



TALBOT COUNTY, MARYLAND

County Council

MINUTES

August 14, 2018

Present – President Jennifer L. Williams, Vice President Corey W. Pack, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Anthony Kupersmith, and Assistant County Attorney, Mary O'Donnell. The meeting was held in the Meeting Room of the Talbot County Free Library, 100 West Street, Easton, Maryland 21601.

- I. Agenda – The Agenda of Tuesday, August 14, 2018 was brought forward for approval. Upon motion by Ms. Price, seconded by Mr. Bartlett, the agenda was amended to include *Introduction of Amendments* prior to *Item VIII. Continuation of Public Hearings*. The Council approved the Agenda, as amended, by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

- II. Disbursements – Ms. Williams requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, August 7, 2018 and Tuesday, August 14, 2018.

- III. Minutes – Ms. Williams requested and received Council's unanimous consent for approval of the Minutes of Tuesday, July 24, 2018.

- IV. Presentation of Certificate of Recognition to The Honorable Judge William Hughlett Adkins, III – The Clerk read a certificate of recognition into the record which spoke of Judge Adkins' distinguished service to the citizens of Talbot County as District Court Judge from 1984 to 2017, as well as his distinguished service to the citizens of the state of Maryland as a public defender in Worcester County, as a member of various committees on which he served throughout his legal career, and as a soccer and lacrosse coach to the youth of Talbot County. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved the certificate of recognition by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

Ms. Williams presented the Certificate of Recognition to Judge Adkins. Judge Adkins thanked the Council for their recognition and expressed his appreciation to his wife and several members of his family in attendance. To date, Judge Adkins is the longest serving District Court judge in Maryland.

- V. Presentation by The Honorable Stephen H. Kehoe, Judge, Circuit Court for Talbot County and The Honorable Karen R. Ketterman, Judge, District Court for Talbot County – Judge Kehoe and Judge

Ketterman presented Judge Adkins with a framed photograph of his father and grandfather, representing three generations of Adkins judges; the photograph was donated by one of Judge Adkins' brothers. Judge Kehoe stated that an identical photograph will be hung in either the District Court or the Circuit Court. The Honorable John C. North, II (Ret.) and The Honorable Sally Denison Adkins, Judge, Court of Appeals, were in attendance for the presentation.

VI. Introduction of Michael Duell, Talbot County Chief Code Compliance Officer – Planning Officer Mary Kay Verdery introduced Mr. Michael Duell as the new Talbot County Chief Code Compliance Officer. She stated that Mr. Duell comes to Talbot County from 14 years of employment in the private security sector. Prior to that time, Mr. Duell was employed by Randolph Township in New Jersey where he rose through the ranks from patrol officer to Police Chief and also held several detective and crime prevention positions. Upon the retirement of Robert Graham, current Chief Code Compliance Officer, Mr. Duell will begin serving in the position held by Mr. Graham for the past 15 years. The Council welcomed Mr. Duell to Talbot County.

VII. Introduction of Duane Gottschalk, Talbot County Alcoholic Beverages Inspector/Code Compliance Officer – Planning Officer Mary Kay Verdery introduced Mr. Duane Gottschalk as the new Alcohol Beverage Inspector/Code Compliance Officer. She stated that Mr. Gottschalk comes to Talbot County from the Department of Safety and Police at Anne Arundel Community College where, as a Corporal, he responded to enforcement calls, conducted interviews, and was involved with case disposition and crime prevention education. She stated that Mr. Gottschalk's certifications in crowd management, public safety, incident command and instructor courses will add an additional layer of expertise for both the Alcohol Inspector position and investigation and compliance actions associated with the Zoning Code and Noise Ordinance, including short term rental compliance. The Council welcomed Mr. Gottschalk to Talbot County.

VIII. Introduction of Amendments:

Prior to the continuation of the public hearings on Bill Nos. 1401, 1402, and 1403, the following amendments were brought forward for introduction:

The **Blue** Amendment, proposed by Mr. Bartlett, would add new language to §190-33.20.B of the Talbot County Code to include a residency requirement for short-term rentals and authorize short-term rental licenses for accessory dwellings or apartments. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 1 to Bill No. 1401.

The **Green** Amendment, proposed by Mr. Callahan, would add new language to §190-12.1 of the Talbot County Code to clarify the height limit and setbacks for certain grain facilities. The amendment was introduced by Mr. Callahan, Ms. Price, and Ms. Williams as Amendment No. 2 to Bill No. 1401.

The **Salmon** Amendment, proposed by Ms. Price, would add new language to §190-63.2 of the Talbot County Code to limit the number of short term rental licenses issued by Talbot County to preserve neighborhood character and quality of life. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 3 to Bill No. 1401.

The **Lilac** Amendment, proposed by Ms. Price, would add new language to §190-55.2 of the Talbot County Code to clarify that sewer extensions are intended to provide an environmental health related service, not to function as a justification for zoning changes in and of themselves. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 4 to Bill No. 1401.

The **Orange** Amendment, proposed by Staff, would add new language to §190-38 of the Talbot County Code to recognize that noise regulations are being shifted to a separate section of the Talbot County Code (Chapter 92). The amendment was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams as Amendment No. 5 to Bill No. 1401.

The **Lime Green** Amendment, proposed by Staff, would add new language to §190-15.11, §190-18.2, §190-30.3 §190-33.20, §190-41.2, and §190-49.2 of the Talbot County Code to make various minor non-substantive changes to the ordinance for clarity, consistency and form. The amendment was introduced by Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Amendment No. 6 to Bill No. 1401.

The **Yellow** Amendment, proposed by Staff based on discussions with Critical Area Commission Staff, would add new language to §190-8.5, §190-15.3, §190-15.5, §190-15.10, §190-15.11, §190-28.1, §190-33.23, §190-55.5, and §190-78 of the Talbot County Code to clarify various Critical Area zoning regulations. The amendment was introduced as Amendment No. 7 to Bill No. 1401 by Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams.

The **Purple** Amendment, proposed by Mr. Bartlett, would eliminate the Property Maintenance and Landscaping Contracting use from the zoning ordinance (§190-25.2, §190-30.3, and §190-41.3 of the Talbot County Code while providing additional flexibility for Cottage Industry uses on lots great than 10 acres in size. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 8 to Bill No. 1401.

The **Medium Pink** Amendment, proposed by Ms. Price, would limit the number of short-term rental licenses issued by Talbot County in the Town Residential (TR) zoning district to preserve neighborhood character and quality of life. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 9 to Bill No. 1401.

The **Hot Pink** Amendment, proposed by Mr. Bartlett, would add new language to §92-4 of the Talbot County code to reduce the permitted daytime decibel level from 65dBA to 60dBA. The amendment was introduced by Mr. Bartlett, Mr. Pack, and Ms. Price as Amendment No. 1 to Bill No. 1403.

The **Teal** Amendment, proposed by Mr. Bartlett, would add new language to §92-4 of the Talbot County Code to reduce the permitted decibel levels; to eliminate the general distinction between daytime and nighttime noise levels; and to distinguish between different types of zoning districts for noise purposes. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 2 to Bill No. 1403.

The **Goldenrod** Amendment, proposed by Ms. Price, would add new language to Bill No. 1403 to clarify the County Council's intent in adopting the new noise ordinance. The amendment was introduced by Ms. Price as Amendment No. 3 to Bill No. 1403.

The **Light Pink** Amendment, proposed by Ms. Price, would add new language to §92-4 of the Talbot County Code to adjust the definition of daytime and nighttime in the Bill. The amendment was introduced by Mr. Bartlett and Ms. Price as Amendment No. 4 to Bill No. 1403.

IX. Continuation of Public Hearings:

6:30 p.m.

Bill No. 1401, A BILL TO REPEAL AND REPLACE TALBOT COUNTY CODE CHAPTER 190, ENTITLED "ZONING, SUBDIVISION, AND LAND DEVELOPMENT", IN ITS ENTIRETY, AND TO ENACT AN ENTIRE NEW CHAPTER 190 OF THE TALBOT COUNTY CODE TO IMPLEMENT ZONING CONTROLS AND REGULATIONS CONSISTENT WITH AND PURSUANT TO THE 2016 TALBOT COUNTY COMPREHENSIVE PLAN, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation, and amendments.

Bill No. 1401 and the amendments are eligible for vote on Tuesday, August 28, 2018.

Bill No. 1402, A BILL TO AMEND THE OFFICIAL ZONING MAPS OF TALBOT COUNTY, MARYLAND (SPECIFICALLY, MAPS 1, 4, 5, 6, 10, 11, 12, 14, 16, 22, 24, 30, 31, 32, 33, 38, 39, 40, 40A, 41, 42, 43, 44, 44A, 45, 46, 47, 48, 49, 51, 55, AND 56) AND TO REZONE THE AFFECTED LANDS CONSISTENT WITH THE 2016 TALBOT COUNTY COMPREHENSIVE PLAN, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Bill No. 1402 is eligible for vote on Tuesday, August 28, 2018.

Bill No. 1403, A BILL TO ADOPT THE TALBOT COUNTY NOISE ORDINANCE PURSUANT TO ENVIRONMENT ARTICLE §3-105 AND §3-401, ET SEQ., MARYLAND CODE ANN. AND TO AMEND SECTIONS OF CHAPTER 11 (ALCOHOLIC BEVERAGES) AND CHAPTER 15 (ANIMALS) TO MAKE SUCH CHAPTERS CONSISTENT WITH THE TALBOT COUNTY NOISE ORDINANCE, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation and amendments. Bill No. 1403 and the amendments are eligible for vote on Tuesday, August 28, 2018.

X. Public Hearings:

Bill No. 1390, A BILL TO AUTHORIZE IMPROVEMENTS TO CLAIBORNE ROAD was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1390 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1390 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1391, A BILL TO AUTHORIZE THE REPLACEMENT OF THE COUNTY COURTHOUSE COMPLEX HVAC SYSTEM was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Ms. Price, Bill No. 1391 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1391 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1392, A BILL TO AUTHORIZE MASONRY REPAIRS TO THE COUNTY COURTHOUSE COMPLEX was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1392 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1392 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1393, A BILL TO AUTHORIZE THE DEVELOPMENT OF THE FREDERICK DOUGLASS PARK ON THE TUCKAHOE, LOCATED AT 13213 LEWISTOWN ROAD, QUEEN ANNE, MARYLAND was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Bartlett, Bill No. 1393 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1393 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1394. A BILL TO AMEND THE APPROPRIATION FOR THE CONSTRUCTION OF A NEW EASTON ELEMENTARY SCHOOL was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1394 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye

Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1394 by voting 4 – 1 as follows:

Ms. Williams – Aye
Ms. Price – Nay
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1395, A BILL TO AMEND THE APPROPRIATION FOR TALBOT COUNTY’S SHARE OF THE UPGRADE OF THE UPPER MARYLAND EASTERN SHORE RADIO SYSTEM was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1395 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1395 by voting 5 - 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1396, A BILL TO AUTHORIZE IMPROVEMENTS TO THE TALBOT COUNTY GOVERNMENT BAY STREET FACILITY PARKING LOTS, EASTON, MARYLAND was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1396 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1396 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1397, A BILL TO AUTHORIZE A PUBLIC LANDINGS MAINTENANCE PROGRAM was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1397 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

The Council approved Bill No. 1397 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1398, A BILL TO AUTHORIZE A STUDY FOR THE LOCATION AND DESIGN OF A NEW FACILITY FOR THE TALBOT COUNTY SHERIFF’S OFFICE was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1398 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1398 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1399, A BILL TO AUTHORIZE SIDEWALK REPAIRS AND REPLACEMENT AROUND COUNTY FACILITIES was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1399 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye

Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1399 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill No. 1400, A BILL TO AMEND THE APPROPRIATION FOR THE DREDGING OF TONGERS BASIN FOR THE CONSTRUCTION OF BOAT SLIPS AND THE REPAIR AND/OR REPLACEMENT OF THE BULKHEAD AT TONGERS BASIN, TILGHMAN, MARYLAND was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Pack, seconded by Mr. Callahan, Bill No. 1400 was brought to third reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

The Council approved Bill No. 1400 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

Bill Nos. 1390 – 1400, the FY 2018-2019 Capital Enabling Legislation, will take effect as provided for in the legislation.

XI. Council Consideration of Traffic Advisory Committee Recommendation for Reduced Speed Limits on Bellevue Road; Citizen Request for Reduced Speed Limits on Claiborne Road; Citizen Request for “Children at Play” sign on Cypress Meadows Drive; and Citizen Request for Reduced Speed Limits and “Share the Road with Bikes” signs on Chapel Road – Mike Mertaugh, Assistant County Engineer, briefed the Council on the following requests:

- (1) Claiborne Road – Citizens requests for speed limit reduction approaching the Village of Claiborne – Mr. Mertaugh stated that the roadway approaching the Village of Claiborne currently has a default State speed limit of 50 m.p.h. which reduces to 25 m.p.h. without notification or change in characteristic of the roadway. He stated that the Traffic Advisory Committee recommends the following: (a) 40 m.p.h. speed limit between St. Michaels Road (MD Rt. 33) and Old Claiborne Road; (b) 50 m.p.h. speed limit between Old Claiborne Road and Cockey Road; (c) 40 m.p.h. between Cockey Road and the edge of Claiborne Village (at approximately Maple Hall Road); and, (d) maintaining the current 25 m.p.h. speed limit within the Village of Claiborne;

- (2) Bellevue Road – Traffic Advisory Committee request to reduce the speed limits and to modify speed zones along the Bellevue Road corridor – Mr. Mertaugh stated that over the past several years, modifications of speed limits on the Bellevue Road corridor, including installation of rumble strips, have been made to address citizens’ concerns. He stated that the Traffic Advisory Committee recently completed an evaluation of the corridor and, after taking into consideration use of the roadway by those utilizing Bellevue Landing, Bellevue Park, bicyclists, and residents, the Traffic Advisory Committee recommends the following changes in the speed limits of Bellevue Road: (a) 30 m.p.h. speed limit between Royal Oak Road (MD Rt. 329) and south of Edgeview Road (extending the southern limit of existing speed zone from north of Royal Road); (b) 40 m.p.h. speed limit from south of Edgeview Road to north of Ferry Neck Road (reducing the current 50 m.p.h. in this area); and, (c) 30 m.p.h. speed limit from north of Ferry Neck Road to the end of the road at Bellevue Park (extending the northern limit of existing speed zone from north of Gates Street);
- (3) Cypress Meadows Drive – Installation of “Children at Play” Signage and Speed Limit Reduction – Mr. Mertaugh stated that a citizen had requested the installation of “Children at Play” signage and a reduction in the speed limit along Cypress Meadows Drive. He stated that the subject roadway is an approximately .3 mile long cul-de-sac, which, along with Kyle Court, serves the 14 residential lot community of Cypress Meadows and has a posted speed limit of 30 m.p.h. He stated that the Manual on Uniform Traffic Control Devices (MUTCD), the national guideline approved by the Federal Highway Administration, does not include “Children at Play” and similar signage; the Traffic Advisory Committee is of the opinion that lowering the speed limit from 30 m.p.h. to 25 m.p.h. is unlikely to have a significant impact on speeds in the subject community, but the speed limit reduction is consistent with the Committee’s other recommendations for neighborhood streets. The Traffic Advisory recommends the following: (a) that “Children at Play” signs not be installed; and (b) the speed limit on Cypress Meadows Drive be reduced from 30 m.p.h. to 25 m.p.h.;
- (4) Chapel Road – Speed Limit Reduction and “Share the Road with Bicycles” Sign Installation – Mr. Mertaugh stated that a citizen had requested a reduction in the speed limits on the subject roadway and the installation of “Share the Road with Bicycles” signage on Chapel Road and other roadways throughout the county. Mr. Mertaugh stated that Chapel Road is comprised of three sections: an urban section within the Town of Easton which is posted at 50 m.p.h. to Black Dog Alley where it is posted at 35 m.p.h.; a rural portion of the roadway which is primarily agricultural along its frontage and is posted at 50 m.p.h.; and finally, the portion just past Kittys Corner Road where the speed limit reduces to 40 m.p.h. due to several residential subdivisions in the area. Mr. Mertaugh stated that after due consideration to the citizen’s request, the Traffic Advisory Committee recommends the following: (a) that the current speed limits are appropriate and does not recommend reducing same; and, (b) the placement of no more than 30 “Share the Road with Bicycles” signs on those County roadways included in the Talbot County Bicycle Map.

Council discussion ensued with Mr. Mertaugh as each request was brought forward. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the Traffic Advisory Committee recommendations as presented by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

XII. County Manager’s Report:

- A. Bid No. 17-11 – St. Michaels Phase V Sanitary Sewer System Replacement/Rehabilitation – Change Order No. 2 – Requested Council approval to award Change Order No. 2 for Bid No. 17-11 to Mobile Dredging and Video Pipe, Inc. in the amount of \$95,200.00; said cost will cover the inspection of approximately 335 lateral pipes in the St. Michaels town sewer collection area; funding for the project will come from the USDA grant award for the St. Michaels Sewer Restoration Project. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the award by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

- B. Request from Department of Planning and Zoning – Requested Council approval to award a contract to Bear Cloud Software in a sum not to exceed \$1,250 per month for twelve months as a short-term rental helper; the cost will including hosting, managing, operating and maintaining license software to assist the County with the monitoring of short-term rentals. Jessica Morris, Assistant County Manager, stated that \$15,000 had been included in the FY19 budget for the purchase of software. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the contract by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

- C. Request from Talbot County Arts Council – Requested Council approval of the Talbot County Arts Council’s request for a letter of support for the nomination of Sue Ellen Thompson of Oxford as the next poet laureate of Maryland. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved forwarding a letter of support by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

- D. Upper Shore Aging Board of Directors – Requested Council approval for the appointment of Bill Shrieves to a three-year term on the Upper Shore Aging Board of Directors; said term will expire in September 2021. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

XIII. Council Comments:

- Ms. Price – Ms. Price expressed her appreciation to the public for coming out and engaging during the last two public hearings. She stated that, in her opinion, it is really heartening to see citizens take an interest in things that will affect their communities. She expressed her appreciation to County staff for their preparation for tonight’s meeting.
- Mr. Callahan - Mr. Callahan expressed his appreciation to the public for attending the public hearing and for, in his opinion, their very good comments. He stated that he had spoken with several of his colleagues and that he is a little uncomfortable with how the Council is going about the process for the noise ordinance and the short-term rentals. He requested Council’s consideration to remove both items from Section 190 in order to provide more time to review both matters which, in his opinion, are intertwined a lot and it is a very sensitive issue to a lot of people. He stated that although the Council has come up with some good amendments, he doesn’t think we have gotten it quite right yet. He stated that he and Ms. Price had both attended a meeting in Bentley Hay on Monday night regarding short-term rentals and that he is of the opinion that the Council should conduct a study or appoint members to a short-term rental board to help the Council make decisions on the matter. He stated that there are a lot of people who have some very good points on a lot of things and that he is not quite on board with the whole process because, in his opinion, there are a lot of things that are not settled yet and the Council should pull back somewhat and wait.
- Mr. Pack - Mr. Pack stated that he and Mr. Callahan had discussed the matter, and that he disagreed with Mr. Callahan that the sections of 190 related to short-term rentals and noise should be pulled because, in his opinion, “the train has already left the station.” He stated that the Planning Commission, Planning Officer and staff had reviewed all the proposed changes related to short-term rentals, and, in his opinion, once the Short Term Rental Review Board is up and running, it will be a big part of the oversight of the short-term rentals that was not available before. He stated that in addition to being an arbiter, he would like to also give the Short Term Rental Review Board advisory powers to they can provide the Council with feedback over the next year in the event there are any changes the Council may want to implement. He commended staff for, in his opinion, getting the document the best they can get it. He stated that the document is not perfect but pulling those sections out will still not make everyone happy as there are those who don’t want any short-term rentals. He stated that you try to have oversight and checks and balances so that the “bad apples” are weeded out and that he had suggested that perhaps there should be a short-term rental application timeframe and applications not received during that timeframe would not be considered for a short-term rental license that year. Mr. Pack stated that in addition to the advisory board, the Compliance Officer will be an important component to the short-term rentals. He concluded his comments by stating that he is opposed to removing the short-term rental and noise language from Section 190 and letting the next Council deal with it; this Council, in his opinion, has to own it even though he had told the group behind closed doors that putting forth a noise ordinance at this point in time was not a good idea.

Mr. Bartlett - Mr. Bartlett stated that he thinks that Mr. Callahan is, as are all the Council members, feeling the heat from the public, and, in his opinion, it is well deserved heat. He stated that several amendments are on the table which, in his opinion, are legitimate ways to solve the concerns the community has expressed to us. He encouraged Mr. Callahan to vote for one or more of the amendments, or to offer his own amendments. He stated that he intends to vote for Mr. Callahan's amendment regarding grain storage. He stated that most of the amendments being offered came from Ms. Price or him to address the concerns of the community. He reminded Mr. Callahan that he was not running for re-election but that Mr. Callahan was, and in his opinion, if you neglect the public and don't listen to what they have to say, you will pay a price at the ballot box. Mr. Bartlett expressed his appreciation to Mr. Callahan for even mentioning looking at the short-term rentals and the noise ordinance because it's a sign to him that you're listening to what the citizens are trying to tell you. He stated that we have amendments on the table that you could support which would show the citizens that you are listening – we don't need to "derail the train." He stated that, in his opinion, arguments have been made by the public for months regarding their concerns of business interests against an individual's right to enjoy their property in peace and quiet. Mr. Bartlett concluded his comments by stating that the Council is here to make the tough decisions and he is glad that Mr. Callahan is questioning it because, in his opinion, that's what has been missing and why we keep filling the room with angry people – because we are not listening.

Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council voted to adjourn and to reconvene on Tuesday, August 28, 2018 at 4:00 p.m. in the Bradley Meeting Room by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett - Aye
Mr. Pack – Aye
Mr. Callahan – Aye

The meeting adjourned at 9:15 p.m.

The transcript of the August 14, 2018 County Council meeting is available for review in the Office of the County Manager during regular office hours.

VI. On Tuesday, August 14, 2018 a Closed Session of the Talbot County Council convened at 4:35 p.m. in the Bradley Meeting Room and County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Closed Session by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Callahan – Aye
Mr. Pack – Aye (*via conference call*)
Ms. Price – Aye
Ms. Williams - Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(4)(7)(8) the purpose of the Closed Session was for a personnel matter to discuss appointments to various County boards and committees; for legal matters for legal advice regarding the Wylder Hotel and the 1988 Court Order involving the County; and to consult with

the County Attorney regarding potential litigation involving a tenant at Easton Airport; and for legal/real estate matters to consult with the County Attorney regarding zoning regulations involving a barge; and for legal advice regarding the request to transfer revisionary interest in County owned property at 29088 Airpark Drive, Easton. The Closed Session ended at 5:55 p.m.

CASH STATEMENT 8/07/2018

BALANCE 7/31/2018			\$ 34,134,730.75
TOTAL ADP PAYROLL PPE 7/31/2018		(20,512.92)	
DEFERRED COMP DED PPE 7/31/2018		(1,240.00)	
PENSION DED PPE 7/31/2018		(781.90)	
FLEX SPENDING BENEFITS PPE 7/31/2018		(283.33)	
CIGNA CLAIMS THRU 7/30/2018		(42,295.43)	
INTEGRA CLAIMS THRU 7/30/2018		(43,996.68)	
AUGUST 2018 RETIREE HEALTH INS PLAN #727		(27,256.38)	
BOARD OF EDUCATION 7/2018		(3,319,816.00)	
PCORI EFF PPE 6/30/2018		(1,441.88)	
POSTAGE WIRE		(3,000.00)	
WF/GF EQUIP LEASE 7/2018		(4,222.00)	
RETURNED CHECK (S) # 1871, 2911		(1,201.71)	
DEPOSITS		9,319,242.34	
CHECKS		(1,413,335.03)	
VOIDED CHECK(S) #325087		1,318.94	
BALANCE 8/07/2018			<u>38,575,908.77</u>
<u>AIRPORT ACCOUNTS</u>			
AIP42			0.00
AIRPORT ACCOUNTS TOTAL BALANCE			<u>0.00</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		1.93%	18,000,000.00
1880 BANK			10,035,267.28
TOTAL INVESTED			<u>\$28,035,267.28</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$66,626,746.05</u>

CASH STATEMENT 8/14/2018

BALANCE 8/07/2018			\$ 38,575,908.77
TOTAL ADP PAYROLL PPE 7/27/2018			(609,770.05)
DEFERRED COMP DED PPE 7/27/2018			(13,714.04)
PENSION DED PPE 7/27/2018			(36,300.55)
FLEX SPENDING BENEFITS PPE 7/27/2018			(3,346.30)
DEFERRED COMP DED PPE 7/27/2018			(4,202.33)
SECU DED PPE 7/27/2018			(3,736.66)
CIGNA CLAIMS THRU 8/06/2018			(49,366.95)
SHERIFF SUMMONS ACCOUNT TRANSFER			(220.00)
DEPOSITS			3,199,137.99
CHECKS			(2,672,101.21)
VOIDED CHECK(S) #325975, 326221			568.84
BALANCE 8/14/2018			<u>38,382,857.51</u>
<u>AIRPORT ACCOUNTS</u>			
AIP42			0.00
AIRPORT ACCOUNTS TOTAL BALANCE			<u>0.00</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		1.94%	18,000,000.00
1880 BANK			10,040,437.40
TOTAL INVESTED			<u>\$28,040,437.40</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$66,438,864.91</u>