



TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 28, 2020

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, Pete Leshner, Laura Price, County Manager R. Andrew Hollis, and County Attorney, Anthony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, April 28, 2020.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, April 14, 2020.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, April 21, 2020 and Tuesday, April 28, 2020.
- IV. Update on COVID-19 and Coronavirus Aid Relief and Economic Security (CARES) Act – Clay Stamp, Director, Talbot County Emergency Services/Assistant County Manager; Fredia Wadley, M.D., Talbot County Health Officer – Mr. Stamp expressed appreciation to the Council for their support on behalf of himself and Dr. Wadley. He stated that, in his opinion, while life and safety are more important than anything else, there is an economic component to the Coronavirus pandemic which needs to be addressed. He outlined funding to be awarded to Talbot County from the federal government through the State of Maryland. He stated that Dr. Wadley had received a letter of confirmation for \$3.2 million awarded to the Health Department for health-related costs due to COVID-19; an additional \$3.2 million is anticipated, but not guaranteed, to be awarded to Talbot County for non-health related costs. Dr. Wadley utilized a PowerPoint presentation to outline the guidelines for use of the funding, the timeframe for submittal of costs, proposed categories or “buckets” for the various health-related and non-health related costs and funding proposed to be allotted to each; and challenges associated with use of the funding. Dr. Wadley stated that funding for schools, hospitals and nursing homes is separate from the \$6.4 million. Mr. Stamp suggested the establishment of a team to manage expenditure of the funding. Council discussion ensued with Dr. Wadley and Mr. Stamp as various facets related to the CARES Act funding for Talbot County were brought forward. Mr. Pack requested that the plan submitted to the State include a mental health component. Costs incurred from March 1, 2020 through December 31, 2020 are eligible for reimbursement. Talbot County’s plan outlining the specific categories for use of the funding is due at the State by Friday, May 1, 2020. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved submittal of a plan to the State by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Ms. Price – Aye
Mr. Leshner – Aye
- V. Amendment to Local Emergency Declaration Regarding COVID-19 Issued March 16, 2020 and Amended March 31, 2020 – The Clerk read the Second Amended Emergency Declaration into the record. At Council’s request, County Attorney, Anthony Kupersmith, stated that the current First Amended Local Emergency Declaration expires on April 30, 2020; the proposed Second Amended Emergency Declaration

extends the Emergency Declaration until May 31, 2020; extends the expiration date of any licenses, permits, registrations, and professional licenses issued by Talbot County which would expire April 30, 2020 to June 30, 2020; and states that no new Short Term Rental (STR) or bed and breakfast reservations for the period from March 31, 2020 to May 31, 2020 shall be made until the expiration of the Second Amended Declaration or further amendment by the Council. He stated that reservations may be made for later into the summer or for the fall. Mr. Divilio offered an amendment to the dates outlined by Mr. Kupersmith, from 30 days to 15 days, which, in his opinion, are in line with the Governor’s statements at his recent press conference: making May 15, 2020 as the expiration date of the Second Amended Emergency Declaration; June 15, 2020 as the date for expiration of (licenses, permits, etc.) and May 15, 2020 as the deadline by which no STR and bed and breakfast reservations may be made, and offered a motion to that effect. Council discussion ensued. There was no second to the motion and the motion failed. Mr. Callahan offered an amendment relating to STR and bed and breakfast reservations which would require a 15-night minimum stay, including a two week period of quarantine. Mr. Kupersmith read Mr. Callahan’s proposed amendment into the record and Council discussion ensued. There was no second and the motion failed. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the Second Amended Emergency Declaration, as originally drafted, by voting 5 – 0 as follows:

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

The Second Amended Emergency Declaration becomes effective May 1, 2020.

- VI. Discussion of Proposed Assistance to Taxpayers During COVID-19 – Angela Lane, Talbot County Finance Director – Ms. Lane presented a list of recommendations for Council’s consideration, which, if approved, would provide financial assistance to Talbot County taxpayers impacted by COVID-19. Ms. Lane outlined proposed assistance with regard to Sewer Payments, Real Property Tax bills for FY2021, Public Accommodations Taxes, and Mobile Manufactured Homes. Micah Risher, Manager, Easton Airport, briefed the Council on recommendations approved by the Talbot County Airport Board related to negotiation of terms for deferral of rent for Airport tenants who request same. Council discussion ensued with Ms. Lane and Mr. Risher. At Council’s request, Ms. Price will discuss with MACo the possibility of waiver of interest and penalties by the State on Real Property Tax Bills. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the following recommendations with regard to Easton Airport: *the Airport Manager will negotiate deferral terms with any Airport Tenant requesting it; the Office of Law will help the Airport memorialize the agreement in an appropriate legal document, similar to a lease amendment, entitled **COVID-19 Emergency Rent Deferral Agreement** or similar; the deferral term shall be for an initial period of 90 days at which time it can be re-evaluated and extended if needed; no interest or penalties will be assessed; the document shall state there will be a re-payment plan developed at the conclusion of the deferral period; the re-payment plan will be negotiated on an individualized basis for a term not to exceed 12 months; Talbot Business Center tenants are included in this relief plan; and there will be no deferral on fuel bills,* by voting 5 – 0 as follows:

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

VII. Introduction of Numbered Resolution:

A RESOLUTION TO APPROVE EXECUTION OF AN OPTION TO LEASE AS WELL AS THE TERMS OF A LONG-TERM LEASE OF CERTAIN UNIMPROVED LAND LOCATED ADJACENT TO THE EXISTING CELLULAR TOWER ON CORKRAN ROAD AT THE EASTON AIRPORT TO NEW CINGULAR WIRELESS PCS, LLC; THE LAND TO BE LEASED CONSISTING OF FOUR HUNDRED FOURTEEN (414) SQUARE FEET; THE TERM OF THE OPTION BEING ONE-YEAR IN EXCHANGE FOR THE NON-REFUNDABLE SUM OF ONE THOUSAND DOLLARS (\$1,000.00); AND, THE TERM OF THE LEASE BEING FIVE (5) YEARS WITH RENT OF ONE THOUSAND DOLLARS (\$1,000.00) PER MONTH, SUBJECT TO A THREE PERCENT (3%) ANNUAL ESCALATOR, AND THE RIGHT TO RENEW SAID LEASE FOR FIVE (5) SUCCESSIVE RENEWAL TERMS OF FIVE (5) YEARS EACH was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Micah Risher, Manager, Easton Airport, stated that the Airport has been in negotiations with New Cingular Wireless PCS, LLC, a subsidiary of AT&T, for approximately one year regarding the proposed project. The resolution was introduced by Mr. Callahan, Mr. Divilio, and Mr. Pack as Resolution No. 284. A public hearing was scheduled for Tuesday, May 26, 2020 at 6:30 p.m. in the Wye Oak Room, Talbot County Community Center, 10028 Ocean Gateway, Easton, Maryland 21601.

***Note:** In the event that the County's State of Emergency in response to COVID-19 is still in place by May 26, 2020 and public gatherings are prohibited, the public is encouraged to submit written comments on Resolution No. 283 to PublicComment@talbotcountymd.gov by Noon on Friday, May 22, 2020. Comments submitted will be made a part of the public record. Please check the County's website at www.talbotcountymd.gov for the most up-to-date information about County operations in response to COVID-19.*

Due to the current COVID-19 pandemic, there will be no public access to the Wye Oak Room.

LIVESTREAM VIDEO IS ACCESSIBLE VIA YOUTUBE AT:

<https://www.youtube.com/midshorecommunitytelevision>

VIII. Continuation of Discussion of Proposed Assistance to Taxpayers During COVID-19 – Angela Lane, Talbot County Finance Director – Upon motion by Ms. Price, seconded by Mr. Divilio, Council approved the following recommendations with regard to Mobile Manufactured Homes (\$50 per unit per Quarter): *Upon request of property owner, defer payments due for Quarter ending June 30, 2020 and September 30, 2020 until December 31, 2020; and waive all interest and penalties for April – December 2020, by voting 5 – 0 as follows:*

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

Upon motion by Mr. Leshner, seconded by Ms. Price, Council approved the following recommendation with regard to Real Property Tax Bills for FY2021: *Allow Partial payments – This will not change any due dates for tax bills or those properties that will be included in the May 2021 Tax sale as that in outlined in State Code, by voting 5 – 0 as follows:*

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

Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the following recommendations with regard to Sewer Payments: *Allow partial payments for any amount; waive all interest and penalties for April – December 2020; and only include in May 2021 Tax Sale properties with an unpaid balance as of December 31, 2019*, by voting 5 – 0 as follows:

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

- IX. Presentation on County’s Priority Listing for the Maryland Department of Transportation – Ray Clarke, County Engineer; Mike Mertaugh, Assistant County Engineer; Micah Risher, Manager, Easton Airport – Mr. Clarke briefed the Council on staff’s recommendations for Talbot County’s project priority listing as requested by the Maryland State Department of Transportation each year, as follows: (1) MD Rt. 33 Capacity and Evacuation Improvements; (2) MD Rt. 329 (Royal Oak Road) Safety Improvements; (3) U.S. Rt. 50/MD Rt. 309/MD Rt. 662 Intersection Capacity Improvements; and (4a.) U.S. Rt. 50/MD Rt. 328 (Goldsborough Street) Intersection Improvements; (4b.) U.S. Rt. 50/MD Rt. 331 (Dover Street) Intersection Improvements; (4c) U.S. Rt. 50/Chapel Road Intersection Improvements. Council discussion ensued with Mr. Clarke and Mr. Mertaugh. At Council’s request, Item Nos. 4a, 4b, and 4c will become the new Item No. 2 on the priority listing, and Item No. 2 will become the new Item No. 4. Mr. Leshner requested that pedestrian and bicycle safety improvements be included on the priority listing next year. He stated that the Council had briefly discussed the matter with State Highway Administration representatives at MACo. Council discussion ensued. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the Priority Listing, as amended, by voting 5 – 0 as follows:

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

Mr. Risher briefed the Council on his recommendation for approval of Easton Airport’s priority listing to be submitted to the Maryland Department of Transportation – Maryland Aviation Administration (MAA). He stated that funding for MAA projects to local airports has been reduced in half for each of the past two years and stated that his one request for FY21 is to include Phase I of the Airport’s Obstruction Removal Program on the listing in order to provide the request more visibility at the Secretarial level.

Mr. Pack left the room at 7:55 p.m. and Mr. Callahan assumed the gavel.

Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved the recommendation as requested by voting 4 – 0 as follows:

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

Following the vote, Mr. Divilio requested that Staff provide their recommendation on Segars Corner Road in Cordova for possible abatement in the future.

Mr. Pack returned to the room at 7:58 p.m.

X. County Manager’s Report:

A. Bid No. 20-03, REQUEST FOR PROPOSALS - ENGINEERING DESIGN SERVICES - EXTENSION OF SEWER TO THE VILLAGES OF BOZMAN AND NEAVITT FROM THE REGION II (ST. MICHAELS) WASTEWATER TREATMENT PLANT, AS OUTLINED IN RESOLUTION NO. 250 - TALBOT COUNTY, MARYLAND - Requested Council approval of the County Engineer’s recommendation to award Bid No. 20-03 to the lowest responsive and responsible bidder, Century Engineering, Inc. of Dover, Delaware in the sum of \$393,675.23. Council discussion ensued with Ray Clarke, County Engineer. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the award by voting 5 - 0 as follows:

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

B. Request from Department of Public Works - Requested Council approval of the County Engineer’s recommendation to forward a Letter of Intent to meet conditions and to request an obligation of funds through USDA Rural Development for an additional \$1.4 million in grant and loan funding. If approved, the grant and loan funding will be used for Phase V of the St. Michaels Sewer Improvement Project including Willow, Green, Fremont, West Harbor and Mill Streets. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the award by voting 5 – 0 as follows:

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

C. Request for Letter of Support – Chesapeake Country National Scenic Byway - Requested Council approval to forward a letter to the Federal Highway Administration in support of the designation of the Chesapeake Country National Scenic Byway’s nomination as an All-American Road. Cassandra Vanhooser, Director, Department of Economic Development and Tourism, stated that, if approved, the designation would bring added notoriety to the Byway, which runs from Chesapeake City, Maryland to Smith Island, Maryland, by both domestic and international visitors and result in greater visitor spending. Upon motion Ms. Price, seconded by Mr. Divilio, the Council approved forwarding the letter of support by voting 5 – 0 as follows:

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

- D. Request for Letter of Support – Maryland Community for Life – Talbot - Requested Council’s approval to forward a letter to the Maryland Department of Aging in support of Maryland Community for Life – Talbot’s application for grant funding in the sum of \$54,796. If approved, the funding will be used to hire a part-time driver, support transportation costs and to provide the salary of a volunteer coordinator to further the organization’s efforts of supporting senior citizens in Talbot County; no County funds are required. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved forwarding the letter in support by voting 5 – 0 as follows:

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

- E. Request for Letter of Support – Neighborhood Service Center - Requested Council approval to forward a letter in support of the Neighborhood Service Center’s grant application for a National Community Care Corps Grant in the sum of \$250,000, 25%, or \$62,500 of which will be an in-kind match. If approved, the funding will be used to train approximately 60 volunteers to provide various non-medical services for those Talbot County senior citizens and their caregivers who do not have the income to provide such services for themselves. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved forwarding a letter in support of the grant application by voting 5– 0 as follows:

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

XI. Council Comments:

Mr. Leshler – No comments.

Ms. Price - No comments.

Mr. Divilio – No comments.

Mr. Callahan – Mr. Callahan expressed his appreciation to County Manager, Andy Hollis, County staff and Dr. Fredia Wadley, Talbot County Health Officer, for the great work they are doing every day.

Mr. Pack - Mr. Pack stated that April is National County Government Month. He expressed condolences to the family of Marie Wroten who recently passed away. He stated

that Ms. Wroten was a former member Commissioner of the Town of St. Michaels and was a member of the jail ministry at the Talbot County Detention Center. He stated that he had worked with Ms. Wroten in the jail ministry for several years. He congratulated Connie Connolly who had recently received nine awards from the Delaware Press Association, including three 1st Place, four 2nd Place and two 3rd Place awards for articles published in *The Star Democrat* during 2019. Mr. Pack expressed his appreciation to County staff for setting up the Council meeting in the Wye Oak Room in order to not only be safe but to show the public that the Council is respecting social distancing while still conducting County business. Mr. Pack also expressed his appreciation to staff for setting up the Emergency Operations Center for the conference calls which take place on Mondays, Wednesdays, and Fridays and the business calls which take place on Tuesdays and Fridays. Mr. Pack concluded his comments by stating that, in his opinion, we have a little way to go, it is not easy and it is not pretty, but if we continue working together and stay focused on the objective of keeping people safe we will come out of this a better community.

- XII. The Council will reconvene on Tuesday, May 5, 2020 at 1:30 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 2:00 p.m. for a public hearing on Bill No. 1445, the FY2020-2021 Budget Ordinance and again at 5:00 p.m. for a public hearing on Bill No. 1445. The Closed Session and the Council meeting will take place in the Wye Oak Room at the Talbot County Community Center, 10028 Ocean Gateway, Easton, Maryland. Due to the current COVID-19 pandemic, there will be no public access to the Wye Oak Room. Citizens are encouraged to submit comments to PublicComment@talbotcountymd.gov by Monday, May 4, 2020. The County's proposed budget for FY2020-2021 may be found on the County website at www.talbotcountymd.gov or by calling the County Manager's Office at 410-770-8010.

The meeting adjourned at 8:14 p.m.

The transcript of the April 28, 2020 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 April 28, 2020:

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

Time of closed session: 5:05 p.m. to 5:50 p.m.
Place of closed session: Wye Oak Room, Talbot County Community Center
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: Pack, Callahan, Price, Divilio, Lesher
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	Persons present	Action taken
Discuss personnel matter in County Attorney's Office	GP § 3-305 (b) (1)	Corey Pack, Chuck Callahan, Laura Price, Frank Divilio, Pete Leshner, Andy Hollis, Jessica Morris, Anthony Kupersmith	Approval given to advertise Assistant County Attorney position
Discuss personnel matter in Economic Development & Tourism	GP § 3-305 (b) (1)	Same as above, plus Mary O'Donnell and Cassandra Vanhooser	Concurred with hiring contractual staff member
Discuss personnel matter at Easton Airport	GP § 3-305 (b) (1)	Same as above, less Cassandra Vanhooser	Approved salary adjustments for two individuals
Discuss proposed acquisition of property for a public purpose in Easton	GP § 3-305 (b) (3)	Same as above, plus Clay Stamp	Consensus to revise RFP terms
Discuss proposed acquisition of property for a public purpose in Easton	GP § 3-305 (b) (3)	Same as above	Consensus not to acquire road
Receive legal advice regarding damage to County roads and possible litigation	GP §§ 3-305 (b) (7) – (8)	Same as above	Concurred with hiring company to document road damage

CASH STATEMENT 4/21/2020

BALANCE 4/14/2020	8,774,683.18
TOTAL ADP PAYROLL PPE 4/3/2020	(615,664.97)
DEFERRED COMP DED PPE 4/3/2020	(17,906.87)
PENSION DED PPE 4/3/2020	(38,509.72)
DEFERRED COMP PPE 4/3/2020 PLAN 401 (A)	(7,151.40)
CIGNA CLAIMS PAID THROUGH 4/13/2020	(85,049.67)
STATE REPORT 3/2020	(80,224.08)

SALES & USE COMMUNITY CENTER DUE 4/20/2020	(90.51)
SALES & USE HOG NECK GOLF COURSE DUE 4/20/2020	(261.38)
WF/GF EQUIPMENT LEASE PYMT 4/2020	(4,092.00)
WF/GF EQUIPMENT LEASE PYMT	(128.00)
MD STATE RETIREMENT REFUND FY21 ADMIN FEE	34.06

DEPOSITS	219,860.89
CHECKS	(1,289,976.24)

BALANCE 4/21/2020 **6,855,523.29**

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.70%	20,500,000.00
1880 BANK			10,124,514.33

TOTAL INVESTED **30,624,514.33**

PETTY CASH BALANCE **15,570.00**

GRAND TOTAL ALL FUNDS **37,495,607.62**

CASH STATEMENT 4/28/2020

BALANCE 4/21/2020	6,855,523.29
INTEGRA CLAIMS PAID THRU 4/20/2020	(66,506.34)
BAY RESTORATION FEE JAN-MAR 2020	(74,392.53)
POSTAGE WIRE	(3,000.00)
APRIL 2020 ENTERPRISE LEASE PAYMENTS	(30,681.51)

DEPOSITS	1,149,468.31
CHECKS	(678,270.60)

BALANCE 4/28/2020 **7,152,140.62**

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.64%	20,500,000.00

1880 BANK	10,124,514.33
TOTAL INVESTED	<u>30,624,514.33</u>
PETTY CASH BALANCE	<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>	<u>37,792,224.95</u>