



Talbot County, Maryland



Easton, Maryland

MINUTES

June 22, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, Acting County Manager Clay B. Stamp and County Attorney Michael Pullen.

- I. Agenda – Agenda of June 22, 2010 was approved upon motion by Mr. Foster, seconded by Mr. Duncan, with the Council voting 5 - 0 as follows:

Mr. Harrison - Aye
Mr. Pack –Aye
Mr. Duncan– Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- II. Minutes – Minutes of June 8, 2010 were approved upon motion by Mr. Bartlett, seconded by Mr. Pack, with the Council voting 5 - 0 as follows:

Mr. Harrison - Aye
Mr. Pack –Aye
Mr. Duncan– Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- III. Disbursements – Disbursements of June 15, 2010 and June 22, 2010 were approved upon motion by Mr. Foster, seconded by Mr. Pack, with the Council voting 5 - 0 as follows:

Mr. Harrison - Aye
Mr. Pack –Aye
Mr. Duncan– Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- IV. Presentation of Certificates of Recognition to Players and Coaches of the Class 2A Maryland State Champion Easton High School Girls' Softball Team – Mr. Harrison read the names of the players of the Easton High School Girls' Championship Softball Team into the record as Mr. Pack presented the Certificates to those members and coaches in attendance. Head Coach, Jan Greenhawk, briefed the Council on the team's accomplishments, stating that the team had been ranked No. 23 in the Country by USA Today and had set new Maryland records of 26 – 0 and 260 -5 for fast pitch softball, including 24 shutouts. Ms. Greenhawk also stated that the Easton team had won the Sportsmanship Award at the State level. Mr. Foster commended the team on their accomplishments, including the Sportsmanship Award, adding that, in his opinion, more importantly than winning are the positive character traits being developed which the team members will carry forward for the rest of their lives. Mr. Harrison commented that he had been impressed by the cohesiveness of the team and that the girls' team had stopped by to watch the St. Michaels Boys' Baseball Team when their own game had been delayed because of rain.

- V. Presentation by Frederick Douglass Honor Society – Eric Lowery, President, Frederick Douglass Honor Society; Rosalee Potter, Vice President, Frederick Douglass Honor Society; Walter Chase, Financial Liaison, Frederick Douglass Honor Society; Robert Karge, Town Manager, Town of Easton, Maryland –

Mr. Lowery briefed the Council on the Frederick Douglass Honor Society's proposal for a monument honoring Talbot County native Frederick Douglass on the grounds of the Talbot County Courthouse. Planning Officer Sandy Coyman stated that he had reviewed the proposed sculpture and packet of information provided by the Frederick Douglass Honor Society, advising that as the Talbot County Courthouse is within the Town of Easton, any zoning or Historic District Commission reviews would be within the Town's jurisdiction. Mr. Pack later advised that the Easton Historic District Commission has issued a Certificate of Approval for the group's application for a monument to honor Mr. Douglass on the Courthouse lawn. Mr. Lowery stated that the Frederick Douglass Honor Society had entered into an agreement with the Town of Easton to complete the project. The Agreement provides for legal assistance from the Town as well as management of monies for the project and project management itself. He continued that the Frederick Douglass Honor Society had retained sculptor Jay Hall Carpenter in October 2009, and that Mr. Carpenter has entered into an agreement with the Town of Easton and the project is on schedule. He advised Council of various fundraisers which have been, or will be held, for the project. Mr. Lowery then presented the Council with a detailed description of the concept for the statue, and base, including the exact dimensions of, and inscriptions on same, as well as a to-scale drawing of the Courthouse lawn with the statue in place. Mr. Lowery stated that the proposed statue of Mr. Douglass depicts him in 1878 as he returned to the Talbot County Courthouse to give a speech. The total height of the statue is 11 feet from the tip of Mr. Douglass' raised hand to the bottom of the base; the statue itself is proposed to be of bronze, 7 ½ feet tall from head to toe, mounted on a granite pedestal 34" high x 52" wide x 34" deep. Mr. Lowery continued that the word "DOUGLASS" is proposed to be inscribed on the front of the pedestal; a bronze plaque on the back of the pedestal will incorporate the words from his writings, "*In a composite nation like ours, as before the law, there should be no rich, no poor, no high, no low, no white, no black, but common country, common citizenship, equal rights and a common destiny.*" Several of Mr. Douglass' accomplishments will also be listed on the bronze plaque; no inscriptions are proposed for the sides of the pedestal. Mr. Lowery further advised that the foundation will be installed by engineers from the Town of Easton as an in-kind donation. Council discussion ensued. Mr. Bartlett suggested that the Frederick Douglass Honor Society consider purchasing from the sculptor the half-scale model of the statue and placing same in the Talbot County Free Library for viewing by the public. Town Manager Robert Karge provided financial information on the project, advising that there remains a positive balance of \$94,111. Council members made the following comments following the presentation:

Mr. Bartlett – Mr. Bartlett commended Mr. Lowery and the Frederick Douglass Honor Society for having stepped up under difficult circumstances, for their leadership for necessary fundraising, and for the creation of goodwill in the community to allow the project to move forward.

Mr. Foster - Mr. Foster recalled a controversial Council meeting several years ago wherein he had cast the deciding vote to depart from the previous tradition of allocation of Courthouse property, which was, in his opinion, an appropriate departure. He continued that the Council had no idea so much time would elapse and echoed Mr. Bartlett's comments commending the Frederick Douglass Honor Society for bringing the project to fruition. He stated that, in his opinion, from all appearances the statue will be a nice addition to the Courthouse grounds as a part of Talbot County history, and it should be visible to the public as a part of a larger program as outlined in the group's mission statement. Mr. Foster recalled when a visitor to Talbot County inquired about visiting the birthplace, etc. of Frederick Douglass, only to find that nothing really existed. He continued that, in his opinion, once the statue is in place, even those individuals who were uncomfortable with the change in the policy regarding placement of statues on the Courthouse grounds will come to realize that the statue of Mr. Douglass represents an important part of our heritage and is a memorial to a distinctive individual in American history.

Mr. Pack - Mr. Pack echoed the comments of his colleagues, adding that he could not say enough about the character of the group, the community agencies, Robert Karge, Mayor Willey and staff of the Town of Easton involved in the project. He continued that a debt of gratitude is owed to the group, under the leadership of Eric Lowery, for bringing the project to this point.

Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved the Frederick Douglass Honor Society as the group to build a statue to honor Frederick Douglass on the Courthouse grounds, subject to final approval of the design by the Council, by the target date of June 18, 2011, by voting 5 – 0 as follows:

Mr. Harrison – Aye

Mr. Pack – Aye

Mr. Duncan – Aye

Mr. Foster – Aye

Mr. Bartlett – Aye

VI. Introduction of Numbered Resolution:

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE REGION II (ST. MICHAELS) WASTEWATER SYSTEM TO CERTAIN AREAS THAT INCLUDE TAX MAP 34, PARCEL 301 AS S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND (Carroll’s Market, Route 33) was brought forward for introduction. County Engineer Ray Clarke requested that Council defer introduction of the resolution until Tuesday, July 13, 2010. County Attorney Mike Pullen stated that the re-drafted resolution would state that the proposed resolution is a resolution to “consider” amending the Talbot County Comprehensive Water & Sewer Plan. Mr. Pullen continued that as currently drafted, the proposed resolution is actually a resolution to amend the Talbot County Comprehensive Water & Sewer Plan. Council discussion ensued with Mr. Pullen as to whether passing a resolution to “consider” amending the Comprehensive Water & Sewer Plan would actually amend the Plan. Mr. Pullen stated that any citizen has the right to request that Council consider amending the Comprehensive Water & Sewer Plan, a public hearing would be held, and Findings of Fact would then be drafted in support of, or against, the proposed amendment to amend the Plan. Mr. Pullen further advised that, in his opinion, should the resolution not be introduced, the citizen would be deprived of his due process to be heard. Mr. Pullen stated that it was his recommendation that if Council wished to defer introduction until the next Council meeting, a motion should be made to table introduction of the resolution and to un-table it at the next meeting. Mr. Pullen continued that tabling introduction of the resolution until the next Council meeting would satisfy the legal requirement of the item having been on the agenda and called as an item of business at the last legislative session of each quarter. Council discussion ensued. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council postponed introduction of the proposed resolution until Tuesday, July 13, 2010 by voting 5 – 0 as follows:

Mr. Harrison - Aye

Mr. Pack – Aye

Mr. Duncan – Aye

Mr. Foster – Aye

Mr. Bartlett – Aye

Mr. Foster explained that he had voted “aye” following Mr. Harrison’s vote of “aye”, because he had initially thought Mr. Harrison might want to introduce the resolution and did not want to deprive Mr. Harrison of the opportunity to do so. Since Mr. Harrison had chosen not to introduce the resolution and

had voted “aye” to postpone introduction of the resolution, Mr. Foster had done so as well. As Mr. Clarke had previously advised Council that their copies of the proposed resolution stated the incorrect parcel numbers, Mr. Harrison requested that Mr. Clarke provide Council with the corrected legislation at his earliest opportunity.

VII. Public Hearings:

A public hearing was held on Resolution No. 170, A RESOLUTION TO EXTEND THE EXISTING MORATORIUM UPON PROCESSING APPLICATIONS, SITE PLANS, BUILDING PERMITS, AND APPROVALS FOR ADULT ORIENTED BUSINESSES IN THE UNINCORPORATED AREAS OF THE COUNTY FOR AN ADDITIONAL SIX (6) MONTH PERIOD FROM, AFTER, AND IMMEDIATELY UPON TERMINATION OF THE EXISTING MORATORIUM, PENDING CONSIDERATION AND ADOPTION OF SUCH LEGISLATION AS THE COUNTY COUNCIL MAY CONSIDER ADVISABLE TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE. The public was afforded an opportunity to comment on the legislation. Prior to the vote on Resolution No. 170, Mr. Duncan requested that Mr. Pullen advise the timeframe by which Council could anticipate a resolution on the matter to come before them for consideration. Sandy Coyman, Planning Officer, advised the Council that before legislation comes before them for consideration, a two-step process is involved which includes (1) the development of a local study which examines the potential secondary effects of such types of land uses. Mr. Coyman further advised that such a study had been prepared, introduced and reviewed by the Talbot County Planning Commission; and (2) the development of an ordinance associated with such land uses. Mr. Coyman stated that a draft ordinance has been provided to the Planning Commission for their review; the Planning Commission is also in the process of reviewing a number of studies from other communities about potential secondary effects of such land uses. Upon motion by Mr. Foster, and unanimous consent of the Council, Resolution No. 170 was brought to final reader. Council approved Resolution No. 170 by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

A public hearing was held on Resolution No. 171, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE 2010 GENERAL ELECTION TO AMEND SECTIONS 618 AND 620 OF THE COUNTY CHARTER, TO PROVIDE THAT (1) THE UNRESTRICTED BALANCES REMAINING TO THE CREDIT OF COMPLETED OR ABANDONED CAPITAL PROJECTS SHALL BE AVAILABLE FOR APPROPRIATION IN THE CURRENT OR A SUBSEQUENT EXPENSE OR CAPITAL BUDGET; AND, (2) THAT AMENDMENTS TO THE ADOPTED CAPITAL BUDGET MAY INCLUDE REDUCTION IN THE AMOUNT APPROPRIATED FOR A CAPITAL PROJECT, WITH OR WITHOUT ABANDONING THE PROJECT, AND THAT THE AMOUNT OF ANY UNRESTRICTED BALANCE SHALL BE ADDED TO FUNDS SET ASIDE FOR CONTINGENCIES IN THE COUNTY CURRENT EXPENSE BUDGET AND SHALL BE AVAILABLE FOR APPROPRIATION IN ACCORDANCE WITH CHARTER SECTION 616. The public was provided an opportunity to comment on the legislation. As recommended by the Talbot County Taxpayer’s Association, Mr. Foster stated that he had requested the County Attorney draft an amendment to Resolution No. 171 which would incorporate specific fiscal conditions by which such extraordinary actions as proposed in Resolution 171 would be justified. Any proposed amendments will be posted on the County’s website at www.talbotcountymd.gov when they become available in order to provide the public an opportunity to review the proposed amendments. The public hearing on Resolution No. 171 will remain open and be continued to the Council meeting on Tuesday, July 13, 2010.

VIII. County Manager's Report:

- A. Talbot County Commission on the Aging – Requested Council approval for the reappointment of Irene Hunter to a three-year term on the Talbot County Commission on the Aging; said term will expire April 1, 2013. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the reappointment by voting 5 - 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- B. Talbot County Commission on the Aging – Requested Council approval for the reappointment of Sharon Ritter to a three-year term on the Talbot County Commission on the Aging; said term will expire April 1, 2013. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- C. Talbot County Commission on the Aging – Requested Council approval for the reappointment of Donna Taylor to a three-year term on the Talbot County Commission on the Aging; said term will expire April 1, 2013. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- D. Talbot County Commission on the Aging – Requested Council approval for the reappointment of Gary Gunther to the Talbot County Commission on the Aging as an Ex-Officio member. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- E. Talbot County Village Center Board – Requested Council approval for the reappointment of Kirke Harper to a three-year term on the Talbot County Village Center Board as a

representative of the Village of Claiborne; said term will expire June 30, 2013. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- F. Talbot County Village Center Board – Requested Council approval for the reappointment of George Zachmann to a three-year term on the Talbot County Village Center Board as a representative of the Village of Neavitt; said term will expire June 30, 2013. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- G. Talbot County Historic Preservation Commission – Requested Council approval for the reappointment of Ward Bucher to a three-year term on the Talbot County Historic Preservation Commission; said term will expire July 1, 2013. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- H. Change Order for Bid No. 09-05, RECONSTRUCTION AND EXPANSION OF SOUTH APRON – EASTON AIRPORT – EASTON, MARYLAND – Requested Council approval for a Change Order from Airport contractor, Dixie Construction Co., Inc. resulting in a reduction of their contract by \$31,286.20 related to the use of soil cement as an alternate base to crusher run aggregate; requested Council approval for an amendment to the Engineering and Construction Phase Services Agreement with Airport consultant, URS, and their subcontractor, Balter, in the increased sum of \$13,960.00 related to the Change Order for additional testing not required under the original contract; total net savings of \$17,260.20. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved the Change Orders by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- I. FY2012 Waterway Improvement Fund Grant Requests – Requested Council approval to submit grant applications to the Maryland Department of Natural Resources Waterway

Improvement Fund for FY2012 (July 1, 2011 – June 30, 2012) grant funding in the maximum amounts allowable (\$99,000) for the following projects: (1) Oak Creek Landing for boat ramp and bulkhead construction; matching funds are required; (2) General Public Landings Maintenance Program for improvements to existing facilities, including structural repairs to bulkheads, piers, ramps and parking lots; and (3) Tongers Basin for boat slip construction, bulkhead replacement, parking lot improvements and basin dredging. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved the submittal of the grant applications by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- J. Inter-Governmental Agreement with the Talbot County Office of Environmental Health – Requested Council approval for the Talbot County Department of Public Works to enter into an Inter-Governmental Agreement with the Talbot County Office of Environmental Health. The Agreement would provide for assistance by the Office of Environmental Health with administration and inspection services related to installation of septic system upgrades made possible through a \$239,000 grant from the Maryland Department of the Environment. The grant funding includes an administrative fee of \$990 per system to cover administration and inspection services of each system upgrade, as well as funding for operation and maintenance of the systems for the next five (5) years. Anne Morse, Director of Environmental Health, outlined installation and inspection procedures for the Council. Council discussion ensued as to operation and maintenance costs at the end of the five-year timeframe. Mr. Pack suggested that Council consider legislation for year 6 forward; Mr. Duncan suggested that Council request that the local delegation take the matter to the State so it does not become an unfunded mandate for Talbot County. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council approved the Inter-Governmental Agreement by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster - Aye
Mr. Bartlett – Aye

- K. Change Order for Bid No. 08-36, Sewer Replacement and Rehabilitation Work, Region II – St. Michaels Sewer Collection System – Requested Council approval to award Change Order No. 8 for Bid No. 08-36 in the sum of \$87,726.20 to Bunting & Murray Construction Corporation; said Change Order is for additional work related to sewer replacement and rehabilitation work in the Region II St. Michaels Sewer Collection System for the following projects: (1) additional sewer replacement work on Mulberry Street (\$55,345.00); replacement of collapsed sewer Talbot and Marengo Streets (\$19,802.00); and (3) replacement of deteriorated sewer at the Chesapeake Bay Maritime Museum (\$12,579.20). All additional costs are eligible for reimbursement under the original grant of \$954,500.00 from the Maryland Department of the Environment. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved the Change Order by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack – Aye
Mr. Duncan – Aye

Mr. Foster - Aye
Mr. Bartlett – Aye

- L. Dutchmans Lane Bottomless Culvert Project – Requested Council approval to piggyback off an existing State Highway Administration (SHA) contract to award bridge construction inspection services to DFI Development Facilitators, Inc. in the sum of \$17,184,00; piggyback would result in savings of \$25,461.76. Mr. Clarke advised that the Dutchmans Lane bottomless culvert project is considered by SHA to be a federal bridge project, thus requiring two full-time construction inspectors, one of whom must be an SHA certified bridge inspector. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- M. Change Order for Bid No. 08-25, REQUEST FOR PROPOSALS - ENGINEERING SERVICES, TALBOT COUNTY TRANSPORTATION & ENVIRONMENTAL PROJECTS, TALBOT COUNTY, MARYLAND – Requested Council approval to award Wallace, Montgomery and Associates the sum of \$43,437 for construction management services related to the Dutchmans Lane bottomless culvert project as outlined in Change Order No. 7 for Bid No. 08-25. On May 25, 2010, County Engineer Ray Clarke presented a request to award Wallace, Montgomery and Associates the sum of \$89,602 in time and materials for construction management services for the Dutchmans Lane Bottomless Culvert Project for a period of six months; \$20,000 of the requested amount was awarded at that time for said services. Mr. Clarke advised that the amount now being requested represents a reduction in the number of hours and overall scope of the construction management services for the project, bringing the total requested to \$63,437. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

IX. Council Comments:

Mr. Pack - Mr. Pack stated that he was elated that the County had finally moved forward with the Douglass statue, and thanked his colleagues. He continued that, although the process had been long and tedious, in his opinion, the Council had taken the appropriate time to have the Frederick Douglass Honor Society provide answers to the Council's questions regarding dimensions and materials for the statue. He stated that, in his opinion, the group had answered all the questions put to them and commended Mr. Lowery and the Frederick Douglass Honor Society for a fine job, adding that he looks forward to the unveiling of the statue. Mr. Pack stated that he was upset over the article statements made by Robert Thornton, attorney for the Talbot County Liquor Board in the newspaper. Mr. Pack continued that the Council had held a work session with the Liquor Board, in his opinion, for the purpose of which was for an exchange of ideas between the two groups so that Council could deliberate on any comments prior to consideration of any substantive

changes to the liquor code. He added that the Council is trying to reach out to other groups, and named the elected School Board, local towns, and the Liquor Board. He continued that, in his opinion, the statements made by Mr. Thornton in the article were unprofessional, reckless and uncalled for, while the County Council, in his opinion, had acted in a professional manner. Mr. Pack stated that the Council is trying to reach out to other groups for their input before moving forward, citing as an example the Blue Ribbon Commission Oversight Committee. He continued that the Blue Ribbon Commission Oversight Committee, which is an arm of the Council, was put in place by the Council to provide information to the Council on substance abuse in Talbot County and he could not understand why the Liquor Board would not want to dialogue with other groups. Mr. Pack concluded his comments by again thanking his colleagues for their decision to move the Douglass statue forward.

Mr. Foster- Mr. Foster stated that he wasn't going to comment on the topic, but since Mr. Pack brought it up, he would. He stated that he had been amused at Mr. Thornton's comment that in all his years as an attorney he had never had such a horrible thing happen. Mr. Foster compared the questions posed by members of the Senate to a Supreme Court nominee when they members are trying to determine the general attitude and philosophy of the nominee, to the questions posed by the members of the Blue Ribbon Commission Oversight Committee to the members of the Liquor Board. He stated that it is not up to the questioner to determine the boundaries of the witness; it is up to the witness to determine their own boundaries. Mr. Foster continued that members of the Liquor Board had publicly stated that if an applicant had their paperwork in order, and one is not a criminal, a liquor license would be granted. Mr. Foster continued that, in his opinion, it was fair for a discussion to take place regarding the criteria which must be met before a liquor license is granted. He concluded his comments on Mr. Thornton's statements in the newspaper article by stating that everyone is entitled to an opinion and Mr. Thornton had expressed his. Mr. Foster reminded everyone of the upcoming Trappe Fire Department Carnival culminating on Saturday, June 26th with a parade; the carnival runs each night from 6:00 p.m. to 10:00 p.m., and that the Easton Airport is hosting an Airport Day, also on Saturday, June 26th. He commented on the World Cup of Soccer and wished the United States well in the games. He thanked those who attended the public hearing on the proposed closure of the postal processing and distribution center in Easton, adding that, in his opinion, there were twice as many people in attendance as had been reported by postal officials. He continued that, in his opinion, postal officials are not convincing anyone of their sincerity, adding that he realizes it is a tough fight, and the odds are stacked against us, but the Hospital matter was a tough fight as well.

Mr. Bartlett - Mr. Bartlett echoed Mr. Foster's statements, stating that he too had attended the public hearing. He stated that there was a lot of pain and angst of those in the room, but he had been disappointed in some of the comments of the speakers, the jeering, hollering and personal attacks. He stated that when representatives of the Postal Service had made a presentation before the Council, he had supported them and thought it was the right thing to do; however, the tone of some speakers was, in his opinion, somewhat counterproductive and he was somewhat embarrassed, adding that, in his opinion, it was not productive to their cause.

Mr. Duncan – No comments.

Mr. Harrison – Mr. Harrison reminded everyone that the Tilghman Island Seafood Festival and the Trappe Volunteer Fire Department's Carnival and Parade will be held on Saturday, June 26, 2010;

the Seafood Festival will be held during the daytime and the parade at 6:00 p.m. He stated that both events are fundraisers for their respective fire departments.

- X. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council voted to adjourn into Administrative Function and Executive Session for discussion of legal, personnel, real estate matters, and discussion of the retention of an existing business, to reconvene for two work sessions, to reconvene into Executive Session following the work sessions for discussion of legal, personnel and real estate matters, and to reconvene in Executive Session on Tuesday, July 13, 2010 at 12:30 p.m. for discussion of legal, personnel and real estate matters, by voting 5 – 0 as follows:

Mr. Harrison - Aye

Mr. Pack – Aye

Mr. Duncan– Aye

Mr. Foster– Aye

Mr. Bartlett – Aye

The meeting adjourned at 4:30 p.m.

- XI. On Tuesday, June 22, 2010 an Executive Session of the Talbot County Council convened at 1:10 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Bartlett, seconded by Mr. Foster, the Council met in Executive Session by voting 4 – 0 as follows:

Mr. Harrison – Aye

Mr. Pack – Not Present

Mr. Duncan – Aye

Mr. Foster – Aye

Mr. Bartlett – Aye

Mr. Pack arrived at 1:11 p.m.

In accordance with State Article §10-508(a)(1)(i)(3)(7) the purpose of the Executive Session was for discussion of personnel matters to discuss résumés for the County Manager; to discuss appointments to various County boards and committees; and to discuss filling a vacancy in the Detention Center; and for a real estate/legal matter for legal advice concerning possible relocation of the Memorial Hospital at Easton to County-owned property and the timetable for same. The meeting recessed at 1:30 p.m., reconvened at 4:30 p.m., recessed at 5:25 p.m., and reconvened at 6:20 p.m. The Executive Session ended at 7:25 p.m.

The transcript of the June 22, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XII. Work Session with Talbot County Historic Preservation Commission – Steven K. Hack, Chairman, Talbot County Historic Preservation Commission; Martin Sokolich, Talbot County Long Range Planner – Mr. Hack and Mr. Sokolich updated the Council on the role of the Historic Preservation Commission and provided a brief synopsis of their activities of the previous six (6) months, including assisting the unincorporated villages in the County with the development of “Historic Overlay Districts,” a community outreach effort to owners of properties in the county considered “landmark properties” offering the assistance and resources of the Commission to the owners of the properties, continuing discussion of the preservation and renovation of the Music Hall, and the drafting of a demolition delay ordinance which provides for notification to the Historic Preservation Commission prior to demolition of potential historically significant structures. Mr. Hack emphasized the Commission’s goal to partner with the County.

XIII. Work Session on Proposed Stormwater Management Ordinance as Mandated by the Maryland Department of the Environment – Ray Clarke, Talbot County Engineer; Mike Mertaugh, Assistant County Engineer/Roads and Development Review – Mr. Clarke and Mr. Mertaugh briefed the Council on a proposed stormwater management ordinance, intended to replace Chapter 164, *Stormwater Management*, of the Talbot County Code, as required by the Maryland Department of the Environment (MDE). Mr. Mertaugh stated that the purpose of the provisions outlined in the ordinance is to implement a statewide stormwater management program to control new development runoff. The stormwater management program would utilize environmental site design (ESD) to the maximum extent practicable (MEP), in order to reduce pollution, siltation, sedimentation and local flooding and provide for “groundwater recharge” to maintain the chemical, physical, and biological integrity of streams, minimize damage to public and private property, and reduce the impacts of land development. Mr. Mertaugh advised that current stormwater management practices call for centralized collection facilities. Mr. Mertaugh stated that Talbot County’s proposed ordinance has been forwarded to MDE and has received tentative approval. The Public Works Advisory Board reviewed the proposed ordinance on June 2, 2010 and their comments have been included in the draft ordinance; however, the Board deferred formal approval until after the Work Session with the Council on June 22, 2010. Council discussion ensued as to the provisions contained in the ordinance and the effects of the new ordinance on Talbot County’s development review process. Mr. Mertaugh advised that the County’s review process will remain essentially the same, as will Technical Advisory Committee (TAC) review. Council will review the proposed ordinance; introduction is scheduled in the near future.

CASH STATEMENT 6/15/2010

BALANCE 6/8/2010	\$13,284,822.78
UHC CLAIMS THROUGH 6/8/2010	(53,538.33)
RETURNED CHECKS	(120.00)
ELECTION BOARD/PPE 3/23,4/6,4/20,5/4,5/18/2010	(21,563.74)
BANK CHARGES 5/2010	(2,033.82)
INTEREST ON ACCT 5/2010	1,751.06
STATE REPORT 5/2010	(52,750.15)
MLGIP INTEREST ON ACCT 5/2010	502.54
PAYROLL-FD/SS/MS WH 6/11/2010	(124,339.43)
SECU DED	(14,217.52)
DEFERRED COMP DED	(10,368.45)
MD WH	(31,387.86)
PENSION DED	(22,903.95)
ACH TRANSFER	(16,590.00)
FLEX SPENDING ACCT	(2,285.29)
DEPOSITS	759,401.07
CHECKS	(779,904.36)
VOID CHECK NO.S 259973,261509	7,175.09
BALANCE 6/15/2010	<u>12,921,649.64</u>

AIRPORT ACCOUNTS

AIP29	18,839.49
AIP30	9,298.21
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	0.00
AIP34	9,246.37

AIP-35	BALANCE 6/1/2010	\$ 71,009.73	
	CHECK	\$ (6,419.64)	64,590.09
AIP36			0.00
AIP37			0.00

AIRPORT ACCOUNTS TOTAL BALANCE \$104,479.16

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
02/24/2010	06/15/10	0.51%	3,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
03/30/2010	07/13/10	0.26%	3,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
03/30/2010	08/17/10	0.31%	3,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
04/13/2010	09/14/10	0.21%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
05/11/2010	02/15/11	0.50%	3,000,000.00

PNC-MLGIP INVESTMENTS TOTAL 0.19% 3,000,000.00

TOTAL INVESTED \$42,000,000.00

PETTY CASH BALANCE \$6,800.00

GRAND TOTAL ALL FUNDS \$55,032,928.80

CASH STATEMENT 6/22/2010

BALANCE 6/15/2010 \$12,921,649.64

SALE & INTEREST ON CD@TALBOT BANK	3,004,656.45
PURCHASE CD@TALBOT BANK	(3,000,000.00)
273 DAYS@.56% , 3/15/2011	
UHC CLAIMS THRU 6/15/2010	(33,157.73)
BOARD OF EDUCATION 1 ST HALF-JUNE 2010	(1,425,750.00)
GLEBE ROAD PROJECT-SAVAGE/JOHNSON	(9,386.10)

DEPOSITS	229,489.12
CHECKS	(175,124.33)
VOID CHECK NO.S 261721, 12954	5,429.65

BALANCE 6/22/2010 11,517,806.70

AIRPORT ACCOUNTS

AIP29	BALANCE 6/15/2010	\$ 18,839.49
	DEPOSITS	317.16

AIP30	CHECKS	(12,686.50)	6,470.15
	BALANCE 6/15/2010	\$ 9,298.21	
	DEPOSIT S	197.34	9,495.55
AIP33-DSA			2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS			0.00
AIP34			9,246.37
AIP-35	BALANCE 6/15/2010	\$ 64,590.09	
	DEPOSITS	16,455.97	
	CHECKS	(15,651.41)	65,394.62
AIP36			0.00
AIP37			0.00
AIRPORT ACCOUNTS TOTAL BALANCE			<u>\$93,111.69</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
06/30/2009	06/29/10	1.51%	6,000,000.00
03/30/2010	07/13/10	0.26%	3,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
03/30/2010	08/17/10	0.31%	3,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
04/13/2010	09/14/10	0.21%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
05/11/2010	05/15/11	0.50%	3,000,000.00
06/15/2010	03/15/11	0.56%	3,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.21%	3,000,000.00

TOTAL INVESTED **\$42,000,000.00**

PETTY CASH BALANCE **\$6,800.00**

GRAND TOTAL ALL FUNDS **\$53,617,718.39**