



Talbot County, Maryland



Easton, Maryland

MINUTES

September 11, 2012

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

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for the approval of the Agenda of Tuesday, September 11, 2012.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, August 28, 2012.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the disbursements of September 4, 2012 and September 11, 2012.
- IV. Presentation of Recognition of Achievement Award to the Talbot County Department of Corrections – The Honorable Sheree Sample-Hughes, Vice Chair, Maryland Commission on Correctional Standards – Mr. Pack introduced Ms. Sample-Hughes, who also serves on the Wicomico County Council. Ms. Sample-Hughes presented the Talbot County Department of Corrections with an Achievement Award in recognition of the Department having met 100% of the 191 standards of compliance for an Adult Detention Center for the monitoring period of December 1, 2011 through June 1, 2012. She commented on the new federal policy known as PREA, the Prison Rape Elimination Act, and how its mandates will affect counties. Council members complimented Department of Corrections Director, Doug Devenyns, and his staff for their work on behalf of inmates at the Talbot County Detention Center.

Ms. Sample-Hughes presented the Achievement Award to Mr. Pack and Mr. Devenyns who accepted on behalf of the County and the staff of the Talbot County Department of Corrections, respectively.

- V. Proclamation: September as National Recovery Month – Prior to the proclamation being read into the record, Holly Ireland, Executive Director, Mid-Shore Mental Health Systems, Inc., spoke on behalf of the various organizations who work with individuals coping with mental illness and addiction. She defined recovery as an evolving process of change through which an individual improves his or her health and wellness, lives a self-directed life and strives to reach their fullest potential. She stated that all the organizations represented are committed to helping individuals recover from mental illness and addiction through a holistic approach, while remaining committed to respect for, and the responsibility of, the individual. The Clerk then read a proclamation into the record which spoke of the individual self-determination required, and support needed, from families, the community and providers to help individuals recover from mental illness and addiction. Upon motion by Mr. Bartlett, seconded by Mr. Hollis, the Council approved the Proclamation by voting 5 – 0 as follows:

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

Council members expressed appreciation to Ms. Ireland for the work of her organization and others which help those facing mental illness and addiction. Mr. Hollis presented the Proclamation to Ms. Ireland who accepted on behalf of the various organizations represented.

Proclamation: 9-1-1 Emergency Number Day – September 11, 2012 and Proclamation: September as National Preparedness Month - Prior to the proclamations being read into the record, Emergency Services Director Clay Stamp read a statement which commemorated the dedication, professionalism and commitment of first responders on September 11, 2001 and the on-going commitment of emergency personnel, firefighters, and law enforcement officers to their communities. Mr. Stamp stated that information on emergency preparedness may be obtained by contacting Talbot County Emergency Services at 410-770-8160 or www.talbotdes.org. The proclamation in recognition of 9-1-1 Emergency Number Day, September 11, 2012 was read into the record. The Proclamation recognized the professional men and women who work in 9-1-1 Centers across the nation, saving lives and protecting property. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved the 9-1-1 Emergency Number Day Proclamation by voting 5 – 0 as follows:

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

The proclamation in recognition of September as National Preparedness Month was then read into the record. The proclamation spoke of the need for an increase in public awareness of the importance of preparing for emergencies and encouraged individuals and businesses to do so. Upon motion by Ms. Price, seconded by Mr. Duncan, the Council approved the National Preparedness Month Proclamation by voting 5 – 0 as follows:

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

Mr. Duncan presented the Proclamation recognizing September 11th as 9-1-1 Emergency Number Day to Jessica Wolfe, Communications Specialist Supervisor at the Talbot County 9-1-1 Center.

Ms. Price presented the Proclamation recognizing September as National Preparedness Month to Dana Meintzer, Chairman of the Talbot County Local Emergency Planning Committee.

- VI. Update by Shore Health System on New Regional Medical Center – Ken Kozel, President & CEO, Shore Health System; Patti Willis, Senior Vice President, External Relations and Development, Shore Health System; Mike Silgen, Vice President of Strategic Planning & Development, Shore Health System – Mr. Kozel briefed the Council on the status of the proposed new regional medical center at the northern end of the Town of Easton on property adjacent to the Talbot County Community Center. He thanked all parties who had participated in the process thus far and stated that on September 7, 2012, Shore Health System had filed a Certificate of Need (CON) application with the Maryland Healthcare Planning Commission to construct a replacement hospital for the Memorial Hospital at Easton. He stated that Phase I of the proposed regional medical center project will have approximately 350,000 sq. ft. of space and will include 126 in-patient beds, 32 Emergency Room bays, and an attached ambulatory office pavilion; Phase I is anticipated to cost approximately \$240,000,000. Mr. Kozel stated that Phase II would include an addition

to the current planned space; Phases III and IV would involve the construction of additional buildings on the medical center campus. He stated that if the CON is approved in the anticipated timeframe of six to nine months, construction is expected to begin in late summer of 2013 and will be completed by January 2016; the existing hospital will then be closed. He stated that a task force will be initiated to determine the best use for the building at the current location of the hospital, and that a determination for its use will have been made by the time the new hospital is open. Council discussion with Mr. Kozel ensued regarding various aspects of the proposed regional medical center campus, both short-term and long-term. Council members expressed appreciation for the collaborative efforts of all those involved in bringing the project to its current status.

VII. Public Hearing:

Prior to the public hearing on Bill No. 1226, Assistant Planning Officer Mary Kay Verdery provided a definition of “concealed tower” as cited in the proposed legislation and “setback” as it relates to concealed towers, and responded to Council’s concerns as expressed at introduction of the legislation on August 14, 2012. A public hearing was then held on Bill No. 1226, A BILL TO AMEND § 190-105, TALBOT COUNTY CODE “WIRELESS COMMUNICATION TOWERS” TO ADD A DEFINITION OF “TOWER, CONCEALED”; TO REQUIRE THAT CONCEALED TOWERS INCLUDE A CERTIFICATION FROM A MARYLAND LICENSED STRUCTURAL ENGINEER THAT THE TOWER IS DESIGNED TO WITHSTAND ALL DESIGN LOADS REQUIRED BY THE TALBOT COUNTY BUILDING CODE BY A MINIMUM OF 110%; TO AMEND THE MINIMUM SETBACKS REQUIRED FOR CONCEALED TOWERS; TO PROVIDE THAT LANDSCAPING AND FENCING REQUIREMENTS MAY BE WAIVED BY THE PLANNING COMMISSION; TO ELIMINATE THE REQUIREMENT THAT AN APPLICANT PROVIDE EVIDENCE SUBSTANTIATING THAT CONSTRUCTION OF A NEW WIRELESS COMMUNICATIONS TOWER SHALL NOT BE DETRIMENTAL TO THE USE, PEACEFUL ENJOYMENT, OR ECONOMIC VALUE OF NEIGHBORING PROPERTIES; TO AMEND THE REQUIREMENT SO THAT AN APPLICANT OBTAIN MAJOR SITE PLAN APPROVAL BEFORE THE SPECIAL EXCEPTION HEARING WITH THE BOARD OF APPEALS; TO PROVIDE THAT ONE PRIVATE AMATEUR (HAM) RADIO TOWER 75 FEET OR LESS IS PERMITTED AS AN ACCESSORY USE; AND GENERALLY RELATING TO WIRELESS COMMUNICATIONS TOWER, and the public was afforded an opportunity to comment on the legislation. Council discussion then ensued with Ms. Verdery. Written comments will be accepted by the Office of the County Manager until Friday, September 14, 2012. Bill No. 1226 is eligible for vote on Tuesday, September 25, 2012.

VIII. Presentation of Annual Area Plan for Upper Shore Aging, Inc. – Gary Gunther, Executive Director, Upper Shore Aging, Inc.; Carole Abruzzese, President, Upper Shore Aging, Inc. Board of Directors – Mr. Gunther briefed the Council on Upper Shore Aging, Inc.’s Area Plan for FY 2013. Upper Shore Aging, Inc. is responsible for the distribution of federal funding received under the Older Americans Act to senior citizens, defined as those aged 60 and older. He stated that senior citizens comprise 32% of Talbot County’s population of approximately 37,000 people. Mr. Gunther provided an outline of programs in the Plan, including the Senior Nutrition Program which is anticipated to serve 6,000 group meals this fiscal year; Meals on Wheels is expected to serve another 16,000 home meals; the program also provides nutritional education and screening; the Medicaid Older Adult Waiver Program which assists seniors with receiving healthcare services in their own homes or in assisted living facilities rather than in nursing homes, thus allowing individuals to remain in their communities; the Maryland Access Point Program has traditionally provided information and services to those 60 and over with disabilities; however, the program has recently expanded its services to those with disabilities over the age of 18, as well as their caregivers and family members; Talbot County Senior Center at Brookletts Place provides programming designed to enrich the lives of seniors and offers exercise classes, crafts, nutrition programs, etc. and recently expanded its program offerings resulting in 1,750 new participants in the past year; Senior Symposium seminars are

offered twice a year on elder abuse and exploitation; the Partners in Care Program provides volunteer transportation services to medical appointments for older adults; the Family Caregiver Support Program provides respite grants of up to \$500 to caregivers of senior citizens; and the Long-Term Care Ombudsman Program is an advocacy program for residents of nursing home and assisted living facilities when the residents are not able to act on their own behalf; Council discussion with Mr. Gunther ensued with regard to the specific programs offered by Upper Shore Aging, Inc. and the effect of reduced State Senior Care Program funding for Talbot County. Council expressed appreciation to Mr. Gunther and Upper Shore Aging, Inc. for their efforts on behalf of senior citizens in Talbot County. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the Annual Area Plan for Upper Shore Aging, Inc. as presented by voting 5 – 0 as follows:

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

IX. County Manger’s Report:

A. Talbot County Local Emergency Planning Committee – Requested Council approval to forward the names of Joanne Clark and Larry Smith to the Governor for consideration of reappointment to three-year terms on the Talbot County Local Emergency Planning Committee as Town of St. Michaels and citizen representatives, respectively; if reappointed, said terms will expire August 1, 2015. Upon motion by Ms. Price, seconded by Mr. Duncan, the Council approved forwarding the recommendations to the Governor for consideration by voting 5 – 0 as follows:

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

A. Talbot County Department of Social Services Board of Directors – Requested Council approval for the appointment of Berenice Orellana to a three-year term on the Talbot County Department of Social Services Board of Directors; said term will expire June 30, 2015. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

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

B. Governor’s Office of Crime Control and Prevention (GOCCP) Grant – Requested Council approval to apply for and accept a grant in the sum of \$50,000 from the Governor’s Office of Crime Control and Prevention; said funding will be utilized along with \$218,167 of Homeland Security – Law Enforcement grant funding to bring all Talbot County law enforcement agencies onto the State Law Enforcement Data Management System, a data interoperability system; the total funding of \$268,167 will include use of the System for six years; after that

time the cost to operate the System will be \$40,355, a cost which will be divided between police agencies in the County who utilize the System. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved submission of the grant application by voting 5 – 0 as follows:

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

- C. Dover Bridge Maintenance – Mr. Craig stated that the State Highway Administration will be conducting routine maintenance on Dover Bridge on Wednesday, September 12, 2012 from 9:00 a.m. to 3:00 p.m.; some traffic delays are expected.

X. Council Comments:

Ms. Price – Ms. Price stated that she and her colleagues had recently been the guests of a the Chesapeake Bay Foundation for a boat tour of Talbot County waters. She stated that the group had toured Harleigh Farms, owned by Mr. Chip Akridge where they were provided with demonstrations of various conservation efforts.

Mr. Duncan– No comments.

Mr. Hollis - No comments.

Mr. Bartlett - Mr. Bartlett thanked the Chesapeake Bay Foundation for their invitation. He congratulated Mr. Akridge for his conservation and land preservation efforts, including turning agricultural fields into wildlife habitat sanctuaries, and for his presentation highlighting the relationship between oxygen content in the water and the health of the bodies of water. He commented on the State's efforts to place buoys in local waters which monitor the oxygen level every ten minutes so that everyone can see what is happening with the Bay waters.

Mr. Pack – Mr. Pack echoed his colleagues' remarks. He commented on the significance of September 11th as the date gets more distant, and encouraged everyone to renew their commitments to their communities and to each other and to not forget those who gave their lives on September 11, 2001.

- XI. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters, to reconvene at the Calhoun MEBA Engineering School at 4:00 p.m. for a 9-1-1 memorial dedication; to reconvene on Monday, September 17, 2012 at 4:00 p.m. in the Bradley Meeting Room for a Work Session with staff on Maryland Senate Bill 236, *Sustainable Growth and Agricultural Preservation Act of 2012* (the septic bill); to reconvene in Executive Session on Wednesday, September 19, 2012 at 5:00 p.m. for discussion of legal, personnel, and real estate matters, to tentatively reconvene on Monday, September 24, 2012 at 5:00 p.m. for a Work Session with the Talbot County Board of Education in Conference Room 1 at 215 Bay Street., and to reconvene in Executive Session on Tuesday, September 25, 2012 at 5:00 p.m. for discussion of legal, personnel, and real estate matters, and for the regularly scheduled legislative session at 6:00 p.m. by voting 5– 0 as follows:

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

The meeting adjourned at 3.26 p.m.

The transcript of the September 11, 2012 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XII. On Tuesday, September 11, 2012, 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 Mr. Hollis, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508 (a)(1)(i)(4)(7)(14) the purpose of the Executive Session was for discussion of a legal matter to obtain legal advice on pending contract negotiations; and for a personnel matter to discuss appointments to various County boards and committees. The Executive Session ended at 1:30 p.m.

CASH STATEMENT 09/04/2012

BALANCE 8/28/2012	\$27,520,859.03
UHC CLAIMS THRU 8/28/2012	(37,634.58)
RETURNED CHECKS	(9,144.00)
BOARD OF EDUCATION 8/2012	(2,860,960.00)
INTEGRA 9/2012	(15,219.20)
BANK CHARGES 7/2012	(3,196.98)
MLGIP&GEN INT ON ACCTS 7/2012	4,890.03
PAYROLL –FD/SS/MS WH 8/31/2012	(110,528.84)
SECU DED	(8,058.90)
DEFERRED COMP DED	(9,897.72)
MD WH	(29,152.21)
PENSION DED	(28,089.30)
ACH TRANSFER	(10,061.75)
FLEX SPENDING ACCT	(2,431.92)
DEPOSITS	2,195,666.99
CHECKS	(729,492.27)
VOID CHECK NO. 277956, 278037, 278152	23,189.74
BALANCE 9/04/2012	<u>\$25,890,738.12</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS				--
AIP-34	BALANCE 8/28/2012	15,501.70		
	DEPOSITS	1,734.00	17,235.70	
AIP-35			37,082.09	
AIP36			8,535.74	
AIP37			379.89	
AIP38			3,612.00	

AIRPORT ACCOUNTS TOTAL BALANCE \$66,845.42

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.14%	14,000,000.00

TOTAL INVESTED \$21,000,000.00

PETTY CASH BALANCE \$6,800.00

GRAND TOTAL ALL FUNDS \$46,964,383.54

CASH STATEMENT 09/11/2012

BALANCE 9/4/2012	\$25,890,738.12
UHC CLAIMS THRU 9/04/2012	(13,583.53)
TALBOT COUNTY GEN OBLIGATION BONDS-AIRPORT FAC	(9,650.00)
STATE BOARD OF ELECTIONS PPE 8/7&8/21/2012	(9,570.34)
POSTAGE WIRE – TOURISM	(3,000.00)
PAYROLL-FD/SS/MS WH 9/7/2012	(2,891.50)
MD WH	(571.22)
PENSION DED	(252.00)
FLEX SPENDING ACCT	(150.00)
DEPOSITS	477,649.44
CHECKS	(1,312,776.43)
BALANCE 9/11/2012	<u>\$25,015,942.54</u>

AIRPORT ACCOUNTS

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP-34		17,235.70
AIP-35		37,082.09
AIP-36		8,535.74
AIP-37		379.89

AIP-38 3,612.00

AIRPORT ACCOUNTS TOTAL BALANCE \$66,845.42

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00

PNC-MLGIP INVESTMENTS TOTAL 0.15% 14,000,000.00

TOTAL INVESTED \$21,000,000.00

PETTY CASH BALANCE \$8,320.00

GRAND TOTAL ALL FUNDS \$46,091,107.96