



TALBOT COUNTY, MARYLAND

County Council

MINUTES

February 25, 2020

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

- I. Agenda – The Agenda of Tuesday, February 25, 2020 was brought forward for approval. Mr. Divilio made a motion to amend the Agenda to include the following bills for Council discussion: HB 4, HB 1257, and HB 636; Ms. Price seconded the motion. Ms. Price made a motion to amend the Agenda to include SB 1000/HB 1300 (Kirwan legislation); as there was no second the motion failed. Upon motion by Mr. Leshner, seconded by Mr. Divilio, Council approved of the Agenda of Tuesday, February 25, 2020, as amended, by voting 4 – 0 as follows:

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

- II. Minutes – Mr. requested and received Council's unanimous consent for approval of the Minutes of Tuesday, January 28, 2020.

- III. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, February 18, 2020, and Tuesday, February 25, 2020.

- IV. Certificate of Recognition: 100th Anniversary of Blake Blackston American Legion Post 77 – Prior to presentation of the proclamation, Mr. Pack expressed his appreciation to the members of Post 77 for service to their nation as well as to the citizens of the community. Members of American Legion Post 77 briefed the Council on the upcoming event scheduled to commemorate their 100th anniversary, outlined the support provided to veterans, their families, youth, and the community at large and their plans for expanding the facility at its current location in order to serve more citizens. The Clerk then read the Certificate of Recognition into the record which spoke of the 100th anniversary of the founding of the American Legion and the history of the naming of Post 77 in honor of World War I missing in action soldiers, Nelson Blake of Unionville and John Blackston of Trappe. Council members expressed their appreciation to members of the organization for their valuable contributions to the community. Upon motion by Mr. Divilio, seconded by Mr. Leshner, the Council approved the Certificate of Recognition by voting 4 – 0 as follows:

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

Mr. Pack presented the Certificate of Recognition to the representatives of Blake Blackston American Legion Post No. 77 in attendance.

- V. Update by Maryland Environmental Service – Steve Tomczewski, Managing Director, Environmental Operations, Maryland Environmental Service - Mr. Tomczewski utilized a PowerPoint presentation to outline services provided by Maryland Environmental Services (MES) and to provide statistical information on tonnage of solid waste and yard waste received and homeowner drop-off customers utilizing the Mid-Shore I transfer station and the Mid-Shore II Regional Solid Waste Facility for the timeframe July 2019 through December 2019. He stated that 65,871,000 standard cubic feet of landfill gas was produced, generating \$24,585 in revenue toward the closure costs of Mid-Shore I. Mr. Tomczewski provided an update on the status of the newest cell, Cell 3, at Mid-Shore II, which began receiving soft trash in January 2020. He provided information on the status of the wetland mitigation at Ackerman Farm, a 16.8 acre site adjacent to Mid-Shore II, an overview of the Mid-Shore Recycling Program, including tonnage received of various materials, and the clean-up and inspection of used oil sites in Talbot County. Council discussion ensued with Mr. Tomczewski as various items were brought forward. Maryland Environmental Service will continue to update the Council on a regular or as needed basis.

VI. Introduction of Administrative Resolution:

A RESOLUTION OF TALBOT COUNTY, MARYLAND (THE “COUNTY”), AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS IN A PRINCIPAL AMOUNT NOT EXCEEDING TWO HUNDRED TWENTY TWO THOUSAND DOLLARS (\$222,000) PURSUANT TO THE AUTHORITY OF BILL NO. 1440 ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY ON JANUARY 14, 2020 (THE “PUBLIC LOCAL LAW”), SECTION 10-203 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND (2013 REPLACEMENT VOLUME, AS AMENDED) (THE “ENABLING ACT”) AND SECTION 623 OF THE CHARTER OF TALBOT COUNTY, MARYLAND (THE “CHARTER”), THE BONDS, TO BE DESIGNATED “TALBOT COUNTY ST. MICHAELS WASTEWATER SYSTEM CONSOLIDATED PUBLIC IMPROVEMENT BONDS”, THE NET PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING OR REFINANCING REHABILITATION IMPROVEMENTS TO CERTAIN WASTEWATER FACILITIES LOCATED WITHIN THE COUNTY AS MORE PARTICULARLY DESCRIBED HEREIN, TOGETHER WITH FINANCING OR REFINANCING OF THE ACQUISITION OF ALL NECESSARY PROPERTY RIGHTS AND EQUIPMENT, AND RELATED ARCHITECTURAL, FINANCIAL, LEGAL, PLANNING AND ENGINEERING EXPENSES; PRESCRIBING THE FORM AND TENOR OF THE BONDS AND THE TERMS AND CONDITIONS FOR THE ISSUANCE AND SALE THEREOF AT PRIVATE SALE TO THE UNITED STATES OF AMERICA, ACTING THROUGH RURAL UTILITIES SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE (“USDA”); AUTHORIZING THE CONSOLIDATION OF SEPARATE SERIES OF BONDS INTO ONE OR MORE BONDS; PROVIDING FOR THE PROMPT PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BONDS; COVENANTING TO LEVY AND COLLECT ALL TAXES NECESSARY TO PROVIDE FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS, SUBJECT TO THE LIMITATION SET FORTH IN SECTION 614 OF THE COUNTY CHARTER; AND GENERALLY RELATING TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS, was brought forward for introduction. Prior to introduction, Angela Lane, Finance Director, stated that the purpose of the administrative resolution is to finalize the County’s borrowing with USDA Rural Development for the St. Michaels Wastewater Treatment Plant. Ms. Lane stated that the Council had previously approved a USDA resolution and had adopted enabling legislation to borrow the funds; the administrative resolution sets forth some of the general terms of the bonds related to the borrowing. The administrative resolution was introduced by Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price. Upon motion by Mr. Divilio, seconded by Mr. Leshner, the Council approved the administrative resolution by voting 4 – 0 as follows:

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

The Administrative Resolution is effective immediately.

VII. Public Hearings:

Bill No. 1442, A BILL TO AMEND CHAPTER 11 OF THE TALBOT COUNTY CODE (ALCOHOLIC BEVERAGES) TO ALLOW THE BOARD OF LIQUOR LICENSE COMMISSIONERS TO ISSUE A LICENSE FOR ON-PREMISES CONSUMPTION OF MIXED DRINKS TO CLASS ONE DISTILLERIES, *and amendments*, were read into the record by the Clerk and brought forward for public hearing. Mr. Callahan joined the meeting by telephone at 6:44 p.m. The public was afforded an opportunity to comment on the legislation and the proposed amendments. Council discussion ensued. Amendment No. 1, known as the purple amendment, was brought forward for vote. Mr. Pack passed the gavel to Mr. Divilio since Vice President Chuck Callahan was not physically in attendance and upon motion by Ms. Price, seconded by Mr. Pack, the Council did not approve Amendment No. 1 by voting 1 – 4 as follows:

Mr. Pack – Nay
Mr. Divilio – Nay
Mr. Callahan – Nay (via telephone)
Ms. Price – Aye
Mr. Leshner – Nay

Mr. Divilio returned the gavel to Mr. Pack.

Amendment No. 2, known as the salmon amendment, was brought forward for vote. Mr. Divilio, one of the sponsors of the legislation, stated that he wished to withdraw the amendment from consideration; Mr. Callahan, also a sponsor of the amendment, seconded that he too wished to withdraw the amendment from consideration. Ms. Price stated that she wanted to have an up or down vote on the amendment. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council did not approve Amendment No. 2 by voting 2 – 3 as follows:

Mr. Pack – Aye
Mr. Divilio – Nay
Mr. Callahan – Nay (via telephone)
Ms. Price – Aye
Mr. Leshner – Nay

Upon motion by Mr. Leshner, seconded by Mr. Divilio, Bill No. 1442, as originally drafted, was brought to third reader with the Council voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye (via telephone)
Ms. Price – Aye
Mr. Leshner – Aye

Mr. Divilio made a motion that a full reading of the legislation be waived. Mr. Pack requested, and Ms. Price concurred with the request, that a full reading of the legislation be read into the record. The

legislation was then read into the record by the Clerk. The Council approved Bill No. 1442 by voting 4 – 1 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye (via telephone)
Ms. Price – Nay
Mr. Leshner – Aye

VIII. Council Discussion of the following 2020 Maryland General Assembly Legislation: The following bills were read into the record by the Clerk and brought forward for Council discussion and members of the public were afforded an opportunity to comment on each of the bills. At the conclusion of the comments on each bill, Council voted as follows:

- A. HB388 – CRIMINAL PROCEDURE – CIVIL IMMIGRATION ENFORCEMENT – RESTRICTIONS – Mr. Leshner requested more time to gather more information on the proposed legislation and requested that discussion on the legislation be continued to the meeting of Tuesday, March 10, 2020; there was no objection.
- B. HB403/SB903 – IMMIGRATION ENFORCEMENT – PUBLIC SCHOOLS, HOSPITALS, AND COURTHOUSES – POLICIES – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council voted to take “no position” on the legislation by voting 2 – 2 as follows:

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

As there was a tie vote, the “no position” stance failed.

Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved forwarding a letter in support of the legislation by voting 3 – 1 as follows:

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

- C. HB677/SB850 – CORRECTIONAL SERVICES – IMMIGRATION DETENTION – PROHIBITION (DIGNITY NOT DETENTION ACT) – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter in opposition to the legislation by voting 4 – 0 as follows:

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

- D. HB1368 – CORRECTIONAL SERVICES – HOME COUNTY CORRECTIONAL FACILITY PROGRAM - Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter in opposition to the legislation by voting 4 – 0 as follows:

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

Mr. Leshner requested that the letter include a statement that unfunded mandates from the State are unwelcome.

- E. HB 95/SB 162 – ANNE ARUNDEL COUNTY – NATURAL RESOURCES – FISHING WITH A HAUL SEINE – Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- F. HB 210/SB 342 – AQUACULTURE – LEASES IN WATER COLUMN – RIPARIAN RIGHT OF FIRST REFUSAL - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- G. HB 517 – CONSTITUTIONAL AMENDMENT – ENVIRONMENTAL RIGHTS - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- H. HB 856/SB 689 – UNLAWFUL TAKING OF OYSTERS FROM SUBMERGED LAND LEASES AND WATER COLUMN LEASES – PENALTIES - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 3– 1 as follows:

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

- I. HB 911/SB 808 – NATURAL RESOURCES – FISHERY MANAGEMENT PLANS – OYSTERS – Ms. Price made a motion to take “no position” on the legislation; Mr. Leshner seconded the motion. Prior to the vote, Mr. Divilio made a motion to support the legislation, with amendments; there was no second. Ms. Price then asked for a Point of Order as to whether a vote on the first motion needed to be taken prior to any further motions being made; County Attorney Anthony Kupersmith stated that a vote

did need to be taken prior to any further motions, unless the motion is to modify the initial motion. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- J. HB 1059/SB 950 – AQUACULTURE LEASE APPLICATIONS – NOTICE, PROTESTS, AND MEETINGS – ALTERATIONS - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- K. HB 1285/SB 678 – NATURAL RESOURCES – RECLASSIFICATION OF OYSTER SANCTUARIES – AUTHORIZATION – Delegate Johnny Mautz stated that the legislation had been withdrawn.

- L. HB 1306/SB 629 – NATURAL RESOURCES – SAV PROTECTIONS ZONES AND HYDRAULIC CLAM DREDGES (AQUATIC HABITAT PROTECTION ACT) – Ms. Price made a motion to forward a letter in opposition to the legislation and Mr. Divilio seconded the motion. Prior to the vote, Mr. Leshner stated that he was of the opinion the he did not have enough information to make an informed decision on the matter. Mr. Divilio stated that he was in favor of postponing the vote as one member was not prepared to vote and withdrew his second to Ms. Price’s motion. As there was no other second to the motion, the motion failed. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter of opposition to the legislation by voting 2 – 2 as follows:

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

As there was a tie vote, the motion to forward a letter of opposition to the legislation failed.

- M. HB 1353 – NATURAL RESOURCES – OYSTER SEVERANCE TAX – INCREASE – Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- N. HB 1397/SB 882 – RECREATIONAL STRIPED BASS FISHERY – STUDY ON HARVEST DATA - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- O. HB 1399/SB 510 – NATURAL RESOURCES – COMMERCIAL FISHING – USE OF HAUL SEINES - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- P. HB 1434 – AQUACULTURE LEASES – MARKING REQUIREMENTS AND USE OF LEASE – ALTERATIONS - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- Q. HB 1465/SB 955 – FEDERAL CLEAN WATER ACT – AUTHORITY OF STATE - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- R. HB 1498 – TIDAL FISH LICENSES – OYSTER AUTHORIZATIONS – REVOCATION - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- S. SB 86 – NATURAL RESOURCES – FISHING AND HUNTING RIGHTS - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- T. SB 114 – NATURAL RESOURCES – NUISANCE ORGANISMS – PILOT PROJECTS AND NORTHERN SNAKEHEADS - Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” by voting 4 – 0 as follows:

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

- U. SB 257 – FISHING GEAR – CRAB POTS – GHOST PANEL REQUIREMENT – Mr. Divilio made a motion to forward a letter in opposition to the legislation; Ms. Price seconded the motion and Council discussion ensued. Ms. Price withdrew her second and Mr. Divilio withdrew his motion. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” on the legislation by voting 4 – 0 as follows:

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

- V. SB 437 – PROHIBITION OF DREDGING OF MAN-O-WAR SHOALS – Upon motion by Mr. Divilio, seconded by Ms. Price, the Council approved forwarding a letter in opposition to the legislation by voting 4 – 0 as follows:

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

- W. SB 948 – NATURAL RESOURCES – COMMERCIAL OYSTER AUTHORIZATIONS – REQUIREMENTS – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter of strong opposition to the legislation by voting 4 – 0 as follows:

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

- X. SJ 3 (Senate Joint Resolution)/HJ 3 – NATURAL RESOURCES – FISHING – WILD-CAUGHT BLUE CATFISH – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved taking “no position” on the legislation by voting 4 – 0 as follows:

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

- Y. HJ 3 (House Joint Resolution)/SJ 3 – NATURAL RESOURCES – FISHING – WIDE-CAUGHT BLUE CATFISH – HJ 3/SJ 3 is the House version of the previous bill SJ 3/HJ 3 on which Council voted to take “no position.”

- Z. SB 540/HB 999 – MEMBER REGULATED COOPERATIVES – ESTABLISHMENT OF RURAL BROADBAND FOR THE EASTERN SHORE ACT OF 2020 – Delegate Johnny Mautz stated that the legislation is sponsored by the Eastern Shore Delegation, and during their presentation, indicated that the bill would be amended during the legislative process to alleviate concerns as to who would pay for the broadband connection and to guarantee that everyone would be connected in a timely manner. Delegate Mautz stated that the legislation has been endorsed by the surrounding counties. Council discussion ensued with Delegate Mautz who suggested that Council consider having Choptank representatives come in to address the Council, if they had not already done so, to answer any outstanding questions. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved taking “no position” on the legislation by voting 4 – 0 as follows:

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

- AA. HB 1129/SB 500 – TALBOT COUNTY – TURKEY AND DEER HUNTING – SUNDAYS – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter in support of the legislation by voting 4 – 0 as follows:

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

- BB. HB 1130/SB 312 – TALBOT COUNTY – SUNDAY HUNTING – DEER BOW HUNTING SEASON – Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved forwarding a letter in support of the legislation by voting 4 – 0 as follows:

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

- CC. HB 1132 – TALBOT COUNTY – SPEED MONITORING SYSTEMS – INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) AND BONFIELD AVENUE – Upon motion by Ms. Price, seconded by Mr. Divilio, the Council forwarding a letter in support of the legislation by voting 4 – 0 as follows:

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

- CC1. HB 4 – PUBLIC SAFETY - RIFLES AND SHOTGUNS - SECONDARY TRANSACTIONS – Delegate Mautz provided a brief synopsis of the legislation to the Council. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council forwarding a letter in opposition of the legislation by voting 4 – 0 as follows:

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

- CC2. HB 1257 - PUBLIC SAFETY - LICENSED FIREARMS DEALERS (FIREARMS DEALERS' SAFETY ACT) - Delegate Mautz provided a brief synopsis of the legislation for the Council. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council forwarding a letter in opposition of the legislation by voting 4 – 0 as follows:

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

- CC3. HB636 - PUBLIC SAFETY - ACCESS TO FIREARMS - STORAGE REQUIREMENTS – Delegate Mautz requested Council’s consideration to oppose the legislation and provided a brief synopsis of same. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council voted to oppose the legislation by voting 4 – 0 as follows:

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

- DD. HB 1392/SB 677 – RENEWABLE ENERGY PORTFOLIO STANDARD – MUNICIPAL ELECTRIC UTILITIES – Delegate Mautz provided a brief synopsis of the legislation for the Council. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council forwarding a letter in support of the legislation by voting 4 – 0 as follows:

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

- EE. HB 1508/SB 790 – INFORMATION TECHNOLOGY – COMMUNICATIONS LINES – INSTALLATION – Delegate Mautz stated that he wished to withdraw the legislation for Council’s consideration or that the Council take “no position”. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved taking “no position” on the legislation by voting 3 – 0 as follows:

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

Mr. Divilio was out of the room when the vote was taken.

IX. County Manager’s Report:

- A. Talbot County Short Term Rental Review Board - Requested Council approval of the appointment of George Nilson to the Talbot County Short Term Rental Review Board as an attorney with experience in real estate; said term will complete the unexpired term of John

“Jack” Hall and will expire January 1, 2023. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the appointment by voting 5 – 0 as follows:

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

- B. Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND – Change Order No. 15 - Requested Council approval of Change Order No. 15 to Bid No. 17-09 in the sum of \$310,596.00 for costs related to the installation of a pressure sewer system at the western end of Grace Street in St. Michaels; USDA grant funding for the project will cover the cost. Upon motion by Mr. Divilio, seconded by Mr. Leshner, the Council approved Change Order No. 15 by voting 4– 0 as follows:

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

- C. Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND – Change Order No. 16 – Requested Council approval of Change Order No. 16 to Bid No. 17-09 in the sum of \$32,100 for costs associated with roadbed restoration and drainage improvements on Connor St. in St. Michaels; USDA grant funding for the project will cover the cost. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved Change Order No. 16 by voting 4 – 0 as follows:

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

- D. Talbot County Community Center Sewer Design/Survey Work – Requested Council approval to award sewer design and survey work to connect the Talbot County Community Center to the Easton Wastewater Treatment System to Lane Engineering, Inc. in the sum of \$28,000. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved the award by voting 4– 0 as follows:

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

- E. Request from Roads Department – Requested Council approval of the Roads Superintendent’s recommendation to award the removal of large diseased trees on Station Road in Newcomb to Wilder Tree in the sum of \$14,500 and to utilize contingency funds for the project; said removal is necessary to improve drainage issues on the road. Mr. Hollis certified that Contingency Funds are available. Upon motion by Mr. Divilio, seconded by Mr. Leshner, the Council approved the recommendation by voting 4 – 0 as follows:

Mr. Pack - Aye

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

X. Public Comments: Members of the public commented on topics of interest to them.

XI. Council Comments:

Mr. Divilio – No comments.

Ms. Price - No comments.

Mr. Leshner - No comments.

Mr. Pack - No comments.

XII. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council voted to adjourn and to reconvene on Thursday, February 27, 2020 at 4:00 p.m. in the Bradley Meeting Room to hear budget presentations for various County departments and agencies and which is open to the public; to reconvene on Tuesday, March 3, 2020 to hear budget presentations for various County departments and agencies and which is open to the public; and to reconvene on Tuesday, March 10, 2020 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
Ms. Price – Aye
Mr. Leshner – Aye

The meeting adjourned at 10:22 p.m.

The transcript of the February 25, 2020 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIII. Work Session to Discuss Public Transportation Services in Talbot County – The Council held a work session on public transportation services in Talbot County on Tuesday, February 18, 2020 at 4:00 p.m. in the Wye Oak Room at the Talbot County Community Center, 10028 Ocean Gateway, Easton. Representatives of various transportation providers in Talbot County, the Department of Social Services, Talbot County Health Department, Chesapeake College, Brookletts Place - The Talbot County Senior Center, and several County boards and committees were in attendance and outlined what, in their opinion, were challenges to providing more affordable, reliable transportation options in the county and presented their suggestions for same. Council discussion ensued with the representatives.

XIV. Summary of Closed Session Held on February 25, 2020:

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

Time of closed session: 3:45 p.m. to 6:00 p.m.
Place of closed session: County Council Conference Room

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: Divilio, Leshner, Pack

Members opposed: None

Abstaining: None

Absent: Callahan, Price (arrived at 4:00 p.m.)

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 appointments to various boards and commissions	GP § 3-305(b) (1)	Corey Pack, Laura Price, Frank Divilio, Pete Leshner, Andy Hollis, Jessica Morris, Anthony Kupersmith, Mary O'Donnell	None
Discuss a personnel matter involving the Department of Public Works	GP § 3-305 (b) (1)	Same as above	Consensus to advertise vacancy
Discuss a personnel matter involving the Finance Office	GP § 3-305 (b) (1)	Same as above	None
To discuss possible acquisition of property for a public purpose in Neavitt and Oxford	GP § 3-305 (b) (3)	Same as above	None
For legal advice regarding budget preparation	GP § 3-305 (b) (7)	Same as above	None
For legal advice regarding Public Information Act request	GP § 3-305 (b) (7)	Same as above	None
For legal advice regarding litigation involving Public Service Commission	GP § 3-305 (b) (7)(8)	Same as above	None
For legal advice regarding licensing of breweries	GP § 3-305 (b) (7)	Same as above	Place item on agenda for March 10, 2020 Council meeting
To discuss incentive program related to retention of business in Talbot County	GP § 3-305 (b) (4)	Same as above and Cassandra Vanhooser and Angela Lane	Consensus to support incentive offered by MD Department of Commerce and

			formally ratify at future Council meeting
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CASH STATEMENT 2/18/2020

BALANCE 2/11/2020	12,276,453.45
CIGNA CLAIMS PAID THRU 2/10/2020	(77,858.50)
STATE REPORT 1/2020	(196,300.76)
WF/GF EQUIPMENT LEASE PMT 2/2020	(4,092.00)
2017 STALE DATED CHECKS	6,643.29
RETURNED E-CHECK	(495.26)
DEPOSITS	593,503.69
CHECKS	
VOIDED CHECK(S)	
BALANCE 2/18/2020	<u>12,597,853.91</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		1.62%	20,500,000.00
1880 BANK			10,116,219.00
TOTAL INVESTED			<u>30,616,219.00</u>
PETTY CASH BALANCE			<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>43,229,642.91</u>

CASH STATEMENT 2/25/2020

BALANCE 2/18/2020	12,224,456.85
TOTAL ADP PAYROLL PPE 2/7/2020	(629,150.17)
DEFERRED COMP DED PPE 2/7/2020	(17,629.19)
PENSION DED PPE 2/7/2020	(38,119.15)

DEFERRED COMP PPE 2/7/2020 PLAN 401(A)	(7,158.72)
INTEGRA CLAIMS PAID THRU 2/18/2020	(102,734.51)
ELECTION BOARD PPE 11/5 & 11/19/2019	(18,299.32)
FEBRUARY 2020 ENTERPRISE LEASE PYMT	(4,884.79)
USDA/RD BIOSOLIDS QTRLY BOND PYMT	(6,626.00)
USDA/RD BIOSOLIDS QTRLY BOND PYMT	(13,086.00)
SALES & USE COMMUNITY CENTER DUE 2/20/2020	(467.80)
SALES & USE HOG NECK GOLF COURSE DUE 2/20/2020	(104.25)

DEPOSITS	563,631.34
CHECKS	(262,710.63)
VOIDED CHECK(S) #338910	24,763.00

BALANCE 2/25/2020 **11,711,880.66**

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		1.62%	20,500,000.00
1880 BANK			10,116,219.00

TOTAL INVESTED **30,616,219.00**

PETTY CASH **15,570.00**
BALANCE

GRAND TOTAL ALL FUNDS **42,343,669.66**