



TALBOT COUNTY, MARYLAND

County Council

MINUTES

December 13, 2022

Present – President Chuck Callahan, Vice President Pete Leshner, Keasha N. Haythe, Lynn L. Mielke, Dave Stepp, County Manager Clay Stamp, and County Attorney Patrick Thomas.

- I. Agenda – The Agenda of Tuesday, December 13, 2022 was brought forward for approval. Mr. Leshner made a motion to amend the agenda to add two items to the County Manager’s Report: a letter of support for Shore Regional Health’s application for a Certificate of Need for the proposed Regional Medical Center and a mid-year COLA (Cost of Living Adjustment) for County personnel; the motion was seconded by Ms. Mielke. The Council approved the Agenda of Tuesday, December 13, 2022, as amended, by voting 5 – 0 as follows:

 Mr. Callahan – Aye
 Mr. Stepp – Aye
 Mr. Leshner – Aye
 Ms. Mielke – Aye
 Ms. Haythe – Aye
- II. Minutes – Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, November 22, 2022.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, November 29, 2022, Tuesday, December 6, 2022 and Tuesday, December 13, 2022
- IV. Presentation by the Honorable Stephen H. Kehoe, Judge, Circuit Court for Talbot County – Judge Kehoe congratulated the Council members on having been elected and stated that he looked forward to working with them over the next four years. Judge Kehoe offered to meet with the Council members, either individually or as a group, to brief them on what goes on behind the scenes in the judiciary to ensure that the administration of justice in Talbot County goes as smoothly as possible. Council members expressed their appreciation to Judge Kehoe for his offer.
- V. Update from Talbot County Department of Emergency Services and Talbot County Paramedic Foundation on the Automated External Defibrillator (AED) Program – Wayne Dyott, President, Talbot County Paramedic Foundation; Brian LeCates, Director, Talbot County Department of Emergency Services; Bill Wilson, Board Member/Chairperson, AED Program, Talbot County Paramedic Foundation – Mr. LeCates stated that in 2000, Talbot County Government partnered with the Talbot County Paramedic Foundation and local businesses to create a public access AED program to place defibrillators at various locations in the community, including the YMCA, Lowe’s and other larger stores, churches, gymnasiums, etc.; as of now there are approximately 220 AEDs throughout the Talbot County community. Mr. LeCates stated that the AED program has saved the lives of numerous individuals who went into cardiac arrest, allowing the individual to receive immediate care until emergency providers arrived. He stated that a grant process was initiated whereby the County, the Paramedic Foundation and local businesses each contribute one-third of the funding needed to replace an AED device when it reaches the end of its useful life, a process which is on-going. Mr. Dyott expressed his appreciation to the Talbot County Department of Emergency Services for maintaining the AED machines and for the training of staff in proper use of the machines at the various locations where they are located and noted that Talbot County’s AED program has received

national recognition. Mr. Dyott then briefed the Council on the Talbot Paramedic Foundation’s initiative to install the easily recognizable red and white AED SaveStations at outdoor locations throughout Talbot County, including parks and recreational areas in a location that is reachable within a three-minute timeframe. To date, a total of seven SaveStations, at a cost of \$5,500 each, have been installed at North Easton Sports Complex and Idlewild Park; stations are scheduled for installation at Home Run Baker Park in Trappe in the near future. He stated that the Paramedic Foundation is partnering with Team Chase in Wye Mills, Talbot County Department of Emergency Services, the Town of Easton, Easton Utilities, and Gunther’s Electric to install the stations which are heated, air-conditioned, lighted 24 hours a day and have video access to avoid being vandalized. Mr. Wilson stated that the AED stations are easily identifiable so members of the public will know where they are located. At Council’s request, a demonstration of the AED device will be scheduled at a later date. Council members expressed their appreciation to the representatives in attendance and to the various partners involved in bringing AEDs to Talbot County. Council then recognized Rachel Cox, Talbot County Paramedic, for her role in the AED CPR training program, and Matt Watkins, EMS Division Chief, Talbot County Department of Emergency Services.

VI. County Manager’s Report:

- A. Council Assignments as Liaisons to Boards, Committees, and Commissions – Mr. Stamp stated the County Council provides a representative to various County boards, committees and commissions. He then read a list of the Council members being recommended to serve as liaisons to the boards, committees, and commissions:

Airport Board	Chuck Callahan
Board of Education	Chuck Callahan
Commission on the Aging	Lynn Mielke
Economic Development Commission	Chuck Callahan
Emergency Services Advisory Board	Dave Stepp
Golf Board	Lynn Mielke
Library Board	Pete Leshar
Local Emergency Planning Committee	Dave Stepp
Maryland Association of Counties (MACo)	Keasha Haythe (Primary)
Legislative Committee	Lynn Mielke (Alternate)
Mid-Shore Regional Council	Chuck Callahan/Lynn Mielke
Neighborhood Service Center Board of Directors	Keasha Haythe
Parks & Recreation Advisory Board	Dave Stepp
Public Works Advisory Board	Pete Leshar
Social Services Board of Directors	Pete Leshar
Talbot Arts Council	Pete Leshar
Talbot County Chamber of Commerce – Government and Regulatory Meeting	Keasha Haythe
Talbot Family Network Board of Directors	Chuck Callahan
Tourism Board	Keasha Haythe
Upper Shore Aging, Inc. Board of Directors	Pete Leshar
Weed Control Committee	Dave Stepp

Upon motion by Mr. Leshar, seconded by Ms. Haythe, the Council approved the liaison representatives as listed by the County Manager by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye
Mr. Leshner – Aye
Ms. Mielke – Aye
Ms. Haythe - Aye

- B. Request from Department of Public Works – Requested Council approval of the County Engineer’s recommendation to purchase ten (10) Orenco Septic Tank Effluent Pump (STEP) Systems for the Region II (St. Michaels) Wastewater System in the sum of \$68,679.44 and eight (8) E-One grinder replacement pumps for the Region I (Unionville, Tunis Mills, Copperville) Wastewater System from Freemire and Associates in the sum of \$25,639.20; costs will be charged to the Region II asset budget and the Region I operating budget, respectively. Council discussion ensued with County Engineer, Ray Clarke. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved the purchases as outlined by voting 5 - 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye
Mr. Leshner – Aye
Ms. Mielke – Aye
Mr. Haythe – Aye

- C. Request from Department of Public Works – Requested Council approval of the County Engineer’s recommendation to award the contract for spray irrigation work for The Preserve at Wye Mills Wastewater Treatment Plant to Sussex Irrigation in the sum of \$27,762.68. County Engineer, Ray Clarke, outlined the proposed project and stated that the cost would be assessed to the individual property owners at The Preserve at Wye Mills once the transfer agreement between The Preserve at Wye Mills Property Owners Association and Talbot County has been completed for The Preserve at Wye Mills Wastewater Treatment Plant. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the recommendation by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye
Mr. Leshner – Aye
Ms. Mielke– Aye
Ms. Haythe – Aye

- D. Request for Letter of Support from the University of Maryland Shore Regional Health – Requested Council approval to forward a letter in support of the University of Maryland Shore Regional Health’s Certificate of Need (CON) application to the Maryland Health Care Commission for the regional medical center project to be located at the northern end of the town of Easton. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved forwarding a letter in support of the CON application by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye
Mr. Leshner – Aye
Ms. Mielke - Aye
Ms. Haythe – Aye

- E. Request to Approve Mid-Year Cost of Living Adjustment (COLA) – Requested Council consideration for the approval of a two percent (2%) mid-year COLA for County employees in the sum of \$264,545. Mr. Stamp outlined the reasons for the request and stated that funds are available in the FY23 Budget. Council discussion ensued with Mr. Stamp. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the mid-year COLA as outlined by voting 4 – 0 - 1 as follows:

Mr. Callahan – Aye
Mr. Stepp – Abstained
Mr. Leshner – Aye
Ms. Mielke – Aye
Ms. Haythe – Aye

Mr. Stepp stated that he was in support of the motion but was abstaining from voting as the matter directly affects his family.

- VII. Public Comments: Members of the public were afforded an opportunity to comment on matters of interest to them.

VIII. Council Comments:

Mr. Stepp – Mr. Stepp expressed his appreciation to the citizens of Talbot County for putting their faith in him and the rest of the Council members who were recently elected. He wished everyone a Merry Christmas, Happy Holidays and Happy New Year and stated that he was looking forward to serving the citizens of the county.

Mr. Leshner – Mr. Leshner welcomed his colleagues on the Council and stated that he looked forward to a productive four years with them. He stated that he had been asked by a constituent to introduce a resolution recognizing the Planning Commission’s decision in 2021 regarding the consistency of legislation regarding sewer connection eligibility for the Lakeside development project in Trappe. He stated that he was working on language for the resolution and once completed, will release the language of the resolution to allow for transparency and feedback from the public.

Ms. Mielke – Ms. Mielke expressed her appreciation to the citizens of Talbot County who elected her to this historic Council on which she is grateful to be serving. She expressed her appreciation to County employees, some of whom she has known for several years, and some of whom she met during Council orientation. She stated that, in her opinion, Talbot County has the best employees she has encountered, is blessed to have them, and that the vote for the COLA is well-deserved. Ms. Mielke concluded her comments by wishing everyone Happy Holidays.

Ms. Haythe – Ms. Haythe stated that she looks forward to serving the people of Talbot County and working with each and every Council member. She concurred with Ms. Mielke’s comments regarding County employees and that the two percent COLA is well-deserved. She stated that as a county employee herself, she knows the work is hard, employees need to be valued and appreciated, and that Talbot

County employees are truly valued and do an awesome job keeping the county running smoothly. Ms. Haythe concluded her comments by wishing everyone a Merry Christmas.

Mr. Callahan - Mr. Callahan congratulated his colleagues for having been elected to the Council and stated that he looked forward to working with each of them on this historic Council. He extended best wishes to everyone for a great holiday and stated that, in his opinion, it is vital that we look out for our employees.

IX. Upon motion by Ms. Haythe, seconded by Ms. Mielke, the Council voted to adjourn and to reconvene on Tuesday, December 20, 2022, at 3:00 p.m. in the Bradley Meeting Room for the annual meeting with the local delegation and at 4:00 p.m. with Dr. Clifford Coppersmith, President of Chesapeake College, for an orientation; and to reconvene on Tuesday, January 10, 2023 at 4:30 p.m. in Open Session and immediately adjourn into Closed Session for discussion of legal, personnel and real estate matters as listed on the statement for closing the meeting, and at 6:00 p.m. for the regularly scheduled meeting by voting 5 - 0 as follows:

- Mr. Callahan - Aye
- Mr. Stepp - Aye
- Mr. Leshner - Aye
- Ms. Mielke – Aye
- Mr. Haythe - Aye

The meeting adjourned at 6:43 p.m.

The transcript of the December 13, 2022 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

X. Summary of Closed Session Held on December 13, 2022:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 4:30 p.m. to 5:55 p.m.
 Place of closed session: County Council Office
 Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Callahan, Haythe, Leshner, Mielke, Stepp
 Members opposed: None
 Abstaining: None
 Absent: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic Description	Statutory Authority	Reason for Closed Session Discussion	Persons Present	Action Taken

To discuss appointment to various County boards and committees	GP § 3-305(b)(1)(i)	Public discussion would discourage individuals from volunteering to serve	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
To discuss restructuring of Roads Department	GP § 3-305(b)(1)(i)	Discussion involves specific individuals	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Council concurred with recommendation
To discuss compensation package for County employees	GP § 3-305(b)(1)(i)	Discussion involves specific individuals	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Council concurred with recommendation
For legal update on litigation involving Talbot Integrity Project	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal update on litigation involving Dirck Bartlett et al v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Council concurred with legal counsel's recommended filings
To discuss possible acquisition of property for a public purpose in Easton	GP § 3-305(b)(3)	To protect the County's bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action

To discuss possible acquisition of property for a public purpose in Wye Mills	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris, Ray Clarke	No action
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Summary of Closed Session Held on December 20, 2022:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 5:05 p.m. to 6:30 p.m.
 Place of closed session: County Council Office
 Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Callahan, Haythe, Leshner, Mielke, Stepp
 Members opposed: None
 Abstaining: None
 Absent: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic Description	Statutory Authority	Reason for Closed Session Discussion	Persons Present	Action Taken
For legal update on litigation involving Talbot Integrity Project	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal update on litigation involving Dirck Bartlett et al v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal update on litigation	GP § 3-305(b)(7)(8)	Attorney-client privilege	Chuck Callahan, Keasha Haythe,	No action

involving Gibson complaint		regarding status of litigation	Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	
To discuss possible acquisition of property for a public purpose in Easton	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Council concurred with recommendation to extend due diligence period
To discuss possible acquisition of property for a public purpose in Wye Mills	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris, Ray Clarke	Council concurred with recommendation

CASH STATEMENT 11/29/2022

BALANCE 11/22/2022	83,926,428.84
ADP PAYROLL PPE 11/11/2022 (BI-WEEKLY)	(749,560.05)
ADP PAYROLL PPE 11/18/2022 (VACATION PAYOUT)	(9,493.82)
ADP PAYROLL PPE 11/30/2022 (MONTHLY)	(20,856.41)
ADP PAYROLL PPE 11/25/2022 (HOLIDAY BONUS)	(90,095.83)
CIGNA CLAIMS PAID THRU 11/21/2021	(181,486.80)
PENSION DED PPE 11/11/2022	(45,957.93)
DEFERRED COMP DED PPE 11/11/2022	(20,181.35)
DEFERRED COMP PPE 11/11/2022 PLAN 401(A)	(8,224.58)
PENSION DED PPE 11/30/2022	(880.96)

DEFERRED COMP DED PPE 11/30/2022	(1,240.50)
ENTERPRISE LEASE PYMT 11/2022	(15,396.88)
COMMUNITY CENTER SALES & USE DUE 11/20/2022	(4.60)
GOLF COURSE SALES & USE DUE 11/20/2022	(1,844.20)
ROADS SALES & USE DUE 11/20/2022	(133.23)
DEPOSITS	586,388.60
CHECKS	(449,293.69)
ACH DISBURSEMENT(S)	(4,130,520.46)
WIRE TRANSFERS	
VOIDED CHECK(S) # 361805, 363399	161.22
BALANCE 11/29/2022	<u>78,787,807.37</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		3.65%	20,500,000.00
BAYVANGUARD BANK			10,255,677.89
TOTAL INVESTED			<u>30,755,677.89</u>
PETTY CASH BALANCE			<u>18,105.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>109,561,590.26</u>

CASH STATEMENT 12/06/2022

BALANCE 11/29/2022	78,787,807.37
TOTAL ADP PAYROLL PPE 11/30/2022	(5,072.37)

CIGNA HEALTH CLAIMS PAID THRU 11/28/2022	(50,744.09)
WELLS FARGO GOLF EQUIPMENT LEASE PYMT 11/2022	(128.00)
DEPOSITS	15,816,954.93
CHECKS	(272,119.50)
ACH DISBURSEMENT(S)	(226,204.46)
WIRE TRANSFERS	(17,899.23)
VOIDED ACH(S) # 110, 111, 112, 113, 114, 115, 116, 117, 118, 119	4,130,520.46
BALANCE 11/29/2022	<u>98,163,115.11</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		3.69%	20,500,000.00
BAYVANGUARD BANK			10,255,677.89
TOTAL INVESTED			<u>30,755,677.89</u>
PETTY CASH BALANCE			<u>18,105.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>128,936,898.00</u>

CASH STATEMENT 12/13/2022

BALANCE 12/06/2022	98,163,115.11
TOTAL ADP PAYROLL PPE 11/25/2022	(737,843.26)
PENSION DED PPE 11/25/2022	(45,888.65)
DEFERRED COMP DED PPE 11/25/2022	(19,905.92)
DEFERRED COMP PPE 11/25/2022 PLAN 401(A)	(8,112.59)
CIGNA CLAIMS PAID THRU 12/5/2022	(103,640.57)

USDA/RD MTHLY BOND PYMT #97-08 12/2022	(1,304.00)
DEPOSITS	1,070,458.03
CHECKS	(573,049.13)
ACH DISBURSEMENT(S)	(41,992.38)
WIRE TRANSFERS	(3,904,316.00)
VOIDED CHECK(S) #363747	185.12
BALANCE 12/06/2022	<u>93,797,705.76</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		3.80%	20,500,000.00
BAYVANGUARD BANK			10,255,677.89
TOTAL INVESTED			<u>30,755,677.89</u>
PETTY CASH BALANCE			<u>18,105.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>124,571,488.65</u>