



TALBOT COUNTY, MARYLAND

County Council

MINUTES

February 26, 2019

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

- I. Agenda – Mr. Pack requested and received Council's unanimous consent for approval of the Agenda of Tuesday, February 26, 2019.
- II. Minutes – Mr. Pack requested and received Council's unanimous consent for approval of the Minutes of Tuesday, January 22, 2018.
- III. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, February 19, 2019, and Tuesday, February 26, 2019.
- IV. Update by Talbot County Board of Health – Fredia Wadley, M.D., Talbot County Health Officer; Kelly Griffith, Ed. D., Superintendent, Talbot County Public Schools; Lind Webb, Director, Talbot County Department of Social Services – Dr. Wadley, Dr. Griffith and Ms. Webb updated the Council on the Talbot Children's Initiative. The Initiative is a partnership between the Talbot County Health Department, the Talbot County Department of Social Services, and Talbot County Public Schools, in conjunction with community leaders and agencies. The mission of the Talbot Children's Initiative is to give all children in Talbot County the opportunity for a healthy start in life. Dr. Wadley stated that children starting school today are at a much higher risk of having behavioral, mental health and/or addiction issues than the previous generation. Dr. Wadley, Dr. Griffith and Ms. Webb provided statistical information on factors which can negatively affect children, including being born into poverty, living with a single parent, being homeless, having a parent or caregiver with substance abuse, and mental health issues. Dr. Wadley, Dr. Griffith, and Ms. Webb outlined services and programming offered to at-risk children and their parents in order to prevent and/or mitigate adverse experiences, including Early Head Start, universal pre-K, parenting classes, etc. Dr. Wadley, Dr. Griffith, and Ms. Webb concurred that a system needs to be developed whereby children who have behavioral, developmental, and/or learning challenges receive better comprehensive assessments and care plans can be formulated. Council discussion ensued with Dr. Wadley, Dr. Griffith, and Ms. Webb as various information was brought forward.
- V. Update on St. Michaels Senior Center/YMCA Project – Robbie Gill, CEO, YMCA of the Chesapeake, Inc.; Gary Gunther, Executive Director, Upper Shore Aging, Inc.; Childlene Brooks, Manager, Brookletts Place – The Talbot County Senior Center – Mr. Gill briefed the Council on the status of the St. Michaels Senior Center/YMCA Project, stating that the move-in date is May 15, 2019, with the official opening date June 1, 2019. He stated that fundraising efforts continue to go well, with \$6.2 million raised thus far. Mr. Gill stated that, in his opinion, once the fundraising efforts are completed, the facility should be debt free to partner with the County and Upper Shore Aging, Inc. to provide the programs and services needed to make an impact in the Bay Hundred area. He stated that once open, he anticipates that three out of every four people in the Bay Hundred area will participate in the programming to be offered at the new facility. Mr. Gunther stated that he views the project as intergenerational; 2,800 of the 6,200 individuals in Bay Hundred are aged 60 or older. Ms. Brooks stated that the Senior Center is looking at programming it will offer at the new facility. She stated that the YMCA will lend their staff for the programming at no cost to the Senior

Center (Upper Shore Aging, Inc.). Ms. Brooks stated that members of the public will have an opportunity to provide input on senior programming they would like to see at the new facility at a public forum on Monday, March 25, 2019 at 5:30 p.m. at the St. Michaels Branch of the Talbot County Free Library. Mr. Gill advised the Council that the new St. Michaels Senior Center/YMCA will be named the Perkins Family YMCA in honor of Mr. Bob Perkins and his wife, Kay, in recognition of their philanthropic and volunteer contributions to various entities in the Talbot County community, including the YMCA. Mr. Gill, Mr. Gunther, and Ms. Brooks will continue to update the Council on the project on a regular or as needed basis.

- VI. Request by Brookletts Place – The Talbot County Senior Center – Gary Gunther, Executive Director, Upper Shore Aging, Inc., requested Council approval for the purchase of touch-screen software in the sum of \$7,800 utilizing FY19 funds; the software will be used at both Brookletts Place in Easton and at the new facility in St. Michaels. Mr. Hollis stated that the software is necessary in order to collect data required as a condition of the Community Development Block Grant agreement entered into by the County. He stated that the State requires several years of actual data in order to demonstrate that the information supplied is accurate and occurring. Mr. Gill and Ms. Brooks stated that the purchase is being requested at the present time in order to allow time for receipt of same so that Senior Center and YMCA personnel can be cross-trained on the software prior to June 1st opening of the new facility. Council discussion ensued. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the purchase from FY19 Contingency Funds, which the County Manager certified are available, by voting 3 – 1 as follows:

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

- VII. Update on Census 2020 – Jillian Cordova, Partnership Specialist, U.S. Census Bureau – Philadelphia Region; Chasity Durham-Miller, Partnership Specialist, U.S. Census Bureau – Philadelphia Region; Martin Sokolilich, Talbot County Senior Planner – Ms. Cordova briefed the Council on the purpose of the U.S. Census which, under the United States Constitution, is required to be taken every 10 years. Ms. Cordova stated that the data collected from the Census is used to determine the number of representatives each state has in Congress as well as the distribution of \$675 Billion in funding distributed by the federal government to cities and towns throughout the nation which is used to meet the needs of citizens for roads, schools, emergency services, etc. She stated that Governor Hogan recently established the state Complete Count Committee which is responsible for seeing that Maryland's local jurisdictions get an accurate count of all the state's citizens. Ms. Cordova outlined key features of the upcoming 2020 Census, which, for the first time, will be available online; in March 2020, citizens will receive a postcard invitation in the mail with a code to use to complete the Census. She requested that the County establish a County Complete Count Committee, as it has in previous Census years, to make sure that citizens understand the importance of participation in the Census. The County Complete Count Committee is a volunteer committee to increase awareness of the Census and to motivate and encourage residents to respond. She assured everyone that data provided for the Census is safe and confidential and is protected under Section Nine, Title 13 of the U.S. Code. The Census Bureau's Response Outreach Area Map (ROAM) is used to focus on those communities which are predicted to have a lower response rate. Ms. Cordova encouraged those citizens who are interested to apply for the many jobs which will be available; canvassing will begin in summer 2019. Council discussion ensued with Ms. Cordova as various points of the 2020 Census were brought forward. Council discussion also ensued with Mr. Sokolilich relating to selection of individuals for the County Complete Count Committee and the process by which information is disseminated; Mr. Sokolilich was Talbot County's point of contact for the 2010 Census. Establishment of a 2020 Census Complete Count Committee for Talbot County is anticipated in the next several months.

VIII. Presentation by Talbot County Agricultural Community – Shawn Smith, Acting District Manager, Talbot Soil Conservation District; John Swaine, III, Chairman, Board of Supervisors, Talbot Soil Conservation District; Howard Callahan, Nutrient Management Specialist, Nutrient Management Program, Maryland Department of Agriculture; Ed Heikes, Member, Board of Directors, Talbot County Farm Bureau; Shannon Dill, Extension Educator – AGNR, University of Maryland Extension – Talbot County; John Barga, County Executive Director, U.S. Department of Agriculture/Talbot County Farm Service Agency – The representatives briefed the Council on the following topics: cover crops planted in Talbot County; the importance of the United States Department of Agriculture to the nation’s farmers who take advantage of the Department’s programs and to the country’s food supply; compliance of agricultural operations with the Water Quality Improvement Act of 1998 (Nutrient Management Law) and the role of nutrient management plans required to comply with the Act as well as the extensive analysis necessary to produce a plan and the resulting voluminous data the plans provide; an update on polices approved by the Talbot County Farm Bureau affecting agriculture, which were then forwarded to the Maryland Farm Bureau and American Farm Bureau Federation for their consideration, including some loss of support by the federal government for general aviation airports (crop dusting), noxious weeds; an opposition to a proposed carbon tax; and reinstatement of mowing State roads rights-of-way. Council discussion ensued with the representatives as the various items were brought forward. Representatives of the Talbot County agricultural community will continue to update the Council on a regular or as needed basis.

IX. Introduction of Numbered Resolution:

A BILL TO AMEND CHAPTER 15 (ANIMALS), ARTICLE 1 (ANIMAL CONTROL) OF THE TALBOT COUNTY CODE TO CREATE A LICENSURE REQUIREMENT FOR BOARDING, BREEDING, TRAINING, ANIMAL RESCUE AND PET SALE FACILITIES, TO REQUIRE THAT SUITABLE SHELTERS BE PROVIDED TO DOMESTICATED ANIMALS IN TIMES OF EXTREME WEATHER CONDITIONS, AND TO REGULATE THE TETHERING OF DOGS AND CATS was read into the record by the Clerk and brought forward for introduction. The legislation was introduced by Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1408. A public hearing was scheduled for Tuesday, March 26, 2019 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington St., Easton, Maryland 21601.

County Manager’s Report:

A. Bid No. 17-16, GRASS CUTTING SERVICES –PARKS, BALL FIELDS AND LANDINGS – TALBOT COUNTY, MARYLAND - Requested Council approval of the recommendation of the Director of the Department of Parks & Recreation to extend the contract with Riverside Lawn Service for Bid No. 17-16 for the 2019 season for the same price as the 2018 season, \$41,999.00. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved extension of the contract for the 2019 season by voting 4 – 0 as follows:

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

B. Request from Department of Public Works (Bid No. 17-08 – Open-Ended Engineering Services Agreement) - Requested Council approval of the County Engineer’s recommendation to award the contract for the metes and bounds legal description for Dutchmans Lane to the lowest proposer, Wallace Montgomery in the sum of \$34, 594.56; said description is required to proceed with the transfer of ownership of the road to the Town of Easton. Upon motion by Ms. Price, seconded by Mr. Leshner the Council approved the award by voting 4 – 0 as follows:

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

- C. Bid No. 17-11, ST MICHAELS PHASE V SANITARY SEWER SYSTEM REPLACEMENT/REHABILITATION – TALBOT COUNTY, MARYLAND (Change Order No. 3) – Requested Council approval to award Change Order No. 3 for Bid No. 17-11 to Mobile Dredging and Video Pipe, Inc. in the sum of \$475,696.27 for the replacement of defective sewer laterals; funding for the Change Order will be allocated from the USDA Rural Development grant award for the project. 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. Leshler - Aye

- D. Broadband Strategic and Technical Support Services – Requested Council approval to accept the proposal from CTC Technology and Energy to provide ongoing broadband strategic and technical support services in the sum of \$22,500; funding for the services will be derived from franchise fee revenues. Upon motion by Mr. Leshler, seconded by Mr. Divilio, the Council approved acceptance of the proposal by voting 4 – 0 as follows:

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

- E. Recodification of Talbot County Code - Requested Council approval to have General Code Publishers complete a comprehensive re-codification of the Talbot County Code in a sum not to exceed \$16,458.00; funding for the recodification was budgeted in FY19. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved the request as presented by voting 4 - 0 as follows:

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

- F. Request from Roads Department – Requested Council approval to purchase a replacement vehicle for one which was declared a total loss by the County’s insurance company following an incident. Mr. Hollis stated that the insurance company valued the vehicle at \$53,102; an additional \$6,376 is needed for the replacement which Finance Director, Angela Lane, has indicated is available in the Roads Department budget. Upon motion by Mr. Divilio, seconded by Mr. Leshler, the Council approved the purchase of the replacement vehicle by voting 4 – 0 as follows:

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

- G. Maryland House Bill 1077, Talbot County - Alcoholic Beverages - Election Days – Requested Council approval to forward a letter in support of Maryland HB 1077 which would delete the provision in current law which precludes the sale of alcohol beverages in Talbot County on Election Day; the legislation was requested to be introduced during the Council’s recent meeting with the local delegation. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter of support by voting 4 – 0 as follows:

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

- H. Maryland House Bill 1095, Talbot County - Alcoholic Beverages - Substitute Member for Board of License Commissioners – Requested Council to forward a letter in support of Maryland HB1095; the legislation was requested to be introduced during the Council’s recent meeting with the local delegation. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved forwarding a letter of support by voting 4 – 0 as follows:

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

- I. Maryland House Bill 1356, Talbot County - Turkey Hunting – Sundays – Requested Council approval to forward a letter in support of Maryland House Bill 1356, introduced by Delegate Mautz as emergency legislation. Mr. Divilio made a motion to forward a letter in support of the legislation; the motion was seconded by Ms. Price. Prior to the vote, while Ms. Price researched the status of the public hearing on the legislation, Mr. Lesher made a motion to table the vote on forwarding a letter of support until the Council meeting of March 12, 2019 in order to solicit input from the public; Ms. Price seconded the motion; Mr. Divilio had no objection. Council discussion ensued. Mr. Pack clarified that a motion and second had been made to table the matter to allow the Council to ascertain whether or not the hearing on Bill No. 1356 would be held before March 12, 2019, and if so, to forward a letter of support. If not, the public will be provided an opportunity for input at the March 12, 2019 Council meeting. The Council approved tabling the legislation by voting 4 – 0 as follows:

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

- J. Talbot County Board of Appeals – Requested Council approval for the appointment of Zakary Krebeck to the Talbot County Board of Appeals as an alternate member; said term will complete the unexpired term of Rollin Browne which will expire on February 11, 2020. Upon motion by Mr. Lesher, seconded by Mr. Divilio, the Council approved the appointment by voting 4 – 0 as follows:

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

- K. Neighborhood Service Center – Requested Council approval to have Mr. Divilio replace Mr. Pack as the Council representative for the Neighborhood Service Center. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the replacement by voting 4 – 0 as follows:

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

X. Council Comments:

Mr. Divilio - No comments.

Ms. Price - Ms. Price stated that, in her opinion, we had a really good dinner at the St. Michaels Fire Department annual banquet and it was a wonderful event, like all fire department dinners. Ms. Price expressed her appreciation for having received an invitation.

Mr. Leshner - No comments.

Mr. Pack - Mr. Pack stated that he and Childlene Brooks, Manager, Talbot County Senior Center, had attended a reception in Annapolis last night hosted by District 37 representatives. He expressed his appreciation to the representatives for hosting the event and stated that it was well attended and he had had a wonderful time. He stated that on Friday, March 1, 2019, he and Mr. Divilio will be participating in the *Read Across America* event by reading to third grade students; on Saturday, March 2, members of the Council will be attending the final fire department dinner on Tilghman.

- XI. Prior to the vote to adjourn and reconvene, Council discussion ensued as to whether to reschedule the March 12, 2019 Council meeting so that the Council could attend the Annual Farm Banquet at Easton High School. The Council voted to adjourn and to reconvene on Monday, March 4, 2019 at 1:00 p.m. for a meeting with the Talbot County Watermen’s Association in the Wye Oak Room, Talbot County Community Center to discuss the approved changes to the Talbot County Code Section 121 (Bill No. 1407 - Public Landings), and at 2:00 p.m. for a meeting to discuss legislation pending before the Maryland General Assembly concerning waterways; to reconvene on Tuesday, March 5, 2019 at 4:30 p.m. and on Thursday, March 7, 2019 at 3:00 p.m. in the Bradley Meeting Room to hear Budget agency presentations; and to reconvene on Tuesday, March 12, 2019 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 times to be determined by voting 4 – 0 as follows:

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

The meeting adjourned at 8:27 p.m.

The transcript of the February 26, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XII. On Tuesday, February 26, 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. Leshler, seconded by Ms. Price, the Council met in Closed Session by voting 4 – 0 as follows:

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

In accordance with General Provisions Article § 3-305(b)(1)(i)(3)(4)(7)(8) the purpose of the Closed Session was for Legal matters for legal advice regarding Council communications; for legal advice regarding proposed Memorandum of Understanding for pool operations; for legal update on negotiations with Oxford VFD concerning right-of-way easement; for legal advice regarding potential litigation involving Liquor Board decision; for Personnel matters to discuss appointments to various County boards and committees; for Real Estate matters to discuss possible acquisition of property in Easton for a public purpose; and for Business expansion for legal advice regarding proposal for business expansion in Talbot County to provide broadband services to underserved and unserved areas of the County. The Closed Session ended at 6:00 p.m.

CASH STATEMENT 2/19/2019

BALANCE 2/12/2019	\$ 14,062,725.21
TOTAL ADP PAYROLL PPE 1/25/2019 (SPECIAL RUN)	(226.07)
CIGNA CLAIMS THRU 2/11/2019	(69,794.31)
RETURNED CHECK #592	(125.66)
DEPOSITS	470,741.40
CHECKS	(653,445.07)
VOIDED CHECK # 303478, 310398, 316791, 317215, 330296	16,272.55
BALANCE 2/19/2019	<u>13,826,148.05</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>YIELD</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.43%	23,000,000.00
1880 BANK			10,065,776.55
TOTAL INVESTED			<u>\$33,065,776.55</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$ 46,907,494.60</u>

CASH STATEMENT 2/26/2019

BALANCE 2/19/2019		\$ 13,826,148.05
TOTAL ADP PAYROLL PPE 2/08/2019		(598,059.30)
DEFERRED COMP DED PPE 2/08/2019		(16,640.47)
PENSION DED PPE 2/08/2019		(37,076.51)
SECU DED PPE 2/08/2019		(3,382.63)
FLEX SPENDING BENEFITS PPE 2/08/2019		(3,339.00)
DEFERRED COMP PPE 2/08/2019 PLAN 401(A)		(5,038.51)
CIGNA CLAIMS THRU 2/19/2019		(118,373.29)
SALES & USE COMMUNITY CENTER DUE 2/20/2019		(505.20)
SALES & USE HOG NECK GOLF COURSE DUE 2/20/2019		(235.05)
DEPOSITS		335,688.73
CHECKS		(719,702.68)
VOIDED CHECK #331400		50.00
BALANCE 2/05/2019		<u>9,303,830.24</u>

AIRPORT ACCOUNTS

AIP42		0.00
AIRPORT ACCOUNTS TOTAL BALANCE		<u>0.00</u>

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			10,065,776.55
TOTAL INVESTED			<u>\$33,065,776.55</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>

GRAND TOTAL ALL FUNDS

\$45,740,880.69

