks and that during that time, the road will remain open to two-way traffic.

- F. Update on County Move to Bay Street Building – Mr. Craig stated that several County offices have relocated from 28712 Glebe Road to 215 Bay Street and all offices are open and operational. The Office of Planning & Zoning, Department of Permits and Inspections, Environmental Health and Department of Public Works are now at the Bay Street location.

IX. Council Comments:

Mr. Pack - Mr. Pack congratulated Paige Bethke on her award and stated that he planned to attend the awards ceremony on December 2, 2010. He commented that Mr. Don English, representing the Town of Trappe, was not in the audience for the first time in several years. Mr. Pack thanked Mr. Harrison and Mr. Foster for their service to the County, that it had been a privilege to serve with them, and that he had learned a great deal from both gentlemen as a freshman councilman. He wished everyone a Happy Thanksgiving and encouraged spending as much time as possible with family and friends.

Mr. Bartlett - Mr. Bartlett commended Mr. Harrison and Mr. Foster for their service in leadership positions over the last four years. He stated that, in his opinion, they had served admirably and fairly and that he appreciates their service to the County. He congratulated Paige Bethke on her recent award and complimented her for scheduling the speaker at the Waterfowl Corporate Breakfast who spoke on the economics of environmental work. Mr. Bartlett stated that he has enjoyed serving with both Mr. Harrison and Mr. Foster, adding that, in his opinion, politics is in their blood and they will continue to serve the citizens of Talbot County.

Mr. Duncan – Mr. Duncan stated that he, Mr. Bartlett, Mr. Hollis, Ms. Price and Mr. Foster had attended the groundbreaking ceremony for the renovations to the Talbot County Free Library. He encouraged everyone to attend the upcoming Festival of Trees events at the Tidewater Inn this Friday, Saturday, Sunday, Monday, and Tuesday, adding that, in his opinion, the trees are beautiful and it is a beautiful event for the community. He stated that he reflected the sentiments of his colleagues to have a happy Thanksgiving. He asked that his colleagues, Mr. Bartlett and Mr. Pack, join him at the witness table and publicly thanked Mr. Foster and Mr. Harrison for their years of service to Talbot County. Mr. Duncan then read a portion of Theodore Roosevelt’s speech of April 23, 1910, known as “The Man in the Arena” speech, into the record, which, in his opinion described both Mr. Foster and Mr. Harrison as well as described what public service was all about. On behalf of his colleagues, Talbot County citizens and County staff, he again thanked Mr. Foster and Mr. Harrison for their service to the citizens of Talbot County. On behalf of the County, Mr. Duncan presented a plaque to Mr. Harrison for his service on the County Council from 1998-2002, 2006-2010, and to Mr. Foster for his service on the County Council from 1998-2010.

- X. Presentation of Past President’s Gavel to Mr. Harrison – On behalf of the citizens of Talbot County, Mr. Foster presented Mr. Harrison with a Past President’s gavel for his leadership of the Council for 2009 to 2010. Mr. Foster jokingly compared Mr. Harrison to Grover Cleveland, who served as President, left office, then returned to serve as President once again. He stated that it had been a pleasure to have served with Mr. Harrison, adding that they had sometimes been on the opposite side of issues and sometimes on

the same side, but he had always found Mr. Harrison to be a gentlemen who kept his promises, was a straight shooter, and was someone who brought common sense to Council debates.

Mr. Harrison expressed appreciation for the gift and thanked Mr. Foster, his fellow Councilmen, and County staff for their recognition, stating that it had been an honor to have served on the Council for the past four years and for the last year as President. Mr. Harrison complimented County staff on the job they do, adding that they go above and beyond the call of duty to assist the citizens of the County and to make the job of the Council easier, assuring all that it would not change with the new Council. Mr. Harrison concluded his comments by stating that it had been an honor to have served with each of his colleagues.

The Council members returned to the dais where Mr. Foster and Mr. Harrison made additional comments.

XI. Council Comments continued:

Mr. Foster - Mr. Foster stated that he had been on the Council for twelve years and during that time not many days had gone by without interaction with staff who were professional to a fault, cooperative, kind, and patient. He joked that there is no need for Council term limits as it is unusual to be elected to more than two consecutive terms, an honor he now shares with only three other people. He stated that it had meant a lot to him to have had the opportunity to serve the citizens of Talbot County, as State's Attorney, in the State Legislature and on the County Council. He stated that all jobs have their upsides and their downsides, but that the opportunity to serve is an honor. He requested that future Councils consider the interests of those citizens who may not speak as loudly as some others, in whatever context, adding that, in his opinion, it is the duty of government to represent those individuals who may not have the resources or get the opportunity to make their case; they depend upon elected officials to make their case for them and it is the duty of the Council to plead their case for them. He urged future Councils to watch out for those who may not register the most votes or write the biggest checks, and to try to be fair to all, both when presiding and otherwise, by giving everyone the treatment they deserve, no matter what their resources may be. He reminded everyone that the next Council will face problems as income tax revenues are below the amount budgeted, adding that it is not a matter of whether or not the County can balance its budget, it must balance its budget; the question is how it will balance the budget, what choices it will make, and will everyone's interests be given consideration. Mr. Foster reiterated again that to have served on the Council is a terrific honor. He listed his reasons for liking each of his public service jobs, stating that in his opinion, he would consider the job of County Council member the most important and having the most direct impact on people's lives. Mr. Foster concluded his comments by urging the next Council to conscientiously use their opportunity to serve during the next four years.

Mr. Harrison - Mr. Harrison stated that it had been an honor and privilege to have served all the citizens of Talbot County, adding that he and Mr. Foster would probably be around at budget time. He wished his colleagues and new Council members Andy Hollis and Laura Price good luck. Mr. Harrison concluded his comments by advising that the swearing-in ceremony for the new Council will be held on Monday, December 6, 2010 at 7:00 p.m. in the Historical Society Auditorium. The 2010-2014 County Council will convene for its first meeting on Tuesday, December 7, 2010 at 1:30 p.m.

XII. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council voted to adjourn this term of the Council by voting 5– 0 as follow

Mr. Harrison - Aye  
Mr. Pack – Aye  
Mr. Duncan - Aye  
Mr. Foster– Aye  
Mr. Bartlett – Aye

The meeting adjourned at 2:56 p.m.

XIII. On Tuesday, November 23, 2010 an Executive Session of the Talbot County Council convened at 12:45 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council met in Executive Session by voting 3 - 0 as follows:

Mr. Harrison - Absent  
Mr. Pack – Aye  
Mr. Duncan – Aye  
Mr. Foster – Absent  
Mr. Bartlett – Aye

Mr. Foster arrived at 1:10 p.m.  
Mr. Harrison arrived at 1:20 p.m.

In accordance with State Article §10-508(a)(1)(i)(7) the purpose of the Executive Session was for a personnel matter to discuss a vacancy in a County department; and for a legal matter for an update on a legal matter involving the County. The Executive Session ended at 1:35 p.m.

The transcript of the November 23, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

**CASH STATEMENT 11/16/2010**

<b>BALANCE 11/09/2010</b>	\$2,280,998.91
GLEBE ROAD PROJECT/BUNISKI	(25,725.60)
UHC CLAIMS THRU 11/09/2010	(40,631.32)
STATE REPORT 10/2010	(286,951.75)
RETURNED CHECK	(685.79)
PAYROLL-FD/SS/MS WH 11/12/2010	(116,985.93)
SECUR DED	(9,770.27)
DEFERRED COMP DED	(11,584.40)
MD WH	(29,680.50)
PENSION DED	(21,543.78)
ACH TRANSFER	(11,095.00)
FLEX SPENDING ACCT	(2,298.68)
DEPOSITS	749,177.20
CHECKS	(919,988.73)

VOIDED CHECK NO.S 262366,264967	175.00
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<b>BALANCE 11/16/2010</b>	<b><u>1,553,409.36</u></b>
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**AIRPORT ACCOUNTS**

AIP29	21,953.13
AIP30	202.57
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP34	9,246.37
AIP-35	15,420.41
AIP36	0.00
AIP37	101.14

<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>	<b><u>\$49,428.62</u></b>
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**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
06/29/2010	12/28/10	0.47%	3,000,000.00
07/13/2010	01/18/11	0.47%	3,000,000.00
07/27/2010	01/25/11	0.26%	3,000,000.00
05/11/2010	02/15/11	0.50%	3,000,000.00
08/11/2010	02/15/11	0.26%	4,000,000.00
06/15/2010	03/15/11	0.56%	3,000,000.00
06/29/2010	03/29/11	0.61%	3,000,000.00
07/13/2010	04/26/11	0.61%	5,000,000.00
07/27/2010	04/26/11	0.36%	3,000,000.00
08/31/2010	05/31/11	0.37%	4,000,000.00
09/14/2010	06/14/11	0.37%	3,000,000.00
07/27/2010	07/26/11	0.51%	6,000,000.00
08/11/2010	08/09/11	0.52%	4,000,000.00
08/31/2010	08/30/11	0.56%	4,000,000.00
09/28/2010	09/27/11	0.57%	5,000,000.00

PNC-MLGIP INVESTMENTS TOTAL	0.19%	3,000,000.00
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<b>TOTAL INVESTED</b>	<b><u>\$59,000,000.00</u></b>
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<b>PETTY CASH BALANCE</b>	<b><u>\$6,800.00</u></b>
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<b>GRAND TOTAL ALL FUNDS</b>	<b><u>\$60,609,637.98</u></b>
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**CASH STATEMENT 11/23/2010**

<b>BALANCE 11/16/2010</b>	\$1,553,409.36
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REIMBURSE GENERAL FUND FOR AIP34 ADVANCE	332,590.00
UHC CLAIMS THRU 11/16/2010	(23,698.58)
PAYROLL – FD/SS/MS WH 11/16/2010 ELECTION RUN	(2,688.20)
MD WH	(33.11)
DEPOSITS	446,400.87
CHECKS	(262,508.92)
VOID CHECK NO.S 13781/13785/13787&88/13849&50/13887	15,381.65
<b>BALANCE 11/23/2010</b>	<b><u>2,058,853.07</u></b>

**AIRPORT ACCOUNTS**

AIP29	BALANCE 11/16/2010	\$21,953.13	
	CHECKS	(2,424.84)	19,528.29
AIP30			202.57
AIP33-DSA			2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS			0.00
AIP34	BALANCE 11/16/2010	\$ 9,246.37	
	DEPOSITS	332,590.00	
	TRANS TO GEN FUND	(332,590.00)	9,246.37
AIP-35			15,420.41
AIP36			0.00
AIP37			101.14
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>			<b><u>\$47,003.78</u></b>

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
06/29/2010	12/28/10	0.47%	3,000,000.00
07/13/2010	01/18/11	0.47%	3,000,000.00
07/27/2010	01/25/11	0.26%	3,000,000.00
05/11/2010	02/15/11	0.50%	3,000,000.00
08/11/2010	02/15/11	0.26%	4,000,000.00
06/15/2010	03/15/11	0.56%	3,000,000.00
06/29/2010	03/29/11	0.61%	3,000,000.00
07/13/2010	04/26/11	0.61%	5,000,000.00
07/27/2010	04/26/11	0.36%	3,000,000.00
08/31/2010	05/31/11	0.37%	4,000,000.00
09/14/2010	06/14/11	0.37%	3,000,000.00
07/27/2010	07/26/11	0.51%	6,000,000.00
08/11/2010	08/09/11	0.52%	4,000,000.00
08/31/2010	08/30/11	0.56%	4,000,000.00



09/28/2010	09/27/11	0.57%	5,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.19%	3,000,000.00
<b>TOTAL INVESTED</b>			<b><u>\$59,000,000.00</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>\$6,800.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>			<b><u>\$61,112,656.85</u></b>