



TALBOT COUNTY, MARYLAND

County Council

MINUTES

September 27, 2016

Present – President Corey W. Pack, Vice President Jennifer L. Williams, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, September 27, 2016.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, September 13, 2016.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, September 20, 2016 and Tuesday, September 27, 2016.
- IV. Presentation on Project Linus Youth Volunteer Project – Kimberly Couch, Project Linus Maryland MidShore Chapter Coordinator; Gregory Couch, Head Blanketeer – Master Gregory Couch utilized a PowerPoint presentation to brief the Council on the purpose of, and his involvement in, the national charitable organization, Project Linus, a chapter of which he initiated at his elementary school. He stated that volunteers make blankets which are then distributed to hospitals, social services agencies, law enforcement agencies, etc. to be given to children birth through age 18 who are ill, or who may have been traumatized in some way. He stated that since 1995, approximately 5.8 million blankets have been distributed. Anyone interested in learning more about Project Linus should email projectlinusmidshore@yahoo.com. Council expressed their appreciation to Master Couch for his informative presentation on the project.
- V. Presentation of Certificate of Recognition to John Bunch, Founder, Operation Open Arms – The Clerk read a certificate of recognition into the record noting the work of Capt. John Bunch and the organization he founded in 2005, Operation Open Arms. The proclamation spoke of the work the charity, now a 501(c)(3), has done to date to provide fishing trips, golf outings, movie tickets, dinners, and even weddings to approximately 3,400 men and women of the U.S. Armed Forces who have returned from overseas deployment. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Certificate of Recognition by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Callahan – Aye

Capt. Bunch then briefed the Council on the experiences in his personal life which led him to establish the charity and the support he continues to receive from the business community to the charity. Capt. Bunch was recently awarded the National Outstanding Civilian Service Award, the third highest honor which can be bestowed on civilians by the U.S. Department of the Army.

Council presented the Proclamation to Capt. Bunch and his wife.

- VI. Request for Abatement from County Real Property Taxes – Angela Lane, Talbot County Finance Director - Ms. Lane briefed the Council on requests for abatement from County Real Property Taxes for 43 properties totaling \$28,428.29. Council discussion ensued with Ms. Lane regarding the requests. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved the requests as presented by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Callahan - Aye

- VII. Introduction of Numbered Resolutions:

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP CERTAIN PARCELS OF LAND DESIGNATED AS “TIER III-C” IN THE 2016 TALBOT COUNTY COMPREHENSIVE PLAN COMPRISING THE SUBDIVISIONS OF AVELEY, DONCASTER, NORTH BEND, THE REST, AND ARCADIA SHORES, AS WELL AS CERTAIN SUBDIVIDED “TIER III-C” AREAS ALONG ROYAL OAK ROAD, BLUEBERRY ACRES ROAD, DEEP WATER POINT ROAD, LONG HAUL ROAD, YACHT CLUB ROAD, AND ROLLES RANGE ROAD, FROM THE CURRENT CLASSIFICATION OF “UNPROGRAMMED” TO “S-1” IMMEDIATE PRIORITY STATUS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Engineer, Ray Clarke, stated that the purpose of the legislation is to mirror the County’s Comprehensive Plan which adopted the tier maps, so that those areas which are in Tier III-C and are zoned either rural residential, or rural conservation but have previously not been eligible for sewer service where infrastructure currently exists, are now eligible. Mr. Clarke clarified that zoning of existing lots prohibits further subdivision of the lots despite now having access to sewer. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Resolution No. 235. A public hearing was scheduled for Tuesday, October 25, 2016 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP A PARCEL OF LAND LOCATED AT 25145 ST. MICHAELS ROAD, ST. MICHAELS, MARYLAND 21663, IDENTIFIED AS TAX MAP 32, PARCEL 36, CONSISTING OF 3.73 ACRES OF LAND, MORE OR LESS, OWNED BY SHANNAHAN ARTESIAN WELL CO., INC., FROM THE CURRENT CLASSIFICATION OF “UNPROGRAMMED” TO “S-1” IMMEDIATE PRIORITY STATUS was read into the record by the Clerk and brought forward for introduction. County Engineer, Ray Clarke, stated that the request for sewer service is being made by the owner of Shannahan Artesian Well Co., Inc. because their septic system is failing and they currently must pump and haul sewerage. Mr. Clarke advised that the subject property is located on the edge of the current sewer service area and extension of sewer to the property would, in his opinion, be a natural progression of service since the County already provides sewer service to the former Best Western hotel, which is immediately adjacent to the subject property. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 236. A public hearing was scheduled for Tuesday, October 25, 2016 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VIII. Quarterly Update by Talbot County Airport Board – Mike Henry, Manager, Easton Airport, Jack Pettit, President, Talbot County Airport Board – Mr. Henry briefed the Council that the following projects were underway or had been completed: (1) AIP-42 (Environmental Assessment Study) – Mr. Henry stated that the Federal Aviation Administration (FAA) has just advised that the Environmental Assessment can now be submitted as one document instead of by each individual section and stated that his office continues to work with Airport consultant, AECOM, on the Environmental Assessment; Phase II was completed on September 16, 2016; (2) Updated Airport Layout Plan – Mr. Henry stated that the FAA responded to the revised Airport Layout Plan submitted on March 1, 2016 and that the project continues to move forward; (3) AIP-43 (Update Miscellaneous Study - Planning Analysis for Easton Airport Capital Improvement Plan) – Mr. Henry stated that a new grant was received at the end of August for the planning analysis conducted in 2006 for Runway 4-22; \$175,681.62 was expended by Easton Airport and will be reimbursed by the FAA; the Maryland Aviation Administration’s portion is \$9,760.10; (4) Lower Level T-Hangar Taxilane Rehabilitation Project – Mr. Henry stated that the grant for the project was approved in the sum of \$927,547.00; the 54-day project began on September 6, 2016; (5) Fuel Sales – Mr. Henry stated that jet fuel sales are approximately 5% less than last year at this time, primarily due to a change in operations at one hangar; Avgas sales are equivalent to sales at the same time last year; (6) Corporate Hangars – Mr. Henry stated that Easton Hangar, LLC held their grand opening on August 13, 2016; (7) Gateway Airport Application – Mr. Henry stated that the Transportation Security Administration is still reviewing the training program submitted in November 2015 by Easton Airport with their application for designation as a “gateway airport,” a designation specific to general aviation traffic desiring to land at Reagan National Airport which must have first cleared security through a gateway airport; (8) Wind Cone – Mr. Henry stated that the wind cone provided to Easton Airport by Maryland Aviation in 2015 was included in the airport layout plan update provided to the FAA in March 2016 and his office is working with Rommell Electric on installation of the wind cone; (9) Runway 15-33 Obstructions – Mr. Henry stated that Runway 15-33 continues to be shut down for nighttime approaches due to two trees which have encroached upon the protected airspace. He stated that he has received permission from the landowner to remove the trees; however, discussions continue with Maryland Department of the Environment representatives as to whether the trees should be “topped” or totally removed; if removed, mitigation would be required at a cost of \$270,000 due to wetlands at that location. Mr. Henry stated that MDE representatives will be visiting the site in the near future to try to resolve the issue; (10) Airport Day – Mr. Henry stated that the 2016 Airport Day had been a successful event with an estimated 3,000 attendees. Airport Day 2017 will be held on Saturday, September 30, 2017; updates on events being considered for next year will be provided by Mr. Henry as the plans progress; (11) Contract Airport Tower Funding – Mr. Henry stated that he and Ms. Price had met with Congressman Andy Harris to discuss the lack of funding included in the House version of the interim budget bill recently passed by Congress. He stated that Congressman Harris indicated that the House would support the Senate’s version of language for funding of the contract towers. Mr. Henry stated that the Airport continues to express its support for the funding through the lobbying organization, American Association of Airport Executives (AAAE); Congressman Harris was also given a tour of the Airport’s air traffic control tower during his visit; (12) Sugar Buns Café Sign - Mr. Henry stated that the owner of Sugar Buns Café, located at the Airport, is interested in placing a 3’ x 4’ sign at the corner of Airport Road and Old Centreville Road on the corner property of the Airport; if approved by the Council, approval from the Town of Easton, MAA and FAA are also required; (13) Lightning Strike – Mr. Henry stated that on August 21, 2016 a lightning strike at the Airport damaged three gates and a computer; an insurance claim has been filed and Fluharty Electric has begun repairs; the Airport has a \$5,000 deductible. Council discussion ensued with Mr. Henry as the various matters were brought forward. The next Airport Board meeting is scheduled for Wednesday, October 19, 2016 at 8:00 a.m. in the Easton Airport Conference Room.

IX. County Manager's Report:

- A. Bid No. 16-16, REQUEST FOR FARMLAND RENTAL PROPOSALS – EASTON AIRPORT, EASTON – TALBOT COUNTY, MARYLAND – Requested Council approval to award Bid No. 16-16 to the high bidder, Mr. William Moore of Moore Farms in the sum of \$10,375.00 per crop season for 2017, 2018, and 2019. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the bid award by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams – Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan - Aye

- B. Chesapeake Bay Trust Watershed Assistance Grant – Requested Council approval to submit an application for a Chesapeake Bay Trust Watershed Assistance Grant in a sum up to \$75,000; if approved, the grant funding will be used for the development of a manual to be utilized by road and stormwater operations staff in the implementation of ditch management practices to promote water quality improvement and thereby contribute to sediment and nutrient load reductions. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved submission of the grant application by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- C. Bid No. 16-09, BULKHEAD IMPROVEMENTS; FLOATING KAYAK LAUNCH DOCK FACILITY; SHERWOOD PIER – Requested Council approval to award Bid No. 16-09 to the low bidder, HiTide Marine Construction, LLC, in the sum of \$83,123.00, upon concurrence of the award by the State Highway Administration (SHA); if approved, funding for the project will come from a SHA Recreation Trails Program grant in the sum of \$35,000, 20%, or \$7,000 in local funding, and \$41,123.00 of unused Department of Natural Resources Maintenance funding. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the bid award by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett - Aye
Ms. Price - Aye
Mr. Callahan – Aye

- D. Animal Control Authority Contract with Talbot Humane - Requested Council approval to enter into a contract with Talbot Humane which, if approved, would authorize Talbot Humane to be the enforcement authority for the animal control ordinance in Talbot County and to administer the dog and cat licensing provisions of the County Code. Mr. Hollis advised that the contract has already been approved and executed by Talbot Humane. Prior to Council consideration of the contract, Mr. Pullen stated that the contract formalizes the existing relationship between

Talbot County and Talbot Humane, specifying that Talbot Humane is acting as an independent contractor of the County, not an agency of the County; he then outlined several provisions of the contract. Upon motion by Ms. Williams, seconded by Mr. Callahan, the Council approved the Contract by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- E. Talbot County Emergency Services Advisory Board – Requested Council approval for the appointment of Lois MacDonald to a three-year term as the Cordova District representative; said term will expire on February 1, 2019. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- F. Talbot County Historic Preservation Commission – Requested Council approval for the appointment of Victor MacSorley to a three-year term on the Talbot County Historic Preservation Commission; said term will expire on July 1, 2019. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- G. Mid-Shore Behavioral Health Regional Behavioral Health Advisory Committee – Requested Council approval for the reappointment of Julia Jerscheid to a three-year term on the Mid-Shore Behavioral Health Regional Behavioral Health Advisory Committee; said term will expire on September 30, 2019. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- H. Talbot County Department of Social Services Board of Directors – Requested Council approval for the appointment of Rabbi Peter Hyman to a three-year term on the Talbot County Department of Social Services Board of Directors; said term will expire on June 30, 2019. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms. Price - Aye
Mr. Callahan – Aye

- I. County Offices Closed – Mr. Hollis stated that County offices will be closed on Monday, October 10, 2016 in commemoration of the Columbus Day holiday.

X. Council Comments:

Mr. Callahan – Mr. Callahan stated that he had had a great day on Saturday at the Frederick Douglass Day event. He stated that although unfortunately he had to leave a little early, what he did see was very interesting. He recalled a time several years ago when he had visited Ireland on vacation, staying at a hotel which Frederick Douglass had stayed at during the 1850s which had a plaque commemorating his visit. He stated that it suddenly hit him the impact Frederick Douglass had not only in our country's history, but that of the world. He stated that each time he looks at the statue of Frederick Douglass and what he represents, he thinks of seeing that plaque in a different country.

Ms. Price - Ms. Price gave a brief update of the recent meeting of the Maryland Association of Counties Legislative Subcommittee, of which she is a member, and outlined the four initiatives for MACo in the upcoming legislative session. The initiatives selected by the Legislative Committee include: restoration of Highway User Revenues with the addition of reinvestment in infrastructure; Strong and smart State funding for school construction; Balancing the release of information gathered on body cameras; and the Threshold for local control of energy facility siting in relation to the current threshold for jurisdiction by the Public Service Commission. Ms. Price stated that the Maryland Farm Bureau has expressed its support of the MACo initiative with regard to energy facility siting, stating that they too are concerned about too many solar arrays which results in the fragmenting of agricultural fields which is bad for farming and is also bad for the beauty of the landscape.

Mr. Bartlett - Mr. Bartlett congratulated Harriette Lowery and all the other individuals who had organized the Frederick Douglass Day event. He stated that he had come to hear one of the speakers and had enjoyed seeing the artifacts from the Smithsonian, particularly the Columbian Orator book used by Frederick Douglass. He stated that, in his opinion, the speakers were very interesting and it was a nice program. Mr. Bartlett also congratulated all those who volunteer and work on the oyster cages project. He stated that people who have piers, like himself, take cages full of oyster spat, rinse them off once a week and grow them to about the size of a thumbnail so the State can then pick them up and put them out into the sanctuaries. He again thanked all the volunteers, and stated that, in his opinion, it is a nice program and it is working very well.

Ms. Williams - No comments.

Mr. Pack - Mr. Pack stated that the Council had recently held its first annual board and committee volunteer reception at the Senior Center. He stated that, in his opinion, it was a wonderful opportunity to get to know some of the board members since all the Council members do not sit on all the boards. He stated that on Friday, September 30th the second annual prayer breakfast will be held at the Miles River Yacht Club in St. Michaels and that tickets are still available for those interested in having a nice meal and hearing a couple the speakers. Mr. Pack stated that with the things that have recently happened in Tulsa, Oklahoma and Charlotte, North Carolina and the troubling time in our nation right now, he would like to extend his appreciation to our law enforcement officers for what they do. He stated that not all officers are bad and that dialogue needs to remain open so that there is better civility and better understanding among people, just like Mr. Callahan stated that Frederick Douglass was talking about over 100 years ago, because the issues are still alive today in 2016. He stated that he was glad to be in Talbot County and glad that we don't have a lot of the issues facing some of the major metropolitan areas of the country, but, in his opinion, we have to be vigilant and make sure that we are communicating with and listening to one another. Mr. Pack concluded his comments by quoting a statement he had heard recently, "You must first seek to understand before you can be understood", and stated that, in his opinion, we need to try to understand what the person next to us is talking about before we are so quick to point out what we are talking about.

XI. Upon motion by Ms. Price seconded by Mr. Callahan, the Council voted to reconvene in Closed Session for discussion of legal, personnel, and real estate matters as listed on the Statement for Closing the Meeting which is available for public review. The County Council will reconvene on Tuesday, October 11, 2016 at 6:00 p.m. The Council will be convening in Open Session at 4:00 p.m. will the local delegation to discuss the State's upcoming legislative session. At 5:00 p.m. the Council will adjourn into Closed Session for discussion of legal, personnel and real estate matters as listed on the Statement for Closing that meeting by voting 5 – 0 as follows:

Mr. Pack – Aye
Ms. Williams - Aye
Mr. Bartlett – Aye
Ms Price - Aye
Mr. Callahan - Aye

The meeting adjourned at 7:29 p.m.

The transcript of the September 27, 2016 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XII. On Tuesday, September 27, 2016 a Closed Session of the Talbot County Council convened at 5:00 p.m. in the County Council Conference Room. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council met in Closed Session by 5 - 0 as follows:

Mr. Bartlett – Aye
Mr. Callahan – Aye
Mr. Pack – Aye
Ms. Price – Aye
Ms. Williams – Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(3)(7)(8) the purpose of the Closed Session was for personnel matters to discuss appointments to various County boards and committees; to discuss a personnel matter in the Department of Emergency Services; to discuss a personnel matter in the Department of Planning and Zoning; for a legal matter to discuss litigation involving Talbot County; for a real estate matter to discuss the acquisition of property for a public purpose; and to discuss a real estate matter regarding possible disposition of County owned property. The Closed Session recessed at 6:00 p.m. and reconvened at 7:35 p.m. The Closed Session ended at 9:00 p.m.

CASH STATEMENT 09/20/2016

BALANCE 09/13/2016	\$44,138,948.94
INTEGRA CLAIMS THRU 9/12/2016	(125,603.19)
BD OF EDUCATION AUGUST 2016	(3,057,519.00)
STATE REPORT JULY 2016	(5,603,981.40)
STATE REPORT AUGUST 2016	(835,263.55)
FLEX SPENDING PPE 8/26/2016	(2,965.77)
ELECTION BOARD PPE 8/30/2016	(4,930.50)
RETIREE HEALTH INS SEPTEMBER 2016	(22,076.67)
DEPOSITS	631,050.21
CHECKS	(749,285.40)
BALANCE 09/20/2016	<u>34,368,373.67</u>

AIRPORT ACCOUNTS

AIP-42	14,212.32
AIRPORT ACCOUNTS TOTAL BALANCE	<u>14,212.32</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.39%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>

PETTY CASH BALANCE **\$15,570.00**

GRAND TOTAL ALL FUNDS **\$52,398,155.99**

CASH STATEMENT 09/27/2016

BALANCE 09/20/2016	\$34,368,373.67
INTEGRA CLAIMS THRU 9/19/2016	(32,083.71)
RETURNED CHECK	(892.95)
FLEX SPENDING PPE 9/9/2016	(2,965.77)
POSTAGE WIRE	(3,000.00)

PAYROLL-FD/SS/MS WH PPE 9/09/2016	(143,269.80)
DEFERRED COMP DED	(11,386.98)
MD WH	(33,351.11)

PENSION DED	(33,250.73)
SECU DED	(5,640.15)
ACH TRANSFER	(15,556.75)

DEPOSITS	1,316,218.24
CHECKS	(975,645.30)

BALANCE 09/27/2016 **34,427,548.66**

AIRPORT ACCOUNTS

AIP42	14,212.32
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AIRPORT ACCOUNTS TOTAL BALANCE **14,212.32**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.41%	18,000,000.00

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

PETTY CASH BALANCE **\$15,570.00**

GRAND TOTAL ALL FUNDS **\$52,457,330.98**