



TALBOT COUNTY, MARYLAND

County Council

MINUTES

June 25, 2024

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

- I. Agenda – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, June 25, 2024.
- II. Minutes – Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, May 14, 2024.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, June 18, 2024, and Tuesday, June 25, 2024.
- IV. Certificate of Recognition to Talbot Agriculture and Education Center for 60th Anniversary – The Clerk read a certificate of recognition into the record which spoke of the establishment of the Talbot Agriculture and Education Center in 1964 for the purpose of strengthening and preserving Talbot County’s rural culture through the hosting of events for agriculturally oriented organizations including Talbot County 4-H, Talbot County Farm Bureau and the Easton Future Farmers of America (FFA), as well as various civic organizations in Talbot County. For the past 41 years, the Talbot Agricultural and Education Center has hosted the Talbot County Fair. Council discussion ensued with representatives of the agricultural community in attendance. Upon motion by Ms. Mielke, seconded by Mr. Leshner, the Council approved the certificate of recognition by voting 4 -0 0 as follows:

Mr. Callahan - Aye

Mr. Leshner – Aye

Ms. Mielke – Aye

Ms. Haythe – Aye

Ms. Haythe presented the Certificate of Recognition to representatives of the various organizations in attendance.

- V. Request from Talbot County Public Schools for FY24 Categorical Budget Transfers – Sarah Jones, CPA, Chief Financial Officer, Talbot County Public Schools; Dr. Sharon Pepukayi, Superintendent, Talbot County Public Schools – Ms. Jones stated that Talbot County Public Schools recently received its final FY25 budget appropriation from the County and is requesting Council approval to amend the FY24 budget by making the following Categorical Budget Transfers through a savings in the following categories: \$850,000 in the Instructional Salaries category; \$400,000 in the Special Education category; and \$100,000 from the Operating Fund to the Capital Projects Fund from the White Marsh Elementary School roof project which was completed significantly under budget. She stated that the Categorical Transfers are needed in the following categories: \$25,000 to Administration to cover additional legal costs; \$45,000 to Mid-Level Administration (principals,

assistant principals, curriculum supervisors and directors) to cover professional learning registrations from an overage in the salary line; \$80,000 to Other Instructional Costs for additional instructional software; \$75,000 to Student Services to prepay costs for software originally included in the FY25 budget and to cover instruction of students who are unable to come to school; \$500,000 to Transportation for prepayment of bus lease payments originally included in the FY25 budget; \$350,000 to Operation of Plant to cover overages related to same; repairs, and to purchase advance supplies; \$100,000 in Maintenance of Plant to cover overages and repairs; and \$600,000 to Fixed Charges to prepay health insurance premiums originally included in the FY25 budget and to prepay the OPEB (Other Post Employment Benefits) for FY25. Council discussion ensued with Ms. Jones and Dr. Pepukayi as various items were brought forward, including recruitment and retention of staff, which Ms. Jones and Dr. Pepukayi emphasized was a priority. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved the categorical budget transfers as requested by voting 4 – 0 as follows:

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

VI. Introduction of Legislation:

A BILL TO AUTHORIZE THE REPLACEMENT AND IMPROVEMENT OF THE CART BRIDGE AT THE NINTH HOLE OF THE TALBOT COUNTY HOG NECK GOLF COURSE was read into the record by the Clerk and brought forward for introduction. Martha Sparks, Finance Director, stated that the legislation was inadvertently omitted when other capital enabling legislation was introduced on Tuesday, June 11, 2024. The legislation was introduced by Mr. Callahan, Mr. Leshner, Ms. Mielke, and Ms. Haythe as Bill No. 1575. A public hearing was scheduled for Tuesday, July 23, 2024, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VII. County Manager’s Report:

- A. Talbot County Animal Control Board – Requested Council approval for the reappointment of Karla Wieland-Cherry to a three-year term on the Talbot County Animal Control Board as a representative with knowledge pertinent to the Board’s functions; said term will expire on July 1, 2027. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the reappointment by voting 4 – 0 as follows:

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

- B. Talbot County Golf Board – Requested Council approval for the appointment of Dana Eggert to a three-year term on the Talbot County Golf Board; said term will expire on June 1, 2027. Upon motion by Ms. Haythe, seconded by Ms. Mielke, the Council approved the appointment by voting 4 – 0 as follows:

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

- C. Talbot Family Network Board of Directors – Requested Council approval for the reappointment of Berenice Orellana and the appointment of Katie Fox to three-year terms on the Talbot Family Network Board of Directors as representatives of the private sector; said terms will expire on June 30, 2027. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the reappointment and appointment by voting 4 – 0 as follows:

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

- D. Talbot County Tourism Board – Requested Council approval for the appointment of Town of St. Michaels Commissioner David Wojciechowski to a four-year term on the Talbot County Tourism Board as a representative of the Town of St. Michaels; said term will expire on July 1, 2028. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the appointment by voting 4 – 0 as follows:

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

- E. Request from Facilities Maintenance – Requested Council approval of the recommendation of the Superintendent of Roads and County Facilities to award a contract for electrical upgrades to the transformer which provides electrical service to the main and north wing portions of the Talbot County Courthouse and the State’s Attorney’s building to the lowest proposer, Fluharty’s Electric, in the sum of \$65,324; funding for the project was included in the County’s FY24 Budget. Council discussion ensued with Brian Moore, Superintendent, Roads and County Facilities, who outlined the necessity for the project. Upon motion by Ms. Mielke, seconded by Ms. Haythe, the Council approved the award by voting 4 – 0 as follows:

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

- F. Request from Department of Emergency Services - Requested Council approval of the recommendation of the Director of the Department of Emergency Services to award the contract for the rewrite of the County’s Continuity of Operations Plan (COOP) to Tetra Tech in the sum of \$62,059.00; funding for the rewrite will come from Emergency Management Preparedness Grant (EMPG) funding. Brian LeCates, Director, Department of Emergency Services, stated that the purpose of the update is to ensure all Talbot County departments are able to continue to perform essential functions in the

event of a natural or manmade disaster. Upon motion by Ms. Haythe, seconded by Mr. Leshner, the Council approved the award by voting 4 – 0 as follows:

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

- G. Request from Finance Office to Approve 4th Quarter Budget Transfers for Fiscal Year 2023-2024 – Martha Sparks, Finance Director, stated that § 615 of the Talbot County Charter provides for transfers between agencies of the County government and within the same fund only during the last quarter of the fiscal year, upon the recommendation of the County Manager and the approval of the County Council. She stated that the budget transfer for which she is requesting approval focuses on a transfer of remaining contingency funds toward a contribution to the County’s investment with the Maryland Association of Counties (MACo’s) Other Post Employment Benefits (OPEB) Fund. She stated that the County provides post-retirement healthcare benefits under the County’s retiree plan and investment in the MACo OPEB Fund mitigates the liability associated with providing future benefits to our retirees; and for a transfer to move additional operating appropriations between categories; total transfers between categories is \$628,428. Council discussion ensued with Ms. Sparks. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the budget transfers as outlined by voting 4 – 0 as follows:

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

- H. Request from County Manager to Enter into an Easement Agreement with Timothy and Cynthia Nolan for the Bozman/Neavitt Sewer Extension Project – Requested Council approval to enter into an easement agreement with Timothy and Cythia Nolan, owners of property in the Mt. Pleasant area of St. Michaels. Mr. Stamp stated that if approved, it would allow the contractor for Resolution No. 250 construction project to directionally drill on their property approximately 40 feet down, go under Broad Creek and come back onto the ground on Scotts Lane (St. Michaels); he outlined basic provisions included in the easement agreement. Council commended staff for reaching an agreement for this important step in the project. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved the Easement Agreement by voting 4 – 0 as follows:

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

VIII. Public Hearings:

Resolution No. 358, A RESOLUTION TO FORMALLY CLOSE SEGARS CORNER ROAD AS A COUNTY ROAD AND AUTHORIZE THE CONVEYANCE THEREOF TO THE UNDERLYING

FEE SIMPLE OWNERS, was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, County Attorney, Patrick Thomas, stated that the Segars Corner Road is a very short road which is an alternate connector between Lewistown Road and Coveys Landing Road. He stated that the roadway is in very bad condition and would require significant expense to upgrade and maintain to County road standards; the resolution proposes to abandon the road and convey the underlying land to the property owners on each side. Members of the public were then afforded an opportunity to comment on the legislation. The Council approved Resolution No. 358 by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye (via absentee ballot)
Mr. Leshner – Aye
Ms. Mielke – Aye
Ms. Haythe - Aye

Resolution No 359, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2024 GENERAL ELECTION TO AMEND § 614 OF THE CHARTER OF TALBOT COUNTY TO ALLOW, BUT NOT REQUIRE, THE COUNTY COUNCIL OF TALBOT COUNTY TO ADD UP TO ONE CENT (1¢) PER ONE HUNDRED DOLLARS OF ASSESSED VALUE ABOVE THE REVENUE CAP FOR AN ADDITIONAL FIVE (5) YEARS BEGINNING JULY 1, 2026, was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, County Attorney, Patrick Thomas, stated that the purpose of the proposed Charter amendment outlined in Resolution No. 359 would extend the provisions of the Charter amendment outlined in Resolution No. 288 approved by the voters of Talbot County at the 2020 General Election for another five (5) years, beginning July 1, 2026; revenues raised would be used for Public Safety. Mr. Thomas stated that Resolution No. 288 permitted, but did not require, the Council to add up to one cent (\$.01) per \$100 of assessed value above the revenue cap for a period of five (5) years, beginning July 1, 2021. Mr. Leshner stated that he wished to introduce an amendment to Resolution No. 359, originally offered by Mr. Stepp, which would extend the provisions for seven (7) years instead of five (5) so that the provisions would expire in a presidential election year when the ballot is less crowded, instead of a Councilmanic election year, when the ballot is crowded. The amendment, known as Amendment No. 1, was introduced by Mr. Callahan, Ms. Haythe, Mr. Leshner, and Ms. Mielke. Members of the public were then afforded an opportunity to comment on Resolution No. 359 and Amendment No. 1. Martha Sparks, Finance Director, stated that the additional one cent (\$.01) has augmented funding to provide 26 positions to date, including paramedics, School Resource Officers (SROs) EMTs, 9-1-1 Operators, and supplemental retirement programs - Law Enforcement Officers Pension System (LEOPS) and Correctional Officers Retirement System (CORS), vehicles and increased funding for the county's volunteer fire departments. The Council approved Amendment No. 1 by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye (via absentee ballot)
Mr. Leshner – Aye
Ms. Mielke – Aye
Ms. Haythe - Aye

Resolution No. 359, as amended, was then brought forward for vote. The Council approved Resolution No. 359, as amended, by voting 5 – 0 as follows:

Mr. Callahan – Aye
Mr. Stepp – Aye (via absentee ballot)
Mr. Leshner – Aye
Ms. Mielke – Aye
Ms. Haythe – Aye

Resolution No. 359, as amended, will be submitted to the voters of Talbot County at the 2024 General Election.

IX. Public Comments: There were no public comments.

X. Council Comments:

Mr. Leshner - Mr. Leshner stated that earlier in the evening the Council had heard from the Talbot Agriculture and Education Center which sponsors 4-H and, in his opinion, contributes to really important enrichment and character building. He stated that the County's Parks and Recreation Department is also running its summer camp programs at the Talbot County Community Center and that he had recently come back from a week of scout camp with the Boy Scouts, another character-building organization. He stated that there are so many organizations in our community that are doing youth enrichment, character building and various youth programming and, in his opinion, this is the season when programming becomes so important as schools are out. He expressed his appreciation to the professionals and the volunteers in the various organizations engaged in providing programming for doing this work in the community.

Ms. Mielke Ms. Mielke stated that Easton Airport is sponsoring a summer learning activity program for children ages 12 to 16 where they learn about airfield design, model rocket construction, make a paper airplane and launch a model rocket. She encouraged those interested to get additional information on eastonairport.com or on the County's website talbotcountymd.gov. Ms. Mielke concluded her comments by stating that, in her opinion, it is a great opportunity for students to learn about aviation and to possibly pursue aviation as a career.

Ms. Haythe - Ms. Haythe concurred with the comments of Mr. Leshner and Ms. Mielke, stating that this is the time for our young people that are out of school to take advantage of summer enrichment opportunities and encouraged parents and families to do so. She stated that she hoped everyone has a happy, safe 4th of July holiday as they celebrate with family, friends and loved ones.

Mr. Callahan - Mr. Callahan stated that he hoped everyone has a fun 4th of July and reminded everyone that because of dry conditions in the area, the County put a ban on open burning and personal fireworks. He stated that the Council wants everyone to have fun but to use common sense and wait for rain before again using fire pits, etc. Mr. Callahan concluded his comments by expressing his appreciation to Konner Metz, reporter for *The Star Democrat*, for covering the Council's meetings.

Upon motion by Ms. Haythe, seconded by Ms. Mielke, the Council voted to adjourn and to reconvene on Tuesday, July 9, 2024, at 2:30 p.m. for a work session on the proposed Frederick Douglass Bike Trail in Talbot County, to convene in Open Session at 3:30 p.m. and immediately adjourn into Closed Session as listed on the statement for closing that meeting, and for the regularly scheduled meeting at 5:00 p.m. by voting 4 – 0 as follows:

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

The meeting adjourned at 5:53 p.m.

The transcript of the June 25, 2024, County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XII. Summary of Closed Session Held on June 25, 2024:

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

Time of closed session: 3:35 p.m. to 4:45 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, Leshner, Mielke
 Members opposed: None
 Abstaining: None
 Absent: Haythe (arrived at 4:40 p.m.), Stepp

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 personnel matter in Parks and Recreation	GP § 3-305(b)(1)(i)	Discussion involves specific individual	Chuck Callahan, Pete Leshner, Lynn Mielke, Clay Stamp, Donna Pardieu	No action
To discuss appointments to various County boards and committees	GP § 3-305(b)(1)(i)	Public discussion would discourage individuals from volunteering to serve	Chuck Callahan, Pete Leshner, Lynn Mielke, Clay Stamp, Jessica Morris, Patrick Thomas	No action

For update on legal matter involving Public Service Commission Case No. 9723	GP § 3-305(b)(7)	Attorney-client privilege regarding legal advice	Chuck Callahan, Pete Leshner, Lynn Mielke, Keasha Haythe, Clay Stamp, Patrick Thomas, Jessica Morris	No action
To discuss proposal for possible acquisition of property for a public purpose in St. Michaels	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of real property for a public purpose	Chuck Callahan, Pete Leshner, Lynn Mielke, Keasha Haythe, Clay Stamp, Patrick Thomas, Jessica Morris	No action
To discuss proposal for County owned property in Easton	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of real property for a public purpose	Chuck Callahan, Pete Leshner, Lynn Mielke, Keasha Haythe, Clay Stamp, Patrick Thomas, Jessica Morris	No action



**TALBOT
COUNTY,
MARYLAND
WEEKLY CASH
STATEMENT
06/18/2024**

OPERATING FUNDS - SHORE UNITED BANK

OPERATING FUNDS AT	6/11/2024	\$14,301,856.00
Bank Charges 5/2024		(8,682.02)
Interest on Accounts 5/2024		73,945.62
Deposits		968,381.85
Checks		(178,876.28)
ACH Disbursements		(1,603,093.80)
Wire Transfers		(580,063.49)

EFT's	(253,626.92)
Voided Checks #1686, #7189	2,370.89
Voided EFT's #3996, #4105	888.60

OPERATING FUNDS AT **6/18/2024** **\$12,723,100.45**

PETTY CASH FUNDS \$18,105.00

INVESTMENT FUNDS

	<u>Yield</u>	
Maryland Local Government Investment Pool (MLGIP)	5.35%	\$22,140,850.05
Bayvanguard Bank	4.68%	\$10,749,781.49
Shore United Money Market Account	5.33%	\$77,985,882.03

INVESTMENT FUNDS TOTAL **\$110,894,618.57**

TOTAL ALL CASH AND INVESTMENTS **\$123,617,719.02**



**TALBOT COUNTY,
MARYLAND
WEEKLY CASH STATEMENT
06/25/2024**

OPERATING FUNDS - SHORE UNITED BANK

OPERATING FUNDS AT	6/18/2024	\$12,723,100.45
Total ADP Payroll PPE 6/7/2024		(882,677.21)
Total ADP Election Board Payroll		(100,760.29)
Community Center Deposit Correction B473409 & 473410		(355.00)

Community Center Deposit Correction B473434		(115.00)
Community Center Deposit Correction B473435		400.00
Deposits		457,256.39
Checks		(277,520.40)
ACH Disbursements		(484,021.58)
		-
OPERATING FUNDS AT	6/25/2024	<u>\$11,435,307.36</u>
PETTY CASH FUNDS		\$18,105.00
<u>INVESTMENT FUNDS</u>		
	<u>Yield</u>	
Maryland Local Government Investment Pool (MLGIP)	5.36%	\$22,140,850.05
Bayvanguard Bank	4.68%	\$10,749,781.49
Shore United Money Market Account	5.33%	\$77,985,882.03
INVESTMENT FUNDS TOTAL		<u>\$110,894,618.57</u>
<u>TOTAL ALL CASH AND INVESTMENTS</u>		<u><u>\$122,329,925.93</u></u>