



TALBOT COUNTY, MARYLAND

County Council

MINUTES

May 9, 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 – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, May 9, 2023.
- II. Minutes – Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, April 25, 2023.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, May 9, 2023.
- IV. Proclamation: Correctional Officers and Employees Week – May 7 – 13, 2023 –The Clerk read a proclamation into the record which spoke of the professionalism, commitment and dedication exhibited by correctional officers and other employees in the Talbot County Department of Corrections toward ensuring the safety and security of individuals under their care. The proclamation also spoke of the officers and employees’ responsibility for the administration and operation of a variety of programs and services offered to assist those who are incarcerated. Upon motion by Mr. Stepp, seconded by Mr. Leshner, 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

Terry Kokolis, Director, Talbot County Department of Corrections, expressed his appreciation to the Council for recognizing and supporting the employees of the Department of Corrections and commended the men and women of the Department for their role in public safety. Council members expressed their appreciation to the entire staff of the Department of Corrections for all they do.

Mr. Stepp presented the Proclamation to Mr. Kokolis and representatives of the Talbot County Department of Corrections in attendance who accepted on behalf of the entire Department.

- V. Presentation of Certificate of Recognition to Corporal Andrew Minner, Talbot County Department of Corrections Employee of the Year for 2022 – Terry Kokolis, Director, Talbot County Department of Corrections, stated that the individual selected for the Department of Corrections Employee of the Year is chosen by his or her peers. He read a statement into the record which spoke of Cpl. Minner’s tenure with, and contributions to, the Department of Corrections, including taking advantage of opportunities provided to him by the Department and setting an example for his colleagues. He stated that Cpl. Minner and Cpl. Pierre L.A. Tue, Talbot County Department of Corrections Employee of the Year for 2021, will be recognized later this year at the Maryland Correctional Administrators Conference in Ocean City. Cpl. Minner expressed his appreciation to the Council for recognizing him and his fellow employees at the Department of Corrections, and to his family for their support. Council discussion ensued with Cpl. Minner. The Clerk then read a

certificate of recognition into the record which spoke of Cpl. Minner’s hard work, dedication and commitment to his job.

Mr. Stepp presented the Certificate of Recognition to Cpl. Minner.

- VI. Proclamation: National Travel and Tourism Week – May 7 – 13, 2023 – The Clerk read a proclamation into the record which recognized the role of travel and tourism as important economic drivers in Talbot County, employing approximately 2,000 people, and generating over \$64 million in State and local tax revenue which helps to fund education and public safety, and benefitting various industries including, agriculture, aviation, healthcare, and manufacturing. Upon motion by Mr. Leshner, seconded by Ms. Haythe, 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

Cassandra Vanhooser, Director, Talbot County Department of Economic Development and Tourism, introduced Capt. Judy Bixler, Chair of the Talbot County Tourism Board, and stated that Capt. Bixler is also the Chair of the Maryland State Tourism Development Board. Ms. Vanhooser then briefed the Council on the establishment of National Travel and Tourism Week in 1983 as a means to recognize the essential role of travel throughout the country by encouraging economic growth, creating job opportunities, cultivating vibrant communities and improving the quality of life for everyone in their communities. Capt. Bixler, who, along with her husband, Capt. Tom Bixler, have owned and operated the Oxford-Bellevue Ferry for 22 years, expressed her appreciation to the Council for supporting the Tourism Office, and to Ms. Vanhooser and her staff for promoting the Oxford-Bellevue Ferry and Talbot County. Capt. Bixler reminded everyone that tourism gives back to both the County and the State through employment and collection of sales and accommodation taxes. Council discussion ensued with Ms. Vanhooser and Capt. Bixler.

Ms. Haythe presented the Proclamation to Ms. Vanhooser and Capt. Bixler who accepted on behalf of all those in Talbot County who work in the travel and tourism industry.

- VII. Update and Request by Mid-Shore Behavioral Health, Inc. – Kathryn Dilley, LCSW-C, Executive Director, Mid-Shore Behavioral Health, Inc.; Shannon Joyce, MPH, CHES, Behavioral Health Coordinator, PASRR & Aging, Mid-Shore Behavioral Health, Inc. – Ms. Dilley noted that May is Mental Health Awareness Month and May 7 – 13th is Children’s Mental Health Matters Week. She stated that Mid-Shore Behavioral Health, Inc. serves as the core service agency for the five mid-shore counties (Caroline, Dorchester, Kent, Queen Anne’s and Talbot). Ms. Dilley briefed the Council on several projects including: continuing to work with each of the five local health departments in the Mid-Shore Planning Collaborative to develop a more formalized regional plan for community behavioral health services; expansion of resources to support the regional mobile crisis response system to serve the behavioral health needs of the child and adolescent population by working with Talbot County Public Schools and the Department of Social Services to identify at-risk youth and families. Ms. Dilley stated that by the end of FY24, it is anticipated that the program will be in eight of the nine Maryland Eastern Shore counties; supporting development of Channel Marker’s regional suicide prevention coalition and its network for those impacted by suicide; distribution of gun locks at all crisis response encounters where individuals acknowledge having a firearm in the household; providing community education on the extreme risk protective

order process to make sure those who may be at risk of harming themselves or could be unstable, can have their firearms temporarily removed from their home until the individual becomes more stable. Ms. Dilley updated the Council on the status of the A.F. Whitsitt Center in Chestertown which currently serves adults with substance abuse. She stated that the State had recently removed the Center from its divestiture list of properties for which it would be responsible and has now decided to invest in the infrastructure of the facility to meet the community's needs by designating an initial \$4 million toward the renovation project. She stated that provider, New Day New Start, will soon be providing services to those individuals formerly served by Eastern Shore Psychological Services which closed in September 2022. Ms. Joyce stated that Mid-Shore Behavioral Health, Inc. currently provides assisted living behavioral health services for several individuals and recently received funding through the State Hospital Discharge Initiative to provide services to an additional 20 individuals who are ready to be discharged from State hospitals into assisted living facilities. She provided information on the many organizations with which Mid-Shore Behavioral Health participates throughout the community including, among others, the Local Drug and Alcohol Abuse Council (LDAAC); Talbot Goes Purple; University of Maryland Shore Regional Health's Opioid Task Force; the Opioid Fatality Review Committee, and has assisted with planning of the opioid restitution funding for Talbot County; partnered with Talbot County Public Schools' anti-vaping campaign presentations to middle and high school students; and participates in planning and sponsors the Out of the Darkness Suicide Awareness Walk events. Ms. Joyce stated that Ms. Dilley currently serves as Co-Chair of the Talbot Family Network (Local Management Board), a position she has held since July 2020. She stated that 1,689 individuals were provided with mental health services by Mid Shore Behavioral Health and 649 individuals received substance abuse services in FY22. Council discussion ensued with Ms. Dilley and Ms. Joyce as various matters were brought forward.

Ms. Dilley requested Council approval of a Letter of Agreement for FY24 designating Mid-Shore Behavioral Health, Inc. as the core service agency with regard to participating counties' responsibilities for the management of the public health system in the Mid-Shore region; no County funding is required. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved the Letter of Agreement for FY24 by voting 5 – 0 as follows:

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

VIII. Public Hearing:

Resolution No. 342, A RESOLUTION CONCERNING THE PROPOSED ANNEXATION BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") OF CERTAIN REAL PROPERTY LOCATED ON THE NORTH SIDE OF PORT STREET AT EASTON POINT, CONSISTING OF 4.743 ACRES OF LAND AND 0.156 ACRES OF LAND, MORE OR LESS (COLLECTIVELY, THE "PROPERTIES"), FINDING THAT THE PROPERTIES' PROPOSED REZONING FROM TALBOT COUNTY'S LIMITED INDUSTRIAL ("LI") ZONING TO THE TOWN'S MIXED-USE WATERFRONT ("MXW") ZONING UPON THEIR ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE COUNTY'S LI ZONING, AND WAIVING THE FIVE-YEAR HOLD IN ACCORDANCE WITH § 4-416 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, 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 Town of Easton has introduced legislation to annex certain property at Easton Point and wants to rezone the property from the County’s current Limited Industrial (“LI”) zoning to Mixed-Use Waterfront (“MXW”) zoning, resulting in substantially different uses or higher density than the County’s LI zoning. He stated that in order for the Town of Easton to implement the new MXW zoning classification, State law requires that the County grant a waiver of the 5-year hold on its zoning classification. Brennan Tarleton, Planning Officer, stated that the Planning Commission, at its regularly scheduled meeting on Wednesday, May 3, 2023, unanimously recommended the Council approve a waiver of the 5-year hold. Mr. Tarleton stated that representatives from the Town of Easton were in attendance and presented their plans for the property under the MXW zoning, including establishment of a park and open space. Members of the public were afforded an opportunity to comment on the legislation. Upon motion by Mr. Leshner, seconded by Mr. Stepp, the Council approved Resolution No. 342 by voting 5 – 0 as follows:

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

Resolution No. 342 is effective immediately.

IX. Eligible for Vote:

Resolution No. 339, 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 vote. Prior to the vote, Ray Clarke, County Engineer, stated that the Public Works Advisory Board, at its regularly scheduled meeting on Thursday, April 20, 2023, reviewed Resolution No. 339 and by a vote of 5 – 0 recommended that the Council approve Resolution No. 339. Brennan Tarleton, Planning Officer, stated that the Planning Commission, at its regularly scheduled meeting on Wednesday, May 3, 2023, voted 5 – 0 that Resolution No. 339 was consistent with the 2016 County Comprehensive Plan as well as seven relevant standards outlined in MD. Code Ann., Envir., §9-506(A)(1). Council discussion ensued. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved Resolution No. 339 by voting 5 – 0 as follows:

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

Resolution No. 339 is effective immediately.

X. County Manager’s Report:

A. Board and Committee Appointments – Mr. Stamp stated that the County has vacancies on the following boards and committees: Adult Public Guardianship Review Board;

Agricultural Resolution Board; Animal Control Board; Board of Appeals; Board of Electrical Examiners; Commission on the Aging, Historic Preservation Commission; Public Works Advisory Board; and the Talbot County Property Tax Assessment Appeals Board. Individuals who are interested in serving should contact the County Manager’s Office at 410-770-8010 or visit the County website at talbotcountymd.gov.

- B. Letter of Support – Requested Council approval to forward a letter of support to the State of Maryland advising that the County will provide matching funds for completion of the design and architectural engineering services and initiation of construction for the St. Michaels Library expansion and renovation project in the sum of \$314,800 in FY24; the State previously provided an equivalent amount in grant funding. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved forwarding a letter of support as outlined by voting 5 – 0 as follows:

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

- C. Letter of Support – Requested Council approval to forward a letter in support of the Talbot County Free Library’s application for FY25 Maryland Library Capital Grant Program funding in the sum of \$2,803,000. Mr. Stamp stated that the letter also confirms the County’s intention to commit matching funding in the sum of \$2,803,000. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved forwarding a letter of support for the Library’s grant application by voting 5 – 0 as follows:

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

- D. Letter of Certification – Requested Council approval to forward a letter of certification to United States Department of Agriculture Rural Development on behalf of the Talbot County Free Library for its community facilities grant application for the St. Michaels Library expansion and renovation project. Dana Newman, Director, Talbot County Free Library, stated that the purpose of the letter is to have the County certify, to the best of its knowledge, that no other agency in Talbot County provides the same services as the Talbot County Free Library, nor will there be any adverse impacts to the county as a result of the provision of those services. Council members expressed their appreciation to Ms. Newman for pursuing various sources of funding for the project. 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

XI. Public Comments: There were no comments.

XII. Council Comments:

Mr. Stepp - No comments.

Mr. Leshner – Mr. Leshner stated that he would not be in attendance at the May 23rd Council meeting due to a work obligation but would be leaving a sealed ballot for his vote on the FY24 Budget, scheduled for vote on Tuesday, May 23, 2023.

Ms. Mielke - No comments.

Ms. Haythe - Ms. Haythe stated that she also would be absent for the May 23rd meeting but would be leaving a ballot for adoption of the budget.

Mr. Callahan - Mr. Callahan commended Cassandra Vanhooser, Director, Department of Economic Development and Tourism for, in his opinion, the successful economic summit breakfast held at the Tidewater Inn Gold Room on May 3, 2023. He also commended Sarah Kilmon, the newly hired County Communications Manager for, in his opinion, the great job she is doing to keep county citizens informed.

Upon motion by Ms. Haythe, seconded by Mr. Stepp, the Council voted to adjourn and to reconvene on Tuesday, May 16, 2023 at 3.30 p.m. in the Bradley Meeting Room for final budget deliberations and at 5:00 p.m. meeting for a meeting with the Talbot County Board of Education at their offices located at 12 Magnolia Street in Easton by voting 5 - 0 as follows:

Mr. Callahan - Aye

Mr. Stepp - Aye

Mr. Leshner - Aye

Ms. Mielke – Aye

Ms. Haythe - Aye

The meeting adjourned at 7:05 p.m.

The transcript of the May 9, 2023 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIII. Summary of Closed Session Held on May 9, 2023:

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

Time of closed session: 4:50 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 |
|--|----------------------------|--|--|---|
| 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, Pete Leshner, Lynn Mielke, Dave Stepp, Patrick Thomas, Ray Clarke, Jessica Morris | No action |
| To discuss personnel matter involving legal services contract | GP § 3-305(b)(1)(i) | Discussion involves specific individual | Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Patrick Thomas, Jessica Morris | 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, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Patrick Thomas, Jessica Morris | No action |
| To discuss a real estate matter regarding acquisition of a 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, Patrick Thomas, Jessica Morris | Council concurred with extension of closing date for property |

XIV. Work Session with Local Delegation on 2023 Legislative Session – The Council held a work session with Senator Johnny Mautz, Delegate Chris Adams and Delegate Tom Hutchinson on Tuesday, May 9, 2023 at 3:30 p.m. in the Bradley Meeting Room to discuss the following topics: (1) an increase in the per bushel oyster tax – Senator Mautz stated that revenue from the increased tax, which has not been raised in the last 40 years, will be used to replenish the natural oyster bars of the counties (Calvert, Charles, Dorchester, Kent, Queen Anne’s, Somerset, St. Mary’s, Talbot and Wicomico); (2) University of Maryland Shore Regional Health – Regional Medical Center Project in Easton – Delegate Adams stated that healthcare and the delivery of rural healthcare is a priority for the Eastern Shore Delegation and that the Eastern Shore’s four senators and 12

delegates stand with Ken Kozel, President and CEO, University of Maryland Shore Regional Health in support of the Regional Medical Center project. The delegates then briefed the Council on current funding in the State budget for healthcare in the Mid-Shore region, including \$10 million appropriated in SFY24 toward engineering start-up costs for the regional medical center project; an additional \$20 million has been authorized by the State but not yet appropriated for SFY25; the funding is contingent upon approval of the Certificate of Need (CON) from the Maryland Health Care Commission. Other items discussed related to healthcare for Talbot County and the Mid-Shore region included SFY24 funding in the sum of \$1.5 million appropriated for a primary care physician residency program which is anticipated to begin this year; \$2 million appropriated to develop a clinical specialist recruitment program; \$9.5 million appropriated for trauma centers – most of which is anticipated to go to Tidal Health in Salisbury, a Level 3 Trauma Center which is in danger of closing due to financial reasons and is the only trauma center on the Eastern Shore of Maryland; \$2.5 million appropriated to the Aging and Wellness Center of Excellence at the University of Maryland Shore Regional Health hospital in Chestertown; and \$4 million in infrastructure upgrades to the A.F. Whitsitt Center in Chestertown, a residential treatment facility for adults over the age of 18 suffering from substance use disorder and other co-occurring disorders; the facility, until recently, had been on the State’s divestiture list of facilities. The delegation also briefed the Council on the following legislation related specific to Talbot County: *HB10, Correctional Officers’ Retirement System – Talbot County*, which provides for certain Talbot County Detention Center officers to participate in the State Correctional Officers’ Retirement System (CORS); *HB656, Talbot County – Board of Education – Election of Officers*, which alters the timing for the election of officers for the Talbot County Board of Education from the beginning of each calendar year to the last meeting of each calendar year; and *HB700, Talbot County – Speed Monitoring Systems – Intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue*, which authorizes the placement and use of a speed monitoring system at the above-referenced intersection and stipulates, among other things, that fines collected by the Town of Oxford as a result of violations enforced by the speed monitoring system be used for roadway and pedestrian safety improvements at said intersection. Other matters discussed included the overall budget of the State for FY24 and possible future legislation which, if approved, would allow for an increase in Talbot County’s Accommodation Tax Rate; currently the County’s Accommodation Tax Rate is 4%, the lowest in the state. Discussion of *HB556/SB516, Maryland Cannabis Reform Act*, the adult use cannabis and its implementation, was brought forward; facets of the legislation discussed included whether or not localities can enact their own laws with respect to prohibition of use, restriction of use, fines, etc.; distribution of revenue to localities resulting from sales of cannabis; licensing of dispensaries; anticipated public health and safety concerns, and the role of law enforcement once the legislation becomes effective. Senator Mautz, Delegate Adams, and Delegate Hutchinson stated that the implementation of the legislation is still being developed. The work session concluded at 4:40 p.m.

CASH STATEMENT 05/09/2023

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|--|---------------|
| BALANCE 5/02/2023 | 91,485,213.45 |
| CIGNA CLAIMS PAID THRU 5/1/2023 | (88,301.18) |
| CIGNA CLAIMS PAID THRU 5/3/2023 | (148,745.62) |
| WELLS FARGO GOLF EQUIP LEASE PYMT 4/2023 | (128.00) |

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|--|-----------------------------|
| HARLAND DEPOSIT TICKET ORDER/GOLF COURSE | (112.04) |
| DEPOSITS | 1,196,107.93 |
| CHECKS | (527,071.16) |
| ACH DISBURSEMENT(S) | (431,778.59) |
| WIRE TRANSFERS | 0.00 |
| VOIDED CHECK(S) # | 0.00 |
| VOIDED ACH # | 0.00 |
| BALANCE 05/09/2023 | <u>91,485,184.79</u> |

INVESTMENTS - CERTIFICATES OF DEPOSIT

| <u>Certificate Date</u> | <u>Maturity Date</u> | <u>Yield</u> | <u>Amount</u> |
|-------------------------------------|----------------------|--------------|------------------------------|
| PNC-MLGIP INVESTMENTS TOTAL | | 4.85% | 20,829,525.69 |
| BAYVANGUARD BANK | | | 10,276,913.49 |
| TOTAL INVESTED | | | <u>31,106,439.18</u> |
| PETTY CASH BALANCE | | | <u>18,105.00</u> |
| <u>GRAND TOTAL ALL FUNDS</u> | | | <u>122,609,728.97</u> |