



TALBOT COUNTY, MARYLAND

County Council

MINUTES

January 24, 2017

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 Michael L. Pullen, and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – Ms. Williams requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, January 24, 2017.
- II. Minutes – Ms. Williams requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, January 10, 2017.
- III. Disbursements – Ms. Williams requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, January 17, 2017 and Tuesday, January 24, 2017.
- IV. Presentation by Thomas “Bunky” Luffman, Jr. – Eastern Shore Intergovernmental Affairs Representative, Governor’s Office – Mr. Luffman introduced himself and provided a brief background of his employment experience prior to assuming his current position, including most recently as the Deputy Mayor of Delmar, Maryland. Mr. Luffman stated that he is the Governor’s liaison to the nine counties and 56 municipalities of Maryland’s Eastern Shore and is available to assist those entities with obtaining information on various topics, and/or to provide contact information for the various State agencies. Mr. Luffman emphasized that he is not a spokesperson for the Governor and does not work on the legislative side. Council members congratulated Mr. Luffman on his new position. At Mr. Pack’s request, Mr. Luffman will try to obtain information on the anticipated completion date for the new Dover Bridge and whether a determination has been made regarding a possible new name for the bridge.
- V. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO APPOINT RELIANCE TRUST COMPANY OF ATLANTA, GEORGIA AS TRUSTEE FOR FUNDS FOR THE TALBOT COUNTY, MARYLAND 401(a) PLAN was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Finance Director, Angela Lane, stated that the administrative resolution is the final step in setting up a 401(a) Plan, the deferred compensation plan for designated public safety personnel. Ms. Lane stated that the Plan is for County contributions to the Plan whereby the County will match the contributions of the designated public safety employee contributions, up to two percent (2%), who contribute to the County’s 457 Deferred Compensation Plan. She stated that the administrative resolution outlines the appointment of an independent, third party trustee to manage the funds. The administrative resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams. Upon motion by Mr. Pack, seconded by Mr. Callahan, Council approved moving the administrative resolution to second reader by voting 5 – 0 as follows:

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

Upon motion by Mr. Bartlett, and no objection by the Council, a full reading of the administrative resolution was waived. Upon motion by Mr. Callahan, seconded by Ms. Price, the administrative resolution was brought forward for vote. The Council approved the Administrative Resolution by voting 5 – 0 as follows:

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

VI. Introduction of Numbered Resolutions:

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF MAY PORT ROAD IN BOZMAN, MARYLAND, TO THE FAMILY AND FRIENDS OF ASBURY AND GREEN CHAPPEL, INC., AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO EFFECT THE TRANSFER was read into the record by the Clerk and brought forward for introduction. The purpose of the proposed resolution is to transfer a portion of an old, abandoned right-of-way on May Port Road which is currently owned by the County to the Family and Friends of Asbury and Green Chappel, Inc. The cemetery for the church abuts May Port Road and the church has been maintaining the County portion of the property which is prone to the illegal dumping of trash, for some time. County Attorney, Michael Pullen, stated that the County had acquired the abandoned right-of-way from the State several years ago. He stated that all processes required by the County’s zoning ordinance have been completed and the public hearing for the proposed disposition of the County property will be advertised for three (3) weeks as required. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 239. A public hearing was scheduled for Tuesday, February 28, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION TO CHANGE THE TRAFFIC CONTROL REQUIREMENTS IN THE CONSTRUCTION SPECIFICATIONS FOR COUNTY ROADWAYS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Michael Pullen, stated that the resolution is offered an amendment to Resolution No. 232 which was recently approved by the Council. He stated that the resolution, if approved, would change the terminology in the construction specifications requiring that a Maryland SHA-certified “Traffic Manager” be on site at all times to instead require that a Maryland SHA-certified “Traffic Flagger” be on site at all times. He stated that SHA had advised that there is only one traffic manager for the district. He stated that since that individual is unable to be at all sites, it was determined that traffic flaggers are the appropriate level of control and the resolution reflects that change in language. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 240. A public hearing was scheduled for Tuesday, February 14, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION TO AMEND THE TALBOT FAMILY NETWORK BYLAWS TO CHANGE THE COMPOSITION OF THE EXECUTIVE COMMITTEE, TO REDUCE BOARD MEMBERSHIP FROM 20 TO 15 MEMBERS, TO DEFINE ATTENDANCE REQUIREMENTS FOR ELIGIBILITY FOR APPOINTMENT TO A SECOND TERM, TO ESTABLISH A NOMINATING COMMITTEE AND TO REQUIRE THE PRESENCE OF AT LEAST ONE PRESIDING OFFICER TO ESTABLISH A QUORUM was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Jan Willis, Coordinator, Talbot Family Network, stated that the Talbot Family Network Bylaws Review Committee is required to review the organization's bylaws every three years. She stated that since Governor Hogan took office there have been significant changes in the manual issued by the Governor's Office for Children which sets the minimum guidelines for the bylaws of Talbot Family Network. Council discussion ensued with Ms. Willis regarding the recommendations for changes in the bylaws as outlined in the resolution. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 241. A public hearing was scheduled for Tuesday, February 14, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF GLEBE ROAD AND ALL OF ELLIOTT ROAD TO THE TOWN OF EASTON AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO EFFECT THE TRANSFER was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Michael Pullen, stated that the resolution is the result of discussions between the Town of Easton and Talbot County regarding the transfer of a portion of Glebe Road from the Easton Bypass to the intersection of Mistletoe Drive, and the transfer of all of Elliott Road. He stated that although both roads are within the boundaries of the Town of Easton, the County has been maintaining the roads. He stated that the purpose of the resolution is to transfer ownership and control of the subject roads to the Town of Easton to be more consistent with the Town's municipal boundaries; a payment of \$100,000 by the County to the Town is also outlined in the resolution. Mr. Pack expressed his appreciation to Mayor Willey, Town Council President, John Ford, and Town staff for their efforts in getting the agreement to this point in the process. The resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams as Resolution No. 242. A public hearing was scheduled for Tuesday, February 28, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VII. Eligible for Vote:

Resolution No. 237, A RESOLUTION TO APPROVE THE TRANSFER OF CERTAIN COUNTY-OWNED AND MAINTAINED PUBLIC ROADS KNOWN AS MARYS COURT, MISTLETOE DRIVE, BRYAN DRIVE, AND A PORTION OF PORT STREET TO THE TOWN OF EASTON, MARYLAND IN ACCORDANCE WITH THE ANNEXATION PLANS ADOPTED BY THE TOWN FOR THE TALBOT COMMERCE PARK ANNEXATION AND THE EASTON POINT ANNEXATION RESPECTIVELY was read into the record by the Clerk and brought forward for vote. Prior to the vote, Mr. Pack stated that Marys Court, Mistletoe Drive and Bryan Drive were inadvertently omitted during the previous transfer of the industrial park to the Town of Easton. He stated that the inclusion of the transfer of a portion of Port Street in the resolution is to ensure that that portion of the road, which is surrounded by Town properties, is in the Town of Easton and under Town control. The Council approved Resolution No. 237 by voting 5 – 0 as follows:

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

Resolution No. 237 is effective immediately.

- VIII. Update by Talbot County Board of Health – Fredia Wadley, M.D., Talbot County Health Officer – Dr. Wadley updated the Council on the following matters: (1) Rural Health Delivery Workgroup – Dr. Wadley stated the Rural Health Delivery Workgroup has held three meetings thus far. The Rural Healthcare Delivery Workgroup was approved in the 2016 Legislative Session and members to the Workgroup were appointed by the Maryland Healthcare Commission to study how rural areas can best meet the challenges faced by their communities in order to deliver specific healthcare needs to those communities. She stated that some of those needs include transportation and services for children with special developmental and/or behavioral needs. She stated that the Workgroup will also be holding listening meetings in each of the Mid-Shore counties to hear about what processes are working in other rural areas; the next Workgroup meeting is scheduled for March; (2) Blood Pressure Cuff Self-Monitoring Program – Dr. Wadley stated that her office has begun distributing blood pressure cuffs to County offices so that County employees have the ability to monitor their blood pressure on a regular basis. She stated that treatment of high blood pressure is a major factor in the prevention of heart attacks, strokes and kidney disease; additional information is available on the Talbot County Health Department website. She stated that the blood pressure monitoring program supplements, but does not replace, the current monthly blood pressure screening done by Talbot County Emergency Services; (3) Preventing Two of Talbot County’s Top Five Health Needs – Substance Abuse and Mental Health – Dr. Wadley stated that services for both substance abuse and mental health are often less available in rural areas than in more urban areas, particularly for youth and children, since most treatment providers lack the expertise to treat children and child psychiatrists are very hard to hire in rural areas. She stated that prevention is the key to both mental health and substance abuse issues for children, youth, and adults as both have several common factors: they are not easily curable; the longer the issues remain untreated, the less likely a favorable outcome will be achieved; both are usually diagnosed in childhood or adolescence and if not treated, progress; and the issues are generational – if the parents have addiction or mental health problems, the risk increases that their children will not only have the same problems, but are susceptible to other issues as well. Dr. Wadley outlined various prevention and treatment programs and initiatives currently in place or planned in the near future to help break the cycle. Dr. Wadley will continue to update the Council on a regular or as-needed basis.
- IX. Update on Permits & Inspections – Mary Kay Verdery, Planning Officer; Brent Garner, Manager, Permits & Inspections – Ms. Verdery expressed her appreciation to Mr. Garner for his motivation and dedication to the Talbot County Office of Permits & Inspections. Mr. Garner thanked all various staff members for their support over the past year. He stated that the Office of Permits & Inspections has made and continues to make, progress in the areas of customer service, education and communication with the various entities who utilize the Office of Permits & Inspections. He provided statistical information outlining the number and types of permits issued in 2016 and stated that building permits increased 16% from 2015, permits for new homes increased 23%, replacement homes increased 33%, and garages increased 27%. Mr. Garner stated that Permits & Inspections had held a public meeting in November 2016 as an opportunity for individuals in the building, trades, and design professions to have questions answered pertaining to permits, plan review, flood insurance rate maps, storm management, etc. Mr. Garner also provided an update on various processes within Permits & Inspections and information on various codes recently implemented by the County. He stated that training for the 2015 International Energy Conservation Code is scheduled for

Tuesday, February 7, 2017 at 3:00 p.m. at the Easton Branch of the Talbot County Free Library; the purpose of the training is to better understand the new energy code required by the State of Maryland. Council discussion ensued with Mr. Garner and Ms. Verdery as various items were brought forward.

X. County Manager's Report:

- A. Request from Office of Law – Assistant County Attorney, Anthony Kupersmith, requested Council approval to forward a letter to the Maryland Critical Area Commission stating that it is the County's intention to adopt a definition of "in play area" as outlined in Bill No. 1349. He stated that inclusion of the definition in Bill No. 1349 was requested by the Critical Area Commission as a condition of their approval of the legislation. Mr. Kupersmith stated that the County Council approved Bill No. 1349, A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO ALLOW NO MORE THAN 20 PERCENT EXPANSION FOR GOLF COURSES THAT EXISTED AS OF AUGUST 13, 1989 IN THE RURAL CONSERVATION (RC) ZONING DISTRICT, in November 2016. He stated that since the legislation amended the County's critical area program, the legislation was subsequently forwarded to the Critical Area Commission for consideration of approval; a letter of intent to the Critical Area Commission from the County to include the definition in the legislation is required before the legislation can become effective. He stated that an amendment is currently being drafted for Council's consideration and is scheduled to be reviewed by the Planning Commission at its regularly scheduled meeting on Wednesday, March 1, 2017. Council discussion ensued with Mr. Kupersmith and County Attorney, Michael Pullen. The Council approved forwarding a letter of intent to the Critical Area Commission to incorporate the definition of "in play area" into Bill No. 1349.

XI. Council Comments:

- Ms. Price – Ms. Price stated that both the MACo Legislative Committee and the MACo Board of Directors will be meeting tomorrow. She stated that the Board of Directors will be hosting the legislators to provide an opportunity for locally-elected officials to interact with State officials to let the State officials know what concerns the local officials have.
- Mr. Bartlett - No comments.
- Mr. Pack - Mr. Pack expressed his regrets for not having been able to attend the last two fire department banquets and stated that he planned to attend Easton's banquet on February 4, 2017.
- Mr. Callahan - Mr. Callahan stated that he had attended the Corn Club dinner the previous week and the Ag Center dinner last night, and in his opinion, both were great and he appreciates the events. He recounted an experience during the Presidential Inauguration festivities whereby the group of individuals he was with asked a person at the next table if he would take a picture of the group. He stated that the gentleman introduced himself as Jack Schmitt, a former astronaut on Apollo 17, and one of the last astronauts to walk on the moon. He stated that Mr. Schmitt gave him a commemorative button and the group had a nice conversation with him. Mr. Callahan concluded his comments by stating that, in his opinion, it was a cool experience and you never know who you might be sitting next to.

Ms. Williams - Ms. Williams concurred with Mr. Callahan's statement that attending the Inauguration was quite an experience.

- XII. Upon motion by Mr. Pack, seconded by Ms. Price, the Council voted to adjourn into Closed Session for discussion of legal, personnel and real estate matters and to reconvene at 5:00 p.m. on Tuesday, February 14, 2017 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 at 6:00 p.m. for the regularly scheduled Council meeting 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 7:38 p.m.

The transcript of the January 24, 2017 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIII. On Tuesday, January 24, 2017 a Closed Session of the Talbot County Council convened at 5:20 p.m. in the County Council Conference Room. Upon motion by Mr. Pack 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
Ms. Price – Aye
Ms. Williams – Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(3)(7) the purpose of the Closed Session was for personnel matters to discuss appointments to various County boards and committees; to discuss a personnel matter in Planning & Zoning; to discuss a personnel matter at Hog Neck Golf Course; for a legal/real estate matter for update on a legal matter involving Talbot County and County owned property; and for a legal matter for an update on a legal matter involving the County. The Closed Session recessed at 6:00 p.m. and reconvened at 7:50 p.m. The Closed Session ended at 8:30 p.m.

- XIV. Work Session on Tourism Board's Proposal for a Potential Increase in County Accommodations Tax – Members, Talbot County Tourism Board – The Council held a work session with several representatives of the Talbot County Tourism Board at 3:30 p.m. on Tuesday, January 24, 2017. The purpose of the work session was to discuss, at the request of a majority of the Tourism Board, a potential increase in the County Accommodations Tax by 1% and the ways in which revenues generated by such an increase might be distributed. Members of the public, as well as representatives of several municipalities who were in attendance, were offered an opportunity to comment. Talbot County's current Accommodations Tax rate is 4% and is the third lowest among the counties in Maryland.

- XV. Work Session with Chesapeake College – Dr. Barbara Viniar, President, Chesapeake College; Timothy Jones, Vice President of Administrative Services, Chesapeake College; Clayton A. Railey, III, Ph.D., Vice President for Workforce and Academic Programs, Chesapeake College; Lucie Hughes, Vice President for

Institutional Advancement, Chesapeake College – The Council held a work session with representatives of Chesapeake College to discuss the status of several current initiatives, including dual enrollment opportunities for high school students and the Career Fair to connect available jobs with workers; initiatives planned to be instituted or expanded in the 2017-2018 academic year, including collaboration with various businesses for use of their facilities as classroom space, internships for dual enrollees and efforts to encourage more women to seek training in “the trades.” The representatives also outlined various cost-saving and cost-cutting measures to the budget of Chesapeake College which have already been instituted or are planned. Dr. Viniar stated that Governor Hogan has included grant funding in his budget to keep tuition cost increases for the 2017-2018 academic year at the State’s community colleges at 2% versus 2.5%. Council discussion ensued with the representatives as various matters were brought forward. Chesapeake College will continue to update the Council on a regular or as-needed basis.

CASH STATEMENT 1/17/2017

BALANCE 1/10/2017	\$37,605,863.29
FD/SS/MS WH PPE 12/30/16	(138,983.62)
DEFERRED COMP DED PPE 12/30/16	(11,203.98)
MD WH PPE 12/30/16	(34,477.60)
PENSION DED PPE 12/30/2016	(33,578.61)
SECU DED PPE 12/30/2016	(4,486.55)
FLEX SPENDING PPE 12/30/2016	(2,938.71)
INTEGRA CLAIMS THRU 1/9/2017	(70,346.26)
ACH TRANSFER	(14,570.58)
USDA/RD MTHLY SEWER BOND PYMNT JAN2017	(1,304.00)
USDA/RD RONB QTRLY BOND PYMT LOAN#92-03	(9,478.00)
STATE REPORT 12/2016	(1,428,623.49)
AIRPORT/28712 GLEBE RD PURCHASE	(6,046,936.31)
POSTAGE WIRE	(3,000.00)
Returned Check	(789.45)
DEPOSITS	556,843.47
CHECKS	(2,446,304.42)
BALANCE 1/17/2017	<u>27,915,685.18</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>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.55%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>

PETTY CASH BALANCE	<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS	<u>\$45,931,255.18</u>

CASH STATEMENT 1/24/2017

BALANCE 1/17/2017	\$27,915,685.18
PENSION DED PPE 12/30/2016	(104.23)
FED WH 941-X 2 ND QTR	(795.05)
INTEGRA CLAIMS THRU 1/16/2017	(63,842.02)
BOARD OF ELECTIONS PPE 12/06/2016	(6,341.06)
BOARD OF ELECTIONS PPE 12/20/2016	(6,602.12)
SHRF/SUMMONS ACCT TRANSFER	(692.50)
Returned Check	(324.00)
DEPOSITS	1,066,402.19
CHECKS	(754,525.11)
BALANCE 1/24/2017	<u>28,148,861.28</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>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.57%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>

PETTY CASH BALANCE	<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS	<u>\$46,164,431.28</u>