



Talbot County, Maryland



Easton, Maryland

MINUTES

September 27, 2011

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 – The Agenda of September 27, 2011 was approved upon motion by Mr. Pack, seconded by Ms. Price, with the Council voting 5 – 0 as follows:

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

- II. Minutes – Minutes of September 13, 2011 were approved upon motion by Mr. Hollis, seconded by Mr. Pack, with the Council voting 4 – 0 - 1 as follows:

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

Mr. Duncan abstained from voting as he had been absent for part of the meeting on Tuesday, September 13, 2011.

- III. Disbursements – Disbursements of September 20, 2011 and September 27, 2011 were approved upon motion by Mr. Pack, seconded by Ms. Price, with the Council voting 5 – 0 as follows:

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

- IV. Proclamation: September as Charcot-Marie-Tooth Disorder Month –The Clerk read a proclamation into the record in recognition of Charcot-Marie-Tooth Disorder, an inherited peripheral neuropathy exemplified by muscle atrophy, chronic pain, fatigue and loss of sensation affecting 1 in 2,500 people. The proclamation spoke of the Charcot-Marie-Tooth Association’s initiatives toward education, treatment and research for a cure for the debilitating disease. Upon motion by Ms. Price, seconded by Mr. Pack, 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. Bartlett presented the Proclamation to Missy Warfield who accepted on behalf of those affected by the disease and the local chapter of the Association.

- V. Proclamation: Easton Airport – The Clerk read a proclamation into the record in recognition of the contribution of Easton Airport, a self-sufficient County Enterprise Fund, to the economic base of Talbot County and the Mid-Shore Region of Maryland’s Eastern Shore. Upon motion by Mr. Duncan, seconded by Ms. Price, 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

Ms. Price, Council liaison to the Talbot County Airport Board, presented the proclamation to Mike Henry, Manager of Easton Airport, Jack Pettit, President, Talbot County Airport Board, Thomas Norton, and Harvey Stewart, Members, Talbot County Airport Board.

- VI. Presentation of Certificate of Achievement for Excellence in Financial Reporting (CAFR) to Angela Lane, Talbot County Finance Officer - Mr. Pack presented the CAFR Award to Angela Lane, Talbot County Finance Officer, in recognition of Talbot County’s achievement for excellence in financial reporting. Council members complimented Ms. Lane and members of her staff on the extraordinary achievement. This is the tenth consecutive year that Talbot County has received the award.

- VII. Presentation on Annual Plan for Upper Shore Aging, Inc.– Gary Gunter, Executive Director, Upper Shore Aging, Inc. – Mr. Gunther briefed the Council on Upper Shore Aging, Inc.’s Area Plan Update for FY 2012. He stated that 31%, or 11,860 citizens of Talbot County are 60 and older. He then gave a brief outline of programs in the Plan, including the Senior Nutrition Program which is anticipated to serve 6,000 group and 17,000 home meals this fiscal year; the Family Caregiver Support Program which provides respite grants to caregivers of senior citizens; the Senior Information & Assistance Program which provides application assistance for various senior citizen programs, including Medicare Part D; the Partners in Care program which provides volunteer transportation services to medical appointments, etc. for older adults; the Talbot County Senior Center which provides life enrichment and informational programs to senior citizens; and the newly instituted Maryland Access Point program which provides information on services and resources available to elderly or disabled citizens. Mr. Gunther stated that the Senior Community Care Program budget will be cut to \$100,000 in FY 2013 from its current level of \$244,000. Council discussion ensued. Mr. Bartlett complimented Mr. Gunther and Judy Shuler, Manager of the Talbot County Senior Center, for their recent efforts toward expansion of programming at the facility, adding that he hopes Mr. Gunther and Ms. Shuler continue to work together to explore additional opportunities to bring revenue-producing programming to the facility. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council approved Upper Shore Aging, Inc. Annual Plan, as presented, by voting 5 – 0 as follows:

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

- VIII. Request for Abatement from County Real Property Taxes – Ms. Lane briefed the Council on requests for abatement from County Real Property Taxes totaling \$25,740.72. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the request by voting 5 – 0 as follows:

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

- IX. Introduction of Legislation:

A RESOLUTION TO ADOPT A REDISTRICTING PLAN FOR TALBOT COUNTY BOARD OF EDUCATION ELECTION DISTRICTS PURSUANT TO EDUCATION ARTICLE § 3-12A-01, MD. ANN. CODE was brought forward for introduction. Dr. Steve Harris, Chairperson of the Board of Education Redistricting Commission, stated that the Commission had met four times and a majority of the group had voted to approve the Redistricting Plan now before the Council. County Attorney Michael Pullen stated that the legislation before the Council is mandated by State law every ten years following the federal decennial census. He stated that the legislation reflects the Redistricting Commission's recommendation and fulfills the State mandate which requires the districts to be reasonably compact, contiguous, substantially equal in population, and in accordance with the legal principles which ensure that one or more of the election districts encompasses residents in which a majority of the voting age population consists of a minority. Mr. Pullen stated that the Redistricting Plan submitted by the Redistricting Commission was formally submitted to the Council by Dr. Harris on September 15, 2011; under State law, the Plan automatically becomes effective 90 days after it was submitted unless the County Council adopts a different plan; the 90-day time period will expire on December 14, 2011. Mark Cohoon, GIS Manager, described the process by which the Redistricting Commission used Census information to derive various options for the Commission's consideration which met the criteria as required under State law; he then provided an outline of each of the proposed districts, including population. Ms. Jacqueline Harris and Mr. James Camper, the two members of the Redistricting Commission who did not vote to approve the Plan, outlined their reasons for same, stating that the districts, as approved by the Commission, reduce the minority representation from 55% to 52%. Council discussion ensued. Mr. Pack requested that an overlay of the current makeup of the majority minority district, and the district as proposed, be provided. Council members thanked the Commission members for their participation. A RESOLUTION TO ADOPT A REDISTRICTING PLAN FOR TALBOT COUNTY BOARD OF EDUCATION ELECTION DISTRICTS PURSUANT TO EDUCATION ARTICLE § 3-12A-01, MD. ANN. CODE was then introduced by Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack, and Ms. Price and a public hearing was scheduled for Tuesday, October 25, 2011 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

- X. Quarterly Update by Talbot County Health Department – Kathy Foster, R.N., M.S., Talbot County Health Officer – Ms. Foster briefed the Council on the following matters: (1) 2011-2012 Flu Season: Ms. Foster outlined the signs and symptoms of influenza, and offered recommendations for ways to help prevent contracting the virus. She encouraged everyone over the age of six months to be vaccinated, stating that

this season's flu vaccine is an excellent match for strains seen thus far; flu in Talbot County usually peaks in mid-February. She advised that 7,000 doses are available in Talbot County at nine store and pharmacy locations; the Health Department will not be holding a flu clinic as in past years, but will, instead be filling the gap for those who are uninsured or who are unable to pay; (2) Prevention of Falls – Ms. Foster stated that 1 in 3 individuals over the age of 65 falls each year due mostly to poor physical mobility, home and environmental hazards, medications, or poor eyesight; (3) Rabies – Ms. Foster stated that there were 400 cases of rabies in Maryland last year requiring the treatment of more than 1,000 individuals. To avoid exposure, pets should be kept on a leash, stray animals should be avoided, garbage cans should be covered, pets should be immunized, and holes in buildings should be repaired; (4) Senior Community Care Budget - Ms. Foster had previously advised the Council that funding for the Senior Community Care Budget would be reduced from \$244,000 in FY 2012 to \$100,000 in FY 2013; she thanked the Council for their letter in support of incrementally phasing in the cuts; however, Ms. Foster stated that the State had chosen not to phase in the cuts and beginning July 1, 2012, Talbot County will receive \$144,000 less in funding for the program which serves frail elderly citizens. She advised that the Talbot County Commission on the Aging is interested in holding fundraising events to replace some of the loss in funding. Council discussion ensued as to possible sources of funding for the program. Ms. Foster will continue to update the Council on a regular or as-needed basis.

XI. County Manager's Report:

A. Talbot County Local Emergency Planning Committee – Requested Council approval to forward the name of Miguel Dennis to the Governor for consideration of reappointment to a three-year term on the Talbot County Local Emergency Planning Committee as a representative of the Town of St. Michaels; requested Council approval to forward the name of Rosalee Potter to the Governor for consideration of appointment to a three-year term on the Talbot County Local Emergency Planning Committee as a representative of the Town of Trappe; if approved by the Governor, the term of the reappointment and the appointment will expire on August 1, 2014. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the reappointment and the appointment by voting 5 – 0 as follows:

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

B. Talbot County Network Board of Directors - Requested Council approval for the appointment of the following individuals to three-year terms on the Talbot County Network Board of Directors: Dr. Sherry Sutton (private sector); Douglas Devenyns (public sector); Thomas Hutson (public sector); and Tara O'Barsky (private sector); said terms will expire on June 30, 2014. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointments by voting 5 – 0 as follows:

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

C. Request from Talbot County Sheriff's Office – Requested Council approval of a request by the Talbot County Sheriff's Office to use \$20,208 in contingency funds so that a deputy can attend the Police Academy in January 2012; Mr. Craig certified that the contingency funds are available. Upon motion by Ms. Price, seconded by Mr. Hollis, the Council approved use of the contingency funds by voting

5 – 0 as follows:

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

- D. Change Order No. 6, Bid No. 10-13, TALBOT COUNTY FREE LIBRARY BUILDING RENOVATION AND EXPANSION EASTON, MARYLAND - Requested Council approval of Change Order No. 6 for Bid No. 10-13 in the sum of \$13,011 for costs associated with additional structural steel, and extra electrical masonry and plumbing work for the renovation of the Talbot County Free Library in Easton. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council approved the Change Order by voting 5 – 0 as follows:

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

- E. Bid No. 10-13, TALBOT COUNTY FREE LIBRARY BUILDING RENOVATION AND EXPANSION EASTON, MARYLAND – Requested Council approval of the County Engineer’s recommendation to award geotechnical and environmental consultant, Hynes & Associates, a contract for services in the sum of \$11,485; said services for preparation of the risk assessment report (\$2,620) and groundwater monitoring services (\$8,865.00) for a period of one year and are required by the Maryland Department of the Environment for underground monitoring wells at the Talbot County Free Library renovation site following installation of same after removal of underground fuel storage tanks at the site. Mr. Council discussion ensued. Mr. Hollis requested that in the future Mr. Clarke provide more detailed information when making such requests. Upon motion by Hollis, seconded by Mr. Pack, the Council approved the request by voting 5 – 0 as follows:

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

- F. URS Price Proposal – Engineering and Construction Phase Services - Bid No. 09-05, RECONSTRUCTION AND EXPANSION OF SOUTH APRON – EASTON AIRPORT – EASTON, MARYLAND (Change Order 5 – Additional Drainage) – Requested Council approval to award Easton Airport consultant, URS, the contract for engineering and construction phase services with regard to Change Order 5 of Bid No. 09-05 at Easton Airport in the sum of \$27,074; said services include project management, design, resident inspection, review and recommendation of contract pay requests. Easton Airport will pay 2.5%, or \$677.00; the remaining cost will be borne by the Federal Aviation Administration (95%) and Maryland Aviation Administration (2.5%). Upon motion by Mr. Duncan, seconded by Ms. Price, 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

XII. Council Comments:

Mr. Duncan- No comments.

Ms. Price- Ms. Price reminded everyone of Easton Airport Day which will be held on Saturday, October 15, 2011 from 9:00 a.m. to 4:00 p.m. and will feature flyovers and skydivers. Ms. Price again congratulated Finance Director Angela Lane on her award.

Mr. Hollis - Mr. Hollis stated that the County Council and the Mayor and Town Council of Easton are in the process of preparing letters to the U.S. Postal Service noting strong objection to the possible closure of the Easton Main Processing and Distribution Facility. He said that he wanted to make sure that the public knows the Council is aware of the potential closure and is prepared to do what its need to do to make it clear to the authorities in charge that the Councils strongly feel that the facility should not be closed.

Mr. Pack- Mr. Pack stated that the County and the Town of Easton are also drafting a joint letter to the State in opposition to the proposed guardrails to be placed on Rt. 50. He stated that the County and the Town are of the opinion that there is no need for the implementation of the guardrails, that there have been no reports of any head-on collisions on Rt. 50 in the past ten years, and that it's a waste of federal spending when the money could be put to better use.

Mr. Bartlett - Mr. Bartlett congratulated all those involved in the Chesapeake Film Festival, adding that, in his opinion, the Film Festival is a good example of a community event which keeps people energized, having fun and enjoying Talbot County.

XIII. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters, to reconvene on Tuesday, October 11, 2011 at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, followed by the regularly scheduled meeting at 1:30 p.m., voting 5 – 0 as follows:

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

The meeting adjourned at 7:54 p.m.

XIV. On Tuesday, September 27, 2011 an Executive Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article §10-508(a)(1)(i)(4)(7)(8) the purpose of the Executive Session was for discussion of legal matters to discuss the proposed new Ethics Ordinance and to discuss retaining outside legal counsel for a zoning violation; and for a personnel matter to discuss appointments to various County boards and committees. The meeting recessed at 6:00 p.m. and reconvened at 8:00 p.m. The Executive Session ended at 9:45 p.m.

The transcript of the September 27, 2011 County Council meeting is available for review in the Office of the County Manager during regular office hours.

CASH STATEMENT 9/20/2011

BALANCE 9/13/2011	\$26,448,132.72
UHC CLAIMS THRU 9/13/2011	(30,211.75)
POSTAGE WIRE – TOURISM	(1,000.00)
MLGIP INTEREST ON ACCT 8/2011	544.91
RETURNED CHECKS	(4,979.40)
PAYROLL-FD/SS/MS WH 9/16/2011	(96,060.97)
SECURED	(9,029.29)
DEFERRED COMP DED	(10,215.22)
MD WH	(26,846.19)
PENSION DED	(28,811.77)
ACH TRANSFER	(11,013.00)
FLEX SPENDING ACCT	(2,452.89)
DEPOSITS	528,234.81
CHECKS	(613,760.36)
VOID CHECK NO. S 269563, 269596, 270694	2,913.93
BALANCE 9/20/2011	<u>26,145,445.53</u>
<u>AIRPORT ACCOUNTS</u>	
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIP34	16,346.21
AIP35	39,615.39
AIP36	8,522.37
AIP37	930.74
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$65,414.71</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
09/28/2010	09/27/11	0.57%	5,000,000.00
07/19/2011	10/18/11	0.21%	3,000,000.00
02/18/2011	12/20/11	0.56%	3,000,000.00
07/19/2011	01/17/12	0.31%	3,000,000.00
07/19/2011	04/17/12	0.41%	4,000,000.00
07/19/2011	07/17/12	0.61%	4,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.10%	7,000,000.00

TOTAL INVESTED **\$29,000,000.00**

PETTY CASH BALANCE **\$6,800.00**

GRAND TOTAL ALL FUNDS **\$55,217,660.24**

CASH STATEMENT 9/27/2011

BALANCE 9/20/2011 \$26,145,445.53

UHC CLAIMS THRU 9/20/2011 (20,177.35)
 RONB QTRLY BOND PAYMENT (9,478.60)
 TALBOT COUNTY, MD TAX BILL PAYMENTS FY2012 (9,717.82)

DEPOSITS 1,188,216.94
 CHECKS (667,370.25)
 VOID CHECK NO. S ---

BALANCE 9/27/2011 **26,626,918.45**

AIRPORT ACCOUNTS

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS --
 AIP34 16,346.21
 AIP-35 39,615.39
 AIP36 8,522.37
 AIP37 930.74

AIRPORT ACCOUNTS TOTAL BALANCE **\$65,414.71**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
09/28/2010	09/27/11	0.57%	5,000,000.00
07/19/2011	10/18/11	0.21%	3,000,000.00
02/18/2011	12/20/11	0.56%	3,000,000.00
07/19/2011	01/17/12	0.31%	3,000,000.00
07/19/2011	04/17/12	0.41%	4,000,000.00
07/19/2011	07/17/12	0.61%	4,000,000.00

PNC-MLGIP INVESTMENTS TOTAL	0.10%	7,000,000.00
TOTAL INVESTED		<u>\$29,000,000.00</u>
PETTY CASH BALANCE		<u>\$6,800.00</u>
GRAND TOTAL ALL FUNDS		<u>\$55,699,133.16</u>