



TALBOT COUNTY, MARYLAND

County Council

MINUTES

March 8, 2016

Present – President Corey W. Pack, Vice President Jennifer L. Williams, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, March 8, 2016.
- II. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, March 1, 2016 and Tuesday, March 8, 2016.
- III. Presentation of Fiscal Year 2014-2015 Audit – Chris Hall, CPA, TGM Group LLC; Angela Lane, Finance Director - Mr. Hall highlighted information contained in the Talbot County Comprehensive Annual Financial Report for fiscal year ending June 30, 2015. He stated that, in his opinion, Talbot County should again expect to receive a Government Finance Officers Association (GFOA) award for excellence in financial reporting for FY 2015. He outlined various aspects of the Audit, reporting that the County’s Revenues totaled \$78,874,004, or approximately \$4.4 million more the amount budgeted of \$74,625,000; actual Expenditures totaled \$74,481,092. He stated that his firm was able to provide a clean, unmodified opinion on the County’s financial statements as well as for federal programs from which the County receives funding. Council discussion ensued with Mr. Hall and Ms. Lane as various aspects of the Audit were brought forward. Mr. Hall expressed appreciation to Ms. Lane and her staff for their assistance in assembling information required for the Audit; Council expressed appreciation for the hard work and diligence of Ms. Lane and her staff, and to Mr. Hall for his presentation. The FY 2014-2015 Audit is available on the County’s website at www.talbotcountymd.gov.
- IV. Quarterly Update by Maryland Environmental Service – Steve Tomczewski, Program Director, Environmental Operations, Maryland Environmental Service – Mr. Tomczewski briefed the Council on activities at the former Mid-Shore Regional Landfill in Talbot County (Mid-Shore I). He stated that for the timeframe of October through December 2015, Mid-Shore I had transferred approximately 8,437 tons of trash; the number of Homeowner Drop-Off (HODO) customers utilizing the facility was approximately 7,311, with 267 tons of yard waste received; 449 \$10.00, and 501 \$20.00 punch cards were sold. With regard to the closure project for Mid-Shore I, Mr. Tomczewski stated that interim closure status continues with no waste being buried at Mid-Shore I; capping work continues utilizing an exposed geomembrane system – approximately 60% of the geomembrane is now in place and is scheduled to be completed by June 2016. Mr. Tomczewski stated that proceeds from the captured landfill gas, which is being purchased by Easton Utilities, will be placed in the closure fund; Easton Utilities is in the process of constructing a landfill gas to energy plant adjacent to the Midshore I facility. With regard to the Mid-Shore Regional Landfill in Ridgely, Caroline County (Mid-Shore II), Mr. Tomczewski stated that the facility, which is now in its 5th year of operation, buried approximately 110,000 tons of trash in calendar year 2015 and recycled approximately 55 tons of mattresses during 2015. He stated that placement of soft trash in Cell #2 continues, the wetland mitigation project is also continuing and is 70% complete; planting of the wetland is

scheduled for FY2018. With regard to the Midshore Recycling Program, Mr. Tomczewski stated that approximately 3,300 tons of mixed materials (plastic, metal, paper, cardboard, and glass) were collected; the switch from igloos to bins as recycling containers is being discussed. 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.

- V. Presentation of Delmarva Community Transit’s FY 2017 Annual Transportation Plan – Santo Grande, Executive Director, Delmarva Community Services, Inc.; Andrea Waters, CCTM, Grant Administrator, Delmarva Community Services, Inc.; Mary Handley, Mobility Manager, Delmarva Community Services, Inc. – Mr. Grande and Ms. Waters briefed the Council on Delmarva Community Transit’s Annual Transportation Grant application for FY 2017 to the State of Maryland under the Federal Transit Act and the local matches for each of the categories for which grants are being requested. The grant application includes operating and capital funding requests as well as the sources of all funding received through the Maryland Transportation Administration, including federal funding, for the public transportation system for Caroline, Kent and Talbot counties; funding for the transportation system in Dorchester County is filed separately. Talbot County manages the paperwork for the grant funding.

- VI. Introduction of Administrative Resolution:

A RESOLUTION AUTHORIZING TALBOT COUNTY TO FILE AN APPLICATION WITH THE MARYLAND TRANSIT ADMINISTRATION OF THE MARYLAND DEPARTMENT OF TRANSPORTATION FOR A SECTION 5303, 5304, 5307, 5309, 5310, and 5311 GRANT UNDER THE FEDERAL TRANSIT ACT was brought forward for introduction and read into the record by the Clerk. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the resolution by voting 5 – 0 as follows:

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

- VII. Public Hearings:

Resolution No. 223, A RESOLUTION TO ESTABLISH VEHICLE WEIGHT LIMITS ON CHILCUTT ROAD AND A SECTION OF DOVER NECK ROAD PURSUANT TO § 25-102 (A) (11) OF THE TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND, AND CHAPTER 134 OF THE TALBOT COUNTY CODE (ROADS ORDINANCE) IN ORDER TO RE-ROUTE HEAVY TRUCK “THROUGH TRAFFIC” TRAVELLING TO AND FROM THE MIDSHORE I REGIONAL LANDFILL/TRANSFER STATION LOCATED AT 7341 BARKERS LANDING ROAD, EASTON, MARYLAND 21601 was read into the record by the Clerk and brought forward for public hearing. Assistant County Attorney, Tony Kupersmith, stated that the purpose of the legislation is to ease the burden on several back roads utilized by trash haulers and other heavy truck traffic travelling to the Midshore I transfer station. He stated that by designating an alternate route along U.S. Route 50 to Dover Road unnecessary maintenance and trash pick-up costs can be alleviated. Mr. Kupersmith then outlined several exceptions to the vehicle weight limit restrictions, including vehicles delivering heating oil, school buses, etc.; the weight limit restrictions will be enforced by the Talbot County Sheriff’s Office. The public was then provided an opportunity to comment on the legislation. Upon motion by Ms. Williams, seconded by Mr. Callahan, Resolution No. 223 was moved to third reader with the Council voting 5 – 0 as follows:

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

Upon motion by Ms. Price, seconded by Ms. Williams, the Council approved Resolution No. 223 by voting 5 – 0 as follows:

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

Resolution No. 223 is effective immediately.

Bill No. 1325, A BILL TO REPEAL AND RE-ENACT THE TALBOT COUNTY, MARYLAND, FLOOD INSURANCE RATE MAP PANELS AS LISTED ON THE INDEX, MAP NUMBER 24041CIND0B, DATED JULY 20, 2016, TO ESTABLISH THE DIGITALLY REFERENCED FLOOD AREA BOUNDARIES, AND TO REPEAL AND RE-ENACT THE FLOOD INSURANCE STUDY REPORT, TO BECOME EFFECTIVE ON JULY 20, 2016 was read into the record by the Clerk and brought forward for public hearing. Planning Officer, Mary Kay Verdery briefed the Council on the purpose of the legislation, the community outreach efforts made by Planning and Zoning staff to educate the public on changes to the flood insurance rate maps, and provided maps comparing current flood insurance rate maps (2013) with the preliminary flood insurance rate maps reflecting the new, more accurate digital boundaries which become effective July 20, 2016. She stated that the update is Phase 2 of the Flood Insurance Study update, the coastal and tidal update; Phase 1, the riverine areas of the Flood Insurance Study, were updated in 2013. Ms. Verdery emphasized that the new maps are for flood insurance rate purposes, not flood risk purposes, and encouraged property owners to continue to have “preferred risk policies.” She provided information on the websites available where individuals may view their property to determine whether the property is included in a flood hazard area. Ms. Verdery expressed her appreciation to Mark Cohoon, GIS Manager, for his invaluable assistance with the project. The public was then provided an opportunity to comment on the legislation. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, Bill No. 1325 was brought to third reader with the Council voting 5 – 0 as follows:

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

Upon motion by Mr. Bartlett, and no objection by the Council, a full reading of the legislation was waived. The Council approved Bill No. 1325 by voting 5 – 0 as follows:

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

Bill No. 1325 will become effective as provided for in the legislation.

VIII. Update from Talbot County Permits and Inspections – Brent Garner, Manager, Permits and Inspections; Mary Kay Verdery, Planning Officer; Ms. Verdery gave a brief introduction of Brent Garner, Manager of Permits and Inspections since mid-December 2015. Mr. Garner stated that when he began working for the County, the Permits and Inspections Office had a backlog of 19 plan reviews. He stated that since that time, the backlog has been reduced to 5 through the implementation of various changes within the department which he enumerated. He emphasized that the number one priority of the Permits and Inspections Office is customer service. He and Ms. Verdery outlined several options for Council’s consideration as ways to address the increase in staff workload with the anticipated increase in permits and reviews in spring 2016, provided a breakdown of the 515 permits issued in 2015, and provided a listing of seminars the Office is interested in providing to the public. Council discussion ensued with Mr. Garner and Ms. Verdery as various items were brought forward. Mr. Garner will continue to update the Council on a regular or as-needed basis.

IX. Presentation on County’s Priority Listing for the Maryland Department of Transportation – Ray Clarke, County Engineer; Mike Mertaugh; Assistant County Engineer; Warren Edwards, Roads Superintendent – Mr. Clarke stated that he had met with Warren Edwards, Roads Superintendent, to review last year’s Priority Listing. He stated that with the exception of No. 1 on the 2015 Priority Listing, the dualization of MD 404, the list being presented is the same as the 2015 Listing; MD 404 has been removed since the project is now moving forward. Mr. Clarke and Mr. Mertaugh presented a draft Priority Listing of Talbot County roads projects for the Maryland Department of Transportation 2016 Consolidated Transportation Program in the following priority ranking order: (1) U.S. Route 50 /MD Route 309/MD Route 662 Intersection Capacity Improvements; (2) MD Route 33 Capacity and Evacuation Improvements; (3-A) U.S. Route 50/MD Route 329 – Goldsborough Street Intersection Improvements; and (3-B) MD Route 50/MD Route 331 – Dover Street Intersection Improvements, and provided a brief outline of each of the projects. Council discussion ensued with Mr. Clarke and Mr. Mertaugh. At Council’s request, No. 1 will be moved to No. 2 on the Priority Listing and No. 2 on the Listing will be moved to No. 1, with an added sentence to include the evaluation of MD Route 329 (Royal Oak Road); 3-A and 3-B will remain in the order presented. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved the Priority Listing, as amended, by voting 5 – 0 as follows:

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

Talbot County’s Priority Listing is due at the Maryland Department of Transportation by April 1, 2016.

X. County Manager’s Report:

A. Bid 16-02, LAWN CARE SERVICES, TALBOT COUNTY BUILDINGS – TALBOT COUNTY, MARYLAND – Requested Council approval to award Bid No. 16-02 to the lowest bidder, Best Rate Lawn Care, in the sum of \$390.00 per cut for seven (7) County properties; requested Council approval to award a back-up contract to the second lowest bidder, Chesapeake Cleaning Landscape, in the sum of \$400.00 per cut in the event Best Rate Lawn Care fails to live up to the contract specifications, or cancels the contract. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the award and back-up contract as requested by voting 5- 0 as follows:

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

- B. Request from Department of Parks and Recreation – Requested Council approval to submit an application for FY17 Program Open Space funding in the sum of \$140,000 of which 90%, or \$126,000, is reimbursable through Program Open Space; if approved, said funding will be utilized to fund a portion of Phase I of the Oxford Conservation Park Project. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved submittal of the application by voting 5 – 0 as follows:

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

- C. Mid-Shore Mental Health Systems, Inc. Behavioral Health Advisory Committee – Requested Council approval for the appointment of Suzanne Fischer to a three-year term on the Mid-Shore Mental Health Systems, Inc. Behavioral Health Advisory Committee as a representative of the behavioral health community of providers; said term will expire February 28, 2019. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

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

XI. Council Comments:

- Ms. Williams - Ms. Williams stated that, in her opinion, it was enjoyable to be outside in Oxford and it could not have been a nicer day to see a shovel go into the ground for the dedication of the Oxford Conservation Park Project and she is looking forward to completion of the project.
- Mr. Bartlett - Mr. Bartlett stated that he had also enjoyed the day in Oxford and had enjoyed seeing members of the Interim Park Committee and several former Council members. He commended Committee member, Cheryl Lewis, for keeping everything organized and the Committee on task. He stated that, in his opinion, the Oxford Conservation Park is going to be very nice and he hopes that the citizens of Oxford and Talbot County take full advantage of it once it has been completed.
- Mr. Callahan - Mr. Callahan concurred with the remarks of his colleagues about the Oxford Conservation Park groundbreaking ceremony. He stated that he is glad the project has begun and, in his opinion, it should be a great park and

he is happy for the citizens of Oxford. He stated that he had attended the Tilghman Volunteer Fire Department banquet and had had a good time. He stated that he and several other Council members had recently attended the African American celebration of “The Hill” project at Bethel A.M.E. Church in Easton. Mr. Callahan stated that speaker Professor Dale Green, was, in his opinion, awesome and encouraged individuals to take time to view the history there. He stated that he did not make the tour, but did make the ceremony and it was great to be with the Lieutenant Governor.

Ms. Price -

No comments.

Mr. Pack -

Mr. Pack concurred with Mr. Callahan’s comments. He stated that he, Mr. Bartlett and Mr. Callahan had attended the event at Bethel A.M.E. Church, and that he had been asked to address the audience. He stated that the Lieutenant Governor was in attendance as the State of Maryland is providing funding toward the restoration of the Buffalo Solider’s House. Mr. Pack reiterated Mr. Callahan’s statement about the amount of history in Easton and stated that Dale Green, who has taken on “The Hill” project, is a native of Talbot County. He stated that, in his opinion, Professor Green does a fabulous job of explaining the project as well as all the different properties within the project. Mr. Pack stated that he was glad to have been a part of the tour that day and to get a history lesson just walking through Easton. He expressed his appreciation for Lieutenant Governor Rutherford’s attendance at the event. He stated that he had been unable to attend the ribbon-cutting ceremony in Oxford because at that time he was talking with Channel 47 about the Allen Harim plant in Cordova which is scheduled to close sometime in July 2016. Mr. Pack stated that it is his understanding that some of the 300 workers at the Cordova plant may be moved to a plant in Delaware. He stated that Paige Tilghman, Director of Economic Development for the County, and Dan McDermott from the Upper Shore Workforce Investment Board have already contacted the plant owners to determine the number of Talbot County residents who will be impacted by plant’s closure. Mr. Pack stated that the Council has now concluded its work sessions with members of the Planning staff, the Planning Commission and Mr. Pullen on the 2016 Comprehensive Plan. He stated that all agreed upon changes to the Plan will be incorporated and a redraft posted on the County’s website sometime around March 14th so that citizens will be able to review and comment prior to a public comment session which will be scheduled the week of March 28th. Once the date, time, and location of the public comment session have been scheduled, the public will be notified. Mr. Pack concluded his comments by stating that he had had a good time at the Tilghman Volunteer Fire Department banquet and that it was good to see former Council member Buddy Harrison there. He stated that the Council is scheduled to attend the Farm Bureau dinner on March 10th.

- XII. Upon motion by Ms. Price, seconded by Mr. Callahan the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters and to reconvene on Tuesday, March 22, 2016 at 5:00 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, and for the regularly scheduled meeting at 6:00 p.m. by voting 5 – 0 as follows:

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

The meeting adjourned at 4:00 p.m.

The transcript of the March 8, 2016 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIII. On Tuesday, March 8, 2016 an Executive Session of the Talbot County Council convened at 12:35 p.m. in the Bradley Meeting Room and the County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council met in Executive 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 State Article § 10-508 (a)(1)(i)(7)(8) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; for legal matters for legal advice regarding a letter from the Maryland State Department of Education and re-appropriation of unspent funds; for an update on enforcement of Cottage Industry violations; and for an update on litigation involving the County; and for real estate matters for an update on the possible sale of County owned property. The Executive Session recessed at 1:30 p.m. and reconvened at 4:20 p.m. The Executive Session ended at 4:30 p.m.

- XIV. Work Session with Staff on Draft Comprehensive Plan - The Council held a work session with staff on the draft Comprehensive Plan on Monday, February 29, 2016 from 4:00 p.m. to 7:00 p.m. in the Easton High School Cafeteria. Members of the Planning Commission and Public Works Advisory Board were in attendance and participated in the work session. Prior to the work session, County Attorney, Mike Pullen, read a statement into the record to clarify the County Council as the body having the legal authority to approve the County's Comprehensive Plan. The purpose of the work session was to review and take a straw vote on each statement in the draft Comprehensive Plan to which the Planning Commission had made recommendations regarding changes in wording made by the Council following their review and/or input from the public. Due to time constraints, the Council was unable to complete review of the Planning Commission's recommendations. Additional work sessions will be scheduled as needed.
- XV. Work Session with Staff on Draft Comprehensive Plan – The Council held a work session with staff on the draft Comprehensive Plan on Monday, March 7, 2016 from 4:00 p.m. to 6:00 p.m. in the Easton High School Cafeteria. Members of the Planning Commission and Public Works Advisory Board were in attendance and participated in the work session. The purpose of the work session was to continue the work session of Monday, February 29, 2016 to review and take a straw vote on each statement in the draft Comprehensive Plan to which the Planning Commission had made recommendations regarding changes in wording made by the Council following their review and/or input from the public. Mr. Pack stated that once Planning and Zoning staff has had an opportunity to compile all changes to the draft document, those changes will be posted on the County's website the week of March 14th, a public comment session will be scheduled for the week of March 28th; introduction of legislation to adopt the new Comprehensive Plan is tentatively scheduled for April 12, 2016. Planning Officer, Mary Kay Verdery stated that once the

adoption of the new Comprehensive Plan has taken place, implementation of various plans related to the goals and visions outlined in the Comprehensive Plan will need to be put into place, including the zoning ordinance, zoning map update, comprehensive water and sewer plan, hazard mitigation plan, green infrastructure plan, etc. Council members thanked County staff, members of the Planning Commission and Public Works Advisory Board for their time and efforts on the draft Plan and thanked the public for submitting their comments.

CASH STATEMENT 03/01/2016

BALANCE 02/23/2016		\$28,526,832.48
INTEGRA CLAIMS THRU 2/22/2016		(77,875.36)
FD/SS/MS WH PPE 02/12/2016		(133,510.60)
MD WH		(33,307.20)
PENSION DED		(32,382.59)
DEFERRED COMP		(5,221.90)
SECU DED		(9,581.78)
ACH TRANSFER		(14,406.75)
DEPOSITS		392,205.96
CHECKS		(798,240.32)
BALANCE 03/01/2016		<u>27,814,511.94</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS		0.00
AIP37		16,762.37
AIP39		73,794.25
AIP40		30,252.21
AIP41		39,343.53
AIRPORT ACCOUNTS TOTAL BALANCE		<u>160,152.36</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.34%	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>\$45,990,234.30</u>

CASH STATEMENT 03/08/2016

BALANCE 03/01/2016		\$27,814,511.94
INTEGRA CLAIMS THRU 2/29/12016		(30,409.36)
BD OF EDUCATION 02/2016		(2,931,331.00)
RETIREEES HEALTH 03/2016		(18,603.36)

ELECTION BOARD PPE 2/2/2016		(8,357.63)	
STATE REPORT 01/2016		(142,114.69)	
FD/SS/MS WH PPE 02/29/2016		(2,800.74)	
MD WH		(519.91)	
PENSION DED		(336.00)	
DEFERRED COMP		(1,240.00)	
DEPOSITS		7,901,616.02	
CHECKS		(347,401.25)	
VOID CHECK #304902		408.00	
BALANCE 03/08/2016		<u>32,233,422.02</u>	
<u>AIRPORT ACCOUNTS</u>			
AIP-RUNWAY 4-22 EXTENSION ANALYSIS		0.00	
AIP37		16,762.37	
AIP39		73,794.25	
AIP40		30,252.21	
AIP41		39,343.53	
AIRPORT ACCOUNTS TOTAL BALANCE		<u>160,152.36</u>	
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.34%	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>\$50,409,144.38</u>