



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

March 14, 2023

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, March 14, 2023 was brought forward for approval. Mr. Leshner made a motion to add a new Item VIII before the County Manager’s Report: *Request for Letter in Support of SB302 – Talbot County – Board of Education – Election of Officers*; the motion was seconded by Mr. Stepp. The Council approved the March 14, 2023 Agenda, 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, February 28, 2023.

- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, March 7, 2023 and Tuesday, March 14, 2023.

- IV. Proclamation: Endometriosis Awareness Month – March 2023 - The proclamation for Endometriosis Awareness Month was brought forward. Shannon Hannawald, Founder, Endo Warriors of the Eastern Shore, shared her personal story of struggle with endometriosis over the past 20 years and how it has affected her life. Endometriosis is a disease affecting women of reproductive age, whereby the endometrium, a type of tissue that normally grows in the uterus, also grows outside the uterus causing debilitating chronic pain and fatigue. Council expressed their appreciation to Ms. Hannawald for her courage to bring the matter to the public’s attention. The Clerk then read the proclamation into the record which spoke of the prevalence of the disease among women of childbearing age, treatments and long-term effects. Upon motion by Mr. Leshner, seconded by Mr. Stepp, the Council approved the proclamation by voting 5 – 0 as follows:

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

Mr. Leshner presented the Proclamation to Ms. Hannawald who accepted on behalf of the Endo Warriors of the Eastern Shore.

V. Introduction of Numbered Resolutions:

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP CERTAIN REAL PROPERTIES IN AND AROUND THE VILLAGES OF BAR NECK AND FAIRBANK FROM UNPROGRAMMED TO “S-1” IMMEDIATE PRIORITY STATUS FOR SEWER SERVICE FROM THE REGION V (TILGHMAN) WASTEWATER SYSTEM was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Engineer, Ray Clarke, stated the area which is the subject of the resolution has been listed as a priority area for sewer since 1992. He stated that the County is in the process of updating the County’s Comprehensive Water and Sewer Plan which will reclassify the subject area to “immediate priority status” and that his office is working to secure funding for the project through the Maryland Department of the Environment Water Infrastructure Financing Administration for extension of sewer. The resolution was introduced by Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, and Mr. Stepp as Resolution No. 339. A public hearing was scheduled for Tuesday, April 11, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington St., Easton, Maryland 21601.

A RESOLUTION TO FORMALLY ACCEPT THE OFFER FROM TRIPPES CREEK, LLC TO DEDICATE JENNINGS ROAD TO PUBLIC USE AS A PUBLIC COUNTY ROAD, SAID ROAD BEING MORE PARTICULARLY SHOWN AND DESIGNATED AS “JENNINGS ROAD (50’ PUBLIC R/W)” ON A PLAT ENTITLED “LOT LINE ABANDONMENT & FINAL SUBDIVISION PLAT & FCP 2001-08 SCHWANINGER FARM AT COOKE’S HOPE IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 42 GRIDS 16 & 22 PARCELS 7, 21, 215,” DATED APRIL 22, 2002 (REVISED THROUGH SEPTEMBER 5, 2006), AND RECORDED AMONG THE PLAT RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER M.A.S. NO. 82, PAGE 42, AND TO ACCEPT FEE SIMPLE TITLE TO THE SAME, FOR NO CONSIDERATION was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Engineer, Ray Clarke, stated that Jennings Road was constructed approximately 15 years ago and has been maintained by the County during that timeframe. County Attorney, Patrick Thomas, stated that Trippes Creek, LLC has requested that the County formally accept Jennings Road as a County road and that the County Code provides for acceptance of roads by adoption of a resolution. Mr. Clarke stated that when the road was originally built, it was built to County standards. The resolution was introduced by Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, and Mr. Stepp as Resolution No. 340. A public hearing was scheduled for Tuesday, April 11, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VI. Introduction of Legislation:

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT), SECTIONS 190-15 (CRITICAL AREA OVERLAY), 190-25.2 (TABLE OF LAND USES), 190-31 (MARINE USES), 190-33 (ACCESSORY USES), 190-50 (NONCONFORMING STRUCTURES), 190-58.2 (MINOR VARIANCES), AND 190-78 (TERMS DEFINED), REGARDING EROSION CONTROL MEASURES, PIERS, AND RIPARIAN STRUCTURES was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Patrick Thomas, stated that the legislation originally came before the previous Council in 2022 as a proposed text amendment by Ryan Showalter on behalf of his clients which the Council approved moving forward to the Planning Commission. He stated that the Planning Commission reviewed the proposed text amendment in January 2023 and made a favorable recommendation which is now

before the Council for introduction. Ryan Showalter, attorney representing Weems Brothers, a Talbot County marine contractor, stated that he had worked with Planning and Zoning staff over the past several years to identify gaps and inconsistencies in the County Code and to conform to State law by permitting owners of unimproved waterfront lots in Talbot County to exercise their riparian rights under State law to have a pier. The legislation was introduced by Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, and Mr. Stepp as Bill No. 1528. A public hearing was scheduled for Tuesday, April 11, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland 21601.

VII. Discussion of General Assembly Legislation:

SB302/HB656 – Talbot County – Board of Education – Election of Officers was read into the record by Mr. Leshner who stated that discussion of the legislation had been requested by Senator Mautz. Mr. Leshner stated that the proposed legislation only has to do with the time of the election of officers for the Talbot County Board of Education which currently elects their officers in January as outlined in State law. If approved, the State will allow the Talbot County Board of Education to elect its officers in December. He stated that a similar bill was supported by the Council during the 2022 Legislative Session but did not make it through the Legislature in the final days. The Council approved forwarding a letter in support of the legislation by voting 4 – 1 as follows:

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

VIII. County Manager’s Report:

- A. Talbot County Agricultural Resolution Board – Mr. Stamp requested Council approval of the appointment of Kevin Moran to the Talbot County Agricultural Resolution Board as a representative of the business community; said term will expire on January 1, 2024. Upon motion by Mr. Leshner, second by Mr. Stepp, the Council approved the appointment by voting 5 - 0 as follows:

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

- B. Talbot County Economic Development Commission – Requested Council approval of the Economic Development Commission’s recommendation for the appointment of Al Bond to the Economic Development Commission as an Ex-Officio representative of the arts; Mr. Bond currently serves as the President and CEO of the Avalon Foundation, Inc. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved the appointment by voting 5 - 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner - Aye

Ms. Mielke – Aye

Ms. Haythe – Aye

- C. Request for Letter of Support for the Bellevue Passage Museum’s Grant Application – Requested Council approval to forward a letter in support of the Bellevue Passage Museum’s application for funding from the Maryland Historical Trust for funding to restore the former John Hugh Green store to house the museum; no County funding is required. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the request by voting 5 – 0 as follows:

Mr. Callahan – Aye

Mr. Stepp – Aye

Mr. Leshner - Aye

Ms. Mielke – Aye

Ms. Haythe – Aye

- D. BID NO. 22-08, OPEN-ENDED ARCHITECTURAL/ENGINEERING SERVICES – Requested Council approval of the County Engineer’s recommendation to award the remaining architectural design services for the County’s Public Safety Complex on Marys Court to Davis, Bowen & Friedel, Inc. in the sum of \$246,650.00; funding is available in the FY23 Budget; discussion ensued with Ray Clarke, County Engineer. Mr. Stamp stated that the County acquired the building on Marys Court ( the former Avon Dixon building); the first floor will be used as the Sheriff’s Office and will include a sally port; the second floor will be the future home of the 911 Center and the Emergency Operations Center. Upon motion by Mr. Stepp, seconded by Mr. Leshner, the Council approved the award by voting 5 – 0 as follows:

Mr. Callahan – Aye

Mr. Stepp – Aye

Mr. Leshner - Aye

Ms. Mielke – Aye

Ms. Haythe – Aye

- E. Request from Department of Economic Development and Tourism and Department of Parks & Recreation - Requested Council approval of the recommendation from the Department of Economic Development and Tourism, Department of Parks & Recreation, and the Frederick Douglass Park on the Tuckahoe Committee to award Phase II for the Frederick Douglass Park on the Tuckahoe project to LSG Landscape Architecture in the sum of \$291,881.30. Cassandra Vanhooser, Director, Department Economic Development and Tourism, stated that the Department of Parks & Recreation received a \$300,000 grant from the Maryland Rural Economic Development Fund for pre-development engineering and design for Phase II of the project which must be expended in two (2) years. She stated that LSG completed Phase I of the project and is already familiar with the park; it would take many months for another contractor to acquire the knowledge of the park that LSG and its subcontractors already have. Upon motion by Mr. Stepp, seconded by Mr. Leshner, the Council approved the award as outlined by voting 5 – 0 as follows:

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

Ms. Vanhooser stated that a public meeting on the Chesapeake Country All-American Road Interpretive Plan will be held on Wednesday, March 15, 2023 at the Talbot County Community Center located at 10028 Ocean Gateway, Easton, Maryland. An open house will be held from 3:00 p.m. to 5:00 p.m. with a presentation from 5:30 p.m. to 7:30 p.m.; members of the public are encouraged to attend and to provide input.

- F. Request from Delmarva Community Services, Inc. – Requested Council approval of the Transit Development Plan for Caroline, Kent, and Talbot Counties for FY2022/2023 to 2027 as drafted by KFH Group and as presented at the January 10, 2023 Council meeting. Upon motion by Mr. Leshler, seconded by Ms. Haythe, the Council approved the Plan by voting 5 – 0 as follows:

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

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

X. Council Comments:

Mr. Stepp – Mr. Stepp stated that the Council is now in budget season and he can certainly see the large amount of work which goes into it. He commended staff for the significant amount of time they spent putting together the information on the budget so that the Council can make important decisions on behalf of the County and its residents. He stated that although it was very cold, he and his colleagues and other leaders throughout the county had attended the groundbreaking ceremony for the gymnasium addition at the Talbot County Community Center earlier in the day. He stated that the addition will house two basketball courts or three volleyball courts. Mr. Stepp concluded his comments by stating that, in his opinion, the gymnasium will be an incredible addition to our county and it is great to see the project get underway.

Mr. Leshler - No comments.

Ms. Mielke - Ms. Mielke stated that March is Women’s History Month and the American Association of University Women, which has had a presence on the Eastern Shore since 1958, is sponsoring a book and jewelry sale on Christ Church (Easton); the sale will be held on Friday, March 17<sup>th</sup> from 9:00 a.m. to 5:00 p.m. and 9:00 a.m. to 3:00 p.m. on Saturday, March 18<sup>th</sup>. She stated that monies raised by the sale will be used to fund educational

grants for women aged 25 or older who are pursuing higher education. Ms. Mielke stated that earlier today, the Talbot County Local Drug and Alcohol Abuse Council, to which she is Council liaison, held its first meeting since the beginning of the pandemic. She stated that members of the Local Drug and Alcohol Abuse Council (Drug and Alcohol Abuse Council) include judges, the State's Attorney, Social Services, the County Manager, and others who report on the trends and issues related to substance abuse and mental health issues facing Talbot County. She stated that a subcommittee of the Drug and Alcohol Abuse Council makes recommendations on opioid prevention, treatment, and recovery systems in Talbot County in order to make appropriate recommendations to the County Council. She stated that it is anticipated that the subcommittee will have a report in the next month or so and present its recommendations to the County. Ms. Mielke expressed her hope that the recommendations will strengthen the County's ability to better prevent substance abuse and better serve those impacted.

Ms. Haythe - Ms. Haythe expressed her appreciation to Preston Peper, Director of the Department of Parks and Recreation, his staff, and the Council Office for organizing the groundbreaking ceremony for the new gymnasium addition to the Talbot County Community Center. She stated that the Neighborhood Service Center will be hosting a breakfast on Tuesday, March 21<sup>st</sup> at 7:30 a.m. at the Tidewater Inn and encouraged anyone interested in attending to purchase tickets. Ms. Haythe concluded her comments by wishing everyone a Happy St. Patrick's Day.

Mr. Callahan - Mr. Callahan concurred with Mr. Stepp's remarks regarding the new gymnasium addition at the Talbot County Community Center. He stated that, in his opinion, this has been a big deal in the making for the last 10 to 12 years and that it is a really big deal for Talbot County to have an additional 20,000 square feet and it took a lot of people to make this happen. Mr. Callahan expressed his appreciation to the public for their patience and stated that, in his opinion, Talbot County is going to have one of the best facilities in the surrounding areas on the midshore, with basketball courts, volleyball, baseball, ice hockey, and pickle ball; Mr. Stepp included field hockey for girls. Mr. Callahan concluded his comments by stating that construction on the gymnasium addition will break ground in a couple of weeks and is anticipated to be completed in approximately nine months.

XI. Upon motion by Ms. Haythe, seconded by Mr. Stepp, the Council voted to adjourn and to reconvene on Thursday, March 16, 2023 at 4:30 p.m.; on Tuesday, March 21, 2023 at 4:00 p.m.; and on Thursday, March 23, 2023 at 4:30 p.m. in the Bradley Meeting Room for FY24 budget deliberations, and to reconvene on Tuesday, March 28, 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 6:50 p.m.

The transcript of the March 14, 2023 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 March 14, 2023:

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

Time of closed session: 4:45 p.m. to 5:45 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, 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:

<b>Topic Description</b>	<b>Statutory Authority</b>	<b>Reason for Closed Session Discussion</b>	<b>Persons Present</b>	<b>Action Taken</b>
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 a personnel matter in Information Technology	GP § 3-305(b)(1)(i)	Discussion involves specific individual	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Mr. Callahan and Mr. Leshner will serve on interview panel

Briefing on investment of public funds	GP § 3-305(b)(7)	Attorney-client privilege regarding investment of public funds	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Martha Sparks, Jessica Morris	No action
For legal update on litigation involving Talbot Integrity Project v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Majority of Council concurred with filing
For legal update on litigation involving Bartlett et al v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action

**CASH STATEMENT 03/07/2023**

BALANCE 2/28/2023	93,999,568.05
TOTAL ADP PAYROLL PPE 2/17/2023	(751,398.66)
TOTAL ADP MONTHLY PAYROLL PPE 3/1/2023	(18,494.28)
PENSION DED PPE 2/17/2023	(45,951.49)
PENSION DED PPE 2/28/2023	(938.19)
DEFERRED COMP DED PPE 2/17 & 2/28/2023	(21,403.24)
DEFERRED COMP PPE 2/17/2023 PLAN 401(A)	(8,551.09)
CIGNA CLAIMS PAID THRU 2/27/2023	(119,528.39)
WELLS FARGO GOLF EQUIP LEASE PYMT 2/2023	(128.00)
DUPLICATE PAYMENT	(248.71)
RETURNED CHECK #9312	(246.25)
DEPOSITS	11,524,873.12
CHECKS	(973,977.21)



ACH DISBURSEMENT(S)	(169,596.27)
WIRE TRANSFERS	(236,568.74)
VOIDED CHECK(S) # 362192	810.00

**BALANCE 03/07/2023** **103,178,220.65**

**INVESTMENTS - CERTIFICATES OF DEPOSIT**

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		4.58%	20,682,477.51
BAYVANGUARD BANK			10,268,610.91
<b>TOTAL INVESTED</b>			<b><u>30,951,088.42</u></b>

**PETTY CASH BALANCE** **18,105.00**

**GRAND TOTAL ALL FUNDS** **134,147,414.07**

**CASH STATEMENT 03/14/2023**

BALANCE 3/07/2023 103,178,220.65

CIGNA CLAIMS PAID THRU 3/6/2023 (58,138.05)

DEPOSITS 1,990,222.16

CHECKS (450,165.04)

ACH DISBURSEMENT(S) (423,445.64)

WIRE TRANSFERS

VOIDED CHECK(S) #

**BALANCE 03/14/2023** **104,236,694.08**

**INVESTMENTS - CERTIFICATES OF DEPOSIT**

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		4.61%	20,682,477.51
BAYVANGUARD BANK			10,272,550.28
<b>TOTAL INVESTED</b>			<b><u>30,955,027.79</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>18,105.00</u></b>
<b><u>GRAND TOTAL ALL FUNDS</u></b>			<b><u><u>135,209,826.87</u></u></b>