



TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 16, 2019

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, Pete Leshner, Laura E. Price, County Manager R. Andrew Hollis, and Assistant County Attorney Mary O'Donnell. County Attorney Anthony Kupersmith was absent.

- I. Agenda – Mr. Pack requested and received Council's unanimous consent for approval of the Agenda of Tuesday, April 16, 2019.
- II. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, April 16, 2019.
- III. Minutes – Upon Motion by Mr. Callahan, seconded by Mr. Leshner, the Council approved the Minutes of the Annual Meeting of Support Counties Regarding Chesapeake College Budget – April 4, 2019 by voting 5 – 0 as follows:
 - Mr. Pack – Aye
 - Mr. Divilio – Aye
 - Mr. Callahan – Aye
 - Ms. Price – Aye
 - Mr. Leshner - Aye
- IV. Presentation by For All Seasons, Inc. – Beth Ann Langrell, Executive Director, For All Seasons, Inc. – Ms. Langrell was unable to be in attendance and the presentation was postponed to a yet undetermined date.
- V. Presentation on 4th annual Chesapeake Children's Book Festival – June 8, 2019 – Timothy Young, Author/Illustrator – Mr. Young gave a brief history of the origination of the Children's Book Festival in Talbot County and briefed the Council on the upcoming Festival to be held on June 8th at the Talbot County Free Library in Easton. He stated that approximately 25 authors of children's books are anticipated to be in attendance to autograph copies of their books. Mr. Young stated that this year's poster for the event, as well as materials, are in honor of Susan Kehoe, last year's fundraiser who passed away at the end of the summer of 2018. Mr. Young concluded his comments by expressing his appreciation to the Council for their support of the Festival and presented the Council with a framed 2018 Festival poster.
- VI. Proclamation: Sexual Assault Awareness Month – April 2019 – Prior to presentation of the proclamation, Stella Lee Coulbourne, Director, Sexual Assault Programs, For All Seasons Rape Crisis Center, briefed the Council on the upcoming "Denim Day" event to be held at the Talbot County Courthouse on Wednesday, April 24, 2019. Ms. Coulbourne gave a brief history of how the event came to be named and which is designed to call attention to the prevalence of the crime of sexual assault. The Clerk read a proclamation into the record which spoke of the prevalence of, and violence associated with, sexual assault, the often long-term serious health issues which can result following such assaults, and the need for communities to provide support services for victims and to work to prevent sexual assault. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the proclamation by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye

Ms. Price presented the proclamation to Ms. Coulbourne and other representatives of For All Seasons in attendance.

VII. Introduction of Legislation:

A BILL TO AMEND BILL NO. 1387, THE 2018-2019 ANNUAL BUDGET AND APPROPRIATION ORDINANCE, TO MAKE ADDITIONAL APPROPRIATIONS FROM UNANTICIPATED REVENUES TO CERTAIN DEPARTMENTS IN THE CURRENT EXPENSE BUDGET, TO AMEND THE CURRENT EXPENSE BUDGET THROUGH FOURTH QUARTER TRANSFERS AND SUPPLEMENTARY APPROPRIATIONS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Angela Lane, Finance Director, stated that the purpose of the proposed legislation is to amend the FY2019 Budget to transfer funds between departments. She stated that transfers between various departments of County government and within the same fund may only be made during the fourth, or last, quarter of the fiscal year as provided in the County Charter. She outlined the various departments to which appropriations would increase or decrease for the remainder of FY2019 and stated that the legislation will not change the total amount of the General Fund Budget, only how the funding is distributed. The proposed changes are outlined in Exhibit “A” of the legislation. The legislation was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1409. A public hearing was scheduled for Tuesday, May 7, 2019 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

AN ACT TO ESTABLISH THE 2019-2020 ANNUAL BUDGET AND APPROPRIATION ORDINANCE was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Finance Director, Angela Lane utilized a PowerPoint presentation to outline the proposed budget for FY2020 which totals \$92,913,000. Ms. Lane stated that the FY2020 Budget is funded in part with \$4 million of prior year Fund Balance; Council received requests totaling \$98,962,440, or \$6.9 million more than the current fiscal year budget. She stated that the proposed budget includes funding for the General Fund, Capital Projects Fund, Development Impact Fund, Grants and Special Revenues Fund, the Recreation Fund (Talbot County Community Center and Hog Neck Golf Course), the Sanitary Districts, Easton Airport, and Talbot Family Network. Ms. Lane emphasized that the budget, as proposed, maintains current services for County citizens while continuing to maintain two of the lowest tax rates in the state (Property Tax and Income Tax). She stated that in order to fund the FY2020 Budget, the Council is proposing to increase the Real Property Tax rate above what is allowed under the voter-imposed Property Tax Revenue Cap, as authorized by State law, for the funding of educational expenses only; if approved, the amount of the override totals \$.018, or \$1,345,000, the Real Property Tax rate is proposed to increase from \$0.6142 to \$0.6322. Ms. Lane highlighted various items in the proposed budget, provided statistical information and charts outlining County General Fund Revenue sources and dollar amounts for FY2019, anticipated for FY2020, and the General Fund Expenditures for same, including the percentage of increase or decrease from FY2019. She also outlined various funding for Talbot County Public Schools as well as the debt service for the new Easton Elementary School. Council discussion ensued with Ms. Lane as specific items in the proposed FY2020 Budget were brought forward. She reiterated that the County is utilizing \$4 million in Fund Balance to balance the FY2020 Budget and stated that the \$12.2 million Rainy Day Fund remains intact and available for catastrophes, emergencies and natural disasters. Ms. Lane also outlined proposed projects to be financed by \$14.25 million allocated to the Capital Projects Fund in the proposed budget for FY2020. Ms. Lane also provided a list of items not included in the proposed budget, including, among others,

additional staff, funding for a new facility for the Sheriff's Office, and an additional EMS station in the northern part of the county. The legislation was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner and Mr. Pack as Bill No. 1410. Public hearings were scheduled for Tuesday, May 7, 2019 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601 and at 7:00 p.m. in the Easton High School Cafeteria, 723 Mecklenburg Avenue, Easton, Maryland. The FY2019 County Budget, as introduced, is available on the County website at www.talbotcountymd.gov.

VIII. Public Hearing:

Resolution No. 271, A RESOLUTION TO ADOPT RULES OF PROCEDURE GOVERNING PROCEEDINGS OF THE TALBOT COUNTY SHORT-TERM RENTAL REVIEW BOARD was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Mary Kay Verdery, Planning Officer, stated that the purpose of the resolution is to set forth the basic rules by which meetings of the Short Term Rental Review Board will be conducted, officers elected, how the Board will make its decisions, issue licenses, handle complaints, and appeals proceedings. The public was afforded an opportunity to comment on the proposed resolution and Council discussion ensued. Written comments will be accepted on Resolution No. 271 through Friday, April 19, 2019. Resolution No. 271 is eligible for vote on Tuesday, April 23, 2019.

IX. Council Consideration of Approval of Matching Funds Agreement with Easton Utilities Commission for Talbot County Broadband Project – Cassandra Vanhooser, Director of the Department of Economic Development and Tourism, and member of the broadband project team to bring high-speed broadband to all of Talbot County, provided a brief history of the project, which began in 2015 with the formation of an interdisciplinary task force to determine how best to move forward with the project. She stated that in 2017, the County hired consultant, CTC Technology and Energy, a highly qualified company specializing in advising local governments on broadband issues, and released a Request for Information seeking a private sector partner to assist the County with providing broadband to the homes, businesses and farms in Talbot County. She stated that three submittals were received and Easton Utilities was selected. She stated that in 2018 Congress approved the Consolidated Appropriations Act, which provides \$600 million in grants and loans to bring broadband connectivity to rural areas of the nation under the ReConnect Program. Ms. Vanhooser stated that jurisdictions can apply for up to \$25 million of the highly competitive grant and briefly outlined various conditions which must be met in order to be considered for the grant. She stated that if Council approves the Matching Funds Agreement Talbot County and Easton Utilities will be submitting an application for funding in the sum \$18.75 million, or 75% of the cost of the proposed project; the remaining 25%, or \$6.25 million will be provided by Talbot County (\$3 million) and Easton Utilities (\$3.25 million). Ms. Vanhooser outlined various facets of the proposed agreement. The Clerk read the title of the Agreement into the record and the Council approved entering into the Matching Funds Agreement with Easton Utilities Commission by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye

Council expressed its appreciation to all the broadband project partners.

X. Council Consideration of Traffic Advisory Committee Recommendations of Citizen Request for Speed Limit Reduction on Oakwood Park Road; Citizen Request for Speed Limit Reduction on Beaver Dam Road; Citizen Request of Fishing Restrictions on Kingston Road Bridge over Kings Creek; and Citizen Request for Installation of Speed Camera on Riverview Terrace – Mike Mertaugh, Assistant County Engineer, briefed the Council on the following requests:

- (1) Oakwood Park Road – Speed Limit Reduction – Citizen request to reduce the currently posted speed limit from 30 mph to 25 mph – Mr. Mertaugh stated that Oakwood Park Road is a narrow road with high density development of approximately 30 homes; it is not a through road. The Traffic Advisory Committee recommends a reduction in the speed limit. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the recommendation by voting 3 – 2 as follows:

Mr. Pack – Nay
Mr. Divilio – Nay
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye

- (2) Beaver Dam Road – Speed Limit Reduction – Citizen request to reduce the speed limit for a 2.4 +/- portion of Beaver Dam Road between Barber Road and U.S. Rt. 50 from 50 mph to 40 mph – Mr. Mertaugh stated that the road currently does not have a posted speed limit as 50 mph is the default speed limit for roads of this type in Maryland. Mr. Mertaugh stated that the subject road does include a 90° curve and carries a low to moderate volume of traffic to and from U.S. Rt. 50. As such, the Traffic Advisory Committee is recommending a reduction in the speed limit from 50 mph to 40 mph on Beaver Dam Road between Barber Road and the 90° curve. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the recommendation by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye

- (3) Kingston Road Bridge over Miles Creek – Fishing Restrictions – Citizen request to post “No Fishing” signs on Kingston Road Bridge – Mr. Mertaugh stated that the default speed limit on the road is 50 mph and the predominant use of the road is for through traffic from the High Banks neighborhood at one end to Dover Road on the other end and although individuals do fish from the bridge, they do so infrequently. He stated that upon further review of the road configuration, the Traffic Advisory Committee recommends lowering the speed limit to 40 mph on that portion of the roadway and providing signage enhancements of the speed limits at the bridge which would also benefit the safety of anyone fishing from the bridge. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the recommendation by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye

- (4) Riverview Terrace – Speed Camera Concept Evaluation – Citizen request to install speed cameras on Riverview Terrace corridor – Mr. Mertaugh stated that the subject roadway which lies between the

communities of Rio Vista and Bentley Hay in St. Michaels is not only used by residents but by those avoiding the use of MD Route 33 (St. Michaels Road) into St. Michaels, those traveling to the St. Michaels Elementary, Middle and High School campus, as well as walkers and cyclists and service vehicles. He stated that over the years, citizens have requested other speed control measures which are incompatible with the current width, drainage conditions, lighting, and pavement structure of the roadway. Mr. Mertaugh stated that, in the Traffic Advisory Committee's opinion, further evaluation needs to be completed for the proposal, the regulations of which are outlined in COMAR (Code of Maryland Regulations) and which would require legislation by Council. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved further evaluation of the proposal, after which a work session with Council will be scheduled, by voting 3 – 2 as follows:

Mr. Pack – Nay
Mr. Divilio – Aye
Mr. Callahan – Nay
Ms. Price – Aye
Mr. Leshner – Aye

Ms. Price left the meeting at 8:32 p.m.

XI. County Manager's Report:

- A. Bid No. 17-08, REQUEST FOR LETTERS OF INTEREST – ARCHITECTURAL/ENGINEERING SERVICES FOR TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS - Requested Council approval to award engineering services for the preparation of a Preliminary Engineering and Environmental Report (PER) for the Region II (St. Michaels) Wastewater Treatment Plant to Davis Bowen and Friedel, Inc. in a sum not to exceed \$12,000; the purpose of the PER is to determine the best solution for replacing the belt filter press to manage the sludge at the plant. Upon motion Mr. Leshner, seconded by Mr. Divilio, the Council approved the award by voting 4 - 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner – Aye

- B. Maryland Department of Housing and Community Development (DHCD) Housing Bonds Allocation – Requested Council approval to transfer Talbot County's 2019 housing bond allocation in the sum of \$1,320,918 to the Maryland Department of Housing and Community Development; said bonds will be used by the State for its various mortgage programs. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved transfer of the bond allocation by voting 4– 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner – Aye

- C. Request from by Department of Emergency Services – Requested Council approval to renew the contract with CrowderGulf for emergency debris management and removal services in the event of a natural disaster and the County is unable to handle removal in-house. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved renewal of the contract by voting 4 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner - Aye

- D. Talbot County Property Tax Assessment Appeals Board – Requested Council approval to forward the names of Dan Billingsley and David Fike to the Governor for consideration of appointment to the Talbot County Property Tax Assessment Appeals Board as regular members. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved forwarding the names to the Governor by voting 4 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner – Aye

- E. County Offices Closed – Mr. Hollis stated that County offices will be closed on Friday, April 19, 2019 for Good Friday.

XII. Council Comments:

Mr. Divilio - No comments.

Mr. Leshner - No comments.

Mr. Callahan - Mr. Callahan stated that he agreed with Mr. Leshner's comments regarding broadband, and in his opinion, it should be on the front page of *The Star Democrat* – it's going to change this county and he is proud of being up here and able to be one of the individuals that got it done, and that all five of us will be proud of it.

Mr. Pack- Mr. Pack wished everyone a happy and joyous Easter season.

- XIII. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council voted to adjourn and to reconvene on Tuesday, April 23, 2019 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 for the regularly scheduled meeting at 6:00 p.m. by voting 4 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner - Aye

The meeting adjourned at 8:39 p.m.

The transcript of the April 16, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIV. On Tuesday, April 16, 2019, a Closed Session of the Talbot County Council convened at 4:30 p.m. in the County Council Conference Room. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council met in Closed Session by voting 5 – 0 as follows:

- Mr. Callahan – Aye
- Mr. Divilio – Aye
- Mr. Leshner – Aye
- Mr. Pack – Aye
- Ms. Price – Aye

The following individuals were present in addition to the County Council: Andrew Hollis, Jessica Morris, Mary O’Donnell, Preston Peper, Angela Lane, and Cheril Thomas. In accordance with General Provisions Article § 3-305(b)(1)(i), (3), (4), and (14) the purpose of the Closed Session was for Real Estate matters to discuss possible acquisition of property in Bellevue (negotiations to continue) and to discuss possible acquisition of property in Trappe (offer refused); for Personnel matters to discuss a personnel matter regarding County employee benefits (explore opt-out option for certain retirees’ health benefits; new management for Section 125 cafeteria plan) and to discuss appointments to various County boards and committees (submit names to Governor for consideration); and for Business Retention and Pre-Bid Negotiations to discuss a request from APG Real Properties, LLC for the transfer of revisionary interest in The Star Democrat facility located at 29088 Airpark Drive in Easton (clarification of offer terms). The Closed Session ended at 6:00 p.m.

CASH STATEMENT 4/16/2019

BALANCE 4/9/2019	\$ 10,964,110.01
SHERIFF SUMMONS ACCOUNT TRANSFER	(145.00)
USDA/RD MONTHLY BOND PAYMENT #97-08	(1,304.00)
DEPOSITS	1,015,516.39
CHECKS	(404,274.22)
VOIDED CHECK(S) #297368, 299025, 299161	(49.50)
BALANCE 4/16/2019	<u>11,573,952.68</u>

AIRPORT ACCOUNTS

AIP42	0.00
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AIRPORT ACCOUNTS TOTAL BALANCE	<u>0.00</u>
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INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>YIELD</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.43%	23,000,000.00
1880 BANK			10,073,915.14
TOTAL INVESTED			<u>\$33,073,915.14</u>

PETTY CASH BALANCE	<u>\$15,570.00</u>
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GRAND TOTAL ALL FUNDS	<u>\$ 44,663,437.82</u>
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