



TALBOT COUNTY, MARYLAND

County Council

MINUTES

May 12, 2020

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, Pete Leshner, Laura Price, County Manager R. Andrew Hollis, and County Attorney, Anthony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, May 12, 2020.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, April 28, 2020 and Tuesday, May 5, 2020.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, May 12, 2020.
- IV. Update by Talbot County Public Schools – Kelly Griffith, Ed. D., Superintendent, Talbot County Public Schools – Dr. Griffith briefed the Council on efforts Talbot County Public Schools is utilizing to help ensure that each student has the opportunity to participate in virtual learning following closure of the schools in mid-March due to COVID-19. She stated that 96.5% of students have Internet devices and 85% of the students are able to connect to the Internet; paper packets are mailed to those students who live where there is no Internet connectivity. She stated that Internet connectivity at the schools was strengthened so that students could use school parking lots to download/upload their assignments; the Chesapeake Bay Maritime Museum has permitted students to access the Internet from their parking lot to download/upload assignments; and Easton Utilities has set up numerous hotspots at various locations in the county for the same purpose and stated that each student is being contacted each week to make sure they are engaged in learning. She stated that it is the goal of Talbot County Public Schools to provide all students with Internet connectivity by the end of June. Dr. Griffith utilized a PowerPoint presentation to provide statistical information on the number of students engaged in the virtual learning sessions, the average length of each session, the number of meals provided to students since the COVID-19 closure, sites where meals are distributed, and a listing of the volunteer organizations providing food, transportation, and funding sources for the meals. She provided details on the virtual graduation for the Class of 2020 for St. Michaels High School (June 1, 2020) and Easton High School (June 2, 2020) and the recognition of teachers. Dr. Griffith then provided an update on the Easton Elementary School Project, including a timeline for remaining phases of the project. She stated that August 14, 2020 is the target date for completion of site work at the new building. Dr. Griffith stated that her team is working on a draft of the Maryland Together Recovery Plan for Talbot County Public Schools and it is her hope that the recovery plan for the schools will “dovetail” with the Governor’s phases for reopening the state. Council discussion ensued with Dr. Griffith as various topics were brought forward. At Dr. Griffith’s request, Council will confirm that the cell tower in Tilghman is in working order. Dr. Griffith will continue to update the Council on a regular or as-needed basis.
- V. Update on County Repurposing Facility – Warren Edwards, Roads Superintendent – Mr. Edwards stated that the Roads Department began accepting material from the demolition of the old Moton Elementary in late March and despite restrictions of COVID-19 resulting in reduced hours and personnel, and several weeks of wet weather during which time when no demolition took place, approximately one-half the material has now been received. He stated that due to delays in receiving materials, he had been able to

negotiate a reduced price for rental of the material processing equipment from Mid-Atlantic Equipment for its use to date. He stated that he had also negotiated with Mid-Atlantic to keep the equipment (stacker and crusher) until August 1, 2020 at a cost of \$60,000, a reduction from the original price of \$78,000; he requested Council's consideration to extend the contract for rental of the equipment to August 1, 2020. Mr. Edwards stated that through savings realized from milling and tar and chip projects, the Roads Department has \$42,000 in its budget to allocate toward the cost, with the remaining \$18,000 to be paid once the repurposed materials are sold back to A-Del Construction, contractor for the demolition. Payment is to be received after July 1, 2020. Mr. Edwards outlined anticipated tonnage from the school demolition project, cost per tonnage of material to be processed, and anticipated revenue to be derived from the processing. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved extension of the current contract with Mid-Atlantic Equipment by voting 5 – 0 as follows:

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

Mr. Edwards also requested Council's approval to have the repurposing facility sell excess processed repurposed material to local contractors; Council discussion ensued with Mr. Edwards and County Attorney, Anthony Kupersmith. Mr. Kupersmith stated that the Temporary Use Certificate issued by Planning Officer, Mary Kay Verdery, includes processing, but does not include sales. At Council's request, Ms. Verdery will provide an opinion as to whether the current zoning for the property provides for retail and/or wholesale sale of material from the site.

- VI. Presentation on Proposed Annexation of a Portion of Dutchmans Lane Into the Town of Easton – Anthony Kupersmith, Talbot County Attorney – Mr. Kupersmith briefed the Council on the request by the Town of Easton for consideration and approval of a portion of Dutchmans Lane into the Town of Easton. He stated that the Town is requesting that the County submit the fully executed petition by May 20, 2020 so that the Town can introduce legislation regarding same at its June 1, 2020 meeting. Mr. Kupersmith stated that the annexation involves bringing that portion of Dutchmans Lane from its intersection with U.S. Rt. 50, past Easton Club East, to its intersection with Dover Neck Road, into the Town, and he outlined the specific requirements for annexation and matters related to same. Mr. Kupersmith concluded his presentation by stating that legislation by both the Town of Easton and the County are required to finalize the process. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved the Petition for Annexation for Dutchmans Lane and authorized the Council president to sign the Petition on behalf of the Council by voting 5 – 0 as follows:

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

- VII. Council Consideration of Recommendations of Property Tax Referendum Committee – Angela Lane, Talbot County Finance Director and Chairperson of the Property Tax Referendum Committee, briefed the Council on the recommendations of the Committee, which were originally presented at the Council meeting on Tuesday, March 10, 2020, as follows: (1) the current property tax cap needs to be changed; (2) the ballot question needs to be simple and understandable; (3) there needs to be an educational campaign to inform the voters of the County's need for additional revenues; and (4) the County Council should send a letter to the citizens of the county endorsing any proposed change to the tax cap. She highlighted the

Committee’s recommendations for ballot questions related to each of the recommendations and options within each recommendation. Council discussion ensued with Ms. Lane prior to the vote on each of the proposed ballot questions. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved having the Office of Law draft a ballot question to clarify that the County’s taxable base and Real Property Tax revenues are calculated referencing the State’s Constant Yield Tax Rate Certification, as is the County’s taxing authority, by voting 5 – 0 as follows:

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

Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved having the Office of Law draft a ballot question which would eliminate the Consumer Price Index – Urban (CPI-U) as a lesser alternative cap by voting 5 – 0 as follows:

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

Currently, the County Charter states that *...revenues derived from taxes on properties existing on the County real property tax rolls at the commencement of the County fiscal year shall not increase, compared with the previous year, by more than two percent, or by the Consumer Price Index for All Urban Consumers (CPI-U) percentage of change for the latest calendar year determined by the U.S. Department of Labor, whichever is the lesser.*

The following options for additional revenues as recommended by the Property Tax Referendum Committee were brought forward for discussion: (A) Eliminate the tax cap; (B) Modify the annual percentage increase of real property tax revenues to 3% per year; and (C) Allow the County Council to add an additional cent (\$0.01) to property tax rate every year for the next five fiscal years. Mr. Leshner made a motion to authorize the drafting of a resolution for Option C; Council discussion again ensued; Ms. Price seconded the motion and Mr. Leshner read the motion into the record as follows: *to permit the County Council to add a one-cent increase above the tax cap limit in each of the next five fiscal years beginning July 1, 2021.* Ms. Price requested that the language be amended to include the words “up to” to make it clear that it is not a requirement and the Council can choose not to do so. Mr. Leshner stated that he concurred with Ms. Price’s change in the language. The Council approved having the Office of Law draft a resolution as outlined by voting 5 – 0 as follows:

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

Mr. Leshner made a motion to have the Office of Law draft legislation for the language included in Option B as follows: to modify the annual percentage increase of real property tax revenues generated by real estate taxes from two percent (2%) up to three percent (3%); there was no second and the motion failed.

VIII. Introduction of Administrative Resolution:

A RESOLUTION OF TALBOT COUNTY, MARYLAND (THE “COUNTY”), AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS IN A PRINCIPAL AMOUNT NOT EXCEEDING TWENTY FOUR MILLION SEVEN HUNDRED NINETY FIVE THOUSAND DOLLARS (\$24,795,000) PURSUANT TO THE AUTHORITY OF BILL NO. 1441 ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY ON FEBRUARY 11, 2020 (THE “PUBLIC LOCAL LAW”), SECTION 10-203 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND (2013 REPLACEMENT VOLUME, AS AMENDED) (THE “ENABLING ACT”) AND SECTION 623 OF THE CHARTER OF TALBOT COUNTY, MARYLAND (THE “CHARTER”), THE BONDS, TO BE DESIGNATED “TALBOT COUNTY PUBLIC IMPROVEMENT BONDS, SERIES 2020”, THE NET PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING OR REFINANCING THE PLANNING, DESIGN, CONSTRUCTION AND FURNISHING OF A NEW EASTON ELEMENTARY SCHOOL AND THE DEMOLITION OF THE EXISTING ELEMENTARY SCHOOL; PRESCRIBING THE FORM AND TENOR OF THE BONDS AND THE TERMS AND CONDITIONS FOR THE ISSUANCE AND SALE THEREOF AT PRIVATE OR PUBLIC SALE, INCLUDING THE FORM OF THE NOTICE OF SALE; PRESCRIBING THE TERMS AND CONDITIONS OF THE BONDS AND ALL OTHER DETAILS INCIDENT TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS; PROVIDING FOR THE DISBURSEMENT OF THE PROCEEDS OF THE BONDS; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY AND FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANY TAXES NECESSARY FOR THE PROMPT PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BONDS, AND PROVIDING THAT THE FULL FAITH AND CREDIT AND TAXING POWER OF TALBOT COUNTY, MARYLAND SHALL BE PLEDGED TO THE PAYMENT OF SUCH PRINCIPAL AND INTEREST, SUBJECT TO THE LIMITATION ON THE TAX LEVY SET OUT IN SECTION 614 OF THE CHARTER OF TALBOT COUNTY; AND GENERALLY RELATING TO THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF THE BONDS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Angela Lane, Finance Director, stated that the administrative resolution, which sets forth the terms of sale of the bonds, is the final item needed to authorize the County to sell bonds for the Easton Elementary School. She stated that capital enabling legislation had been previously approved for the project as had legislation authorizing sale of the bonds. The administrative resolution was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the administrative resolution was brought forward to second reader with the Council voting 5 – 0 as follows:

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

Upon motion by Ms. Price, and no objection by the Council, a full reading of the administrative resolution was waived. The Council approved the administrative resolution by voting 5 – 0 as follows:

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

The Administrative Resolution is effective immediately.

IX. Public Hearing:

Resolution No. 282, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP REAL PROPERTY LOCATED AT 24500 ROLLES RANGE ROAD, ST. MICHAELS, MARYLAND 21663, FURTHER DESCRIBED AS TAX MAP 23, PARCEL 41, FROM UNPROGRAMMED TO “S-1” IMMEDIATE PRIORITY STATUS, was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Ray Clarke, County Engineer, outlined the original application submitted to amend the County’s Comprehensive Water and Sewer Plan to have the entire property designated as “S-1”, and a subsequent amendment to the application to include only the developed portion of the property as “S-1”. Mr. Clarke stated that the Planning Commission, at its meeting on Wednesday, February 5, 2020, voted 5 – 0 that the application, as amended, was consistent with the County’s Comprehensive Plan and recommended Council approval of the resolution, with the amendment. The amendment was introduced at the Council meeting on Tuesday, February 11, 2020. Mr. Clarke stated that the Public Works Advisory Board, at its meeting on Wednesday, May 6, 2020, voted 5 – 0 to recommend that the Council approve Resolution No. 282, with the amendment. Council discussion ensued with County Attorney, Anthony Kupersmith. The Clerk then read the amendment into the record. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the amendment by voting 5 – 0 as follows:

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

The vote was negated as the public hearing had not yet been held. The public was then afforded an opportunity to comment on the legislation and the amendment. Mr. Pack stated that a prior motion and second had been made to bring the amendment forward for vote. The Council approved the amendment to Resolution No. 282 by voting 5 – 0 as follows:

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

The Council approved Resolution No. 282, as amended, by voting 5 – 0 as follows:

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

Resolution No. 282, as amended, is effective immediately.

X. County Manager’s Report:

- A. Talbot County Airport Board – Requested Council approval for the reappointment of John “Jack” Pettit and Charles Daffin to four-year terms on the Talbot County Airport Board; said terms will expire on June 1, 2024. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved the reappointments by voting 5 – 0 as follows:

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

- B. Talbot County Emergency Services Advisory Board – Requested Council approval for the reappointment of Wayne Dyott and Ruth Sullivan to three-year terms on the Talbot County Emergency Services Advisory Board as representatives of the Easton District and Trappe District, respectively; said terms will expire on February 1, 2023. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved the reappointments by voting 5 – 0 as follows:

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

- C. Talbot County Weed Control Committee – Requested Council approval for the appointment of John “Jay” Shortall, Jr. to the Talbot County Weed Control Committee; said term will complete the unexpired term of Mr. William Beaven and will expire on July 1, 2021. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved the appointment by voting 5 – 0 as follows:

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

- D. Request for Letter of Support for Maryland Rural Development Corporation’s Housing Preservation Program – Requested Council approval for a letter in support of the Maryland Rural Development Corporation’s Housing Preservation Program. Mr. Hollis stated that the program provides various services to very low and low income rural residents of Talbot County including funding for needed home repairs/rehabilitation in order to improve the general living conditions of the residents. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved forwarding a letter of support by voting 5 – 0 as follows:

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

XI. Public Comments: Members of the public were provided an opportunity to comment on topics of interest to them.

XII. Council Comments:

Mr. Divilio – No comments.

Mr. Callahan – No comments.

Ms. Price - Ms. Price responded to a comment by a caller that, in her opinion, the caller had oversimplified a previous statement she had made that she didn't want anyone to come here. Ms. Price stated that Talbot County had, in her opinion, done an excellent job during the COVID-19 outbreak and at the time the statement was made, the county had approximately 40 cases, whereas now we are at 50 or 60 with one death. She stated that, in her opinion, part of the reason for the low number of cases was that county citizens quarantined; when you don't know where individuals are coming from, bringing the virus from another area is a possibility. She stated that she had been elected to take care of the citizens who are here, and that she also felt we would be going against the Governor's stay-at-home order. She stated that in her opinion, we should not be having anyone in our hotels, short-term rentals or anywhere else during a stay-at-home order. She reiterated that to oversimplify her statement that she did not want anyone coming here is not true. She stated that she agreed with the sentiment of the caller that it is time to open up businesses and that she does not agree with the classification of "essential" and "non-essential" except perhaps within the first month. She stated that we know where the infections and risk factors are, who is vulnerable, and that if it were up to her, she would open up businesses, even though restaurants are a little different and we need a regional approach, not just state to state. She stated that if the Governor says that we can start making some decisions on businesses, she would welcome the authority to have a discussion with her fellow Council members because regions are different from one another and we've done a good job here. She stated that, in her opinion, there has to be some unanimity on some decisions such as opening of playgrounds in some jurisdictions but not others, but that rural parts of Maryland like the Eastern Shore and western Maryland should have a little bit more leeway than Prince George's or Montgomery counties. She stated that county executives from the larger counties had written to the Governor and said they were not yet ready to go to Phase I. She stated that she hopes that we can start moving forward; businesses are being decimated and there are some who will never come back, and it breaks her heart to see what's going on. Ms. Price stated that, in her opinion, all levels of government need to start backing off and let people and businesses do the right thing. She stated that phasing-in is natural and it's time to trust businesses and trust people to start doing the right thing and let government get out of the way.

Mr. Leshner - No comments.

Mr. Pack - Mr. Pack requested that Jodie Hardesty, one of the members of the public who had called in, forward her comments to the Council. He stated that the Council would like to have that kind of input from the business community so that when we start considering our approach to phases for reopening, we may want to incorporate some of those ideas into reopening plans. Mr. Pack stated that, in his opinion, we are not there yet, but are getting close, and he thinks that the Governor's approach to a rolling reopening is a very prudent one to see how different areas can handle it, instead of just opening up the whole state at one time. He commented on areas heavily hit by COVID-19, including Baltimore City, Prince George's County and Montgomery County, which are seeing not only a large number of cases, but deaths as well, particularly in the African American community which has been disproportionately impacted. He stated that he could hear the emotion in the caller's voice and stated that the County is working toward the goal of reopening the short-term rentals. Mr. Pack expressed his appreciation to the Governor and Bobby Neall, Maryland Secretary of Health, for their efforts to provide more test kits for the Chesapeake College test site and commended Dr. Ciotola and Dr. Wadley for their efforts to do so. Mr. Pack stated that, in his opinion, testing is the key and getting additional tests from the State will certainly help.

XIII. The Council will reconvene on Tuesday, May 19, 2020 at 4:30 p.m. in Open Session and immediately adjourn into Closed Session for discussion of legal, personnel and real estate matters as listed on the statement for closing the meeting. The Closed Session and the Council meeting will take place in the Wye Oak Room. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council declared Tuesday, May 19, 2020 as a Special Legislative Day for the purpose of enacting Bill No. 1445, AN ACT TO ESTABLISH THE 2020-2021 ANNUAL BUDGET AND APPROPRIATION ORDINANCE, by voting 5 – 0 as follows:

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

The meeting adjourned at 8:42 p.m.

The transcript of the May 12, 2020 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIV. Work Session - Final Budget Deliberations – The Council held a work session at 4:00 p.m. on Tuesday, May 12, 2020 to consider modification of several Budget items. Angela Lane, Finance Director, outlined the following items for Council's consideration:

GENERAL FUND – Sheriff's Office – FY2020 Purchase of two (2) Administrative vehicles in the sum of \$30,000; said vehicles are currently in the Sheriff's Office fleet and are coming off lease; four (4) vehicles were approved in the FY2021 Budget. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved purchase by voting 5 – 0 as follows:

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

Volunteer Fire Departments – Hose Testing for All Companies – Funds from Burn Fund in the sum of \$16,320 for required hose pressure testing across the county. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved use of Control Burn Funds for hose testing by voting 5 – 0 as follows:

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

Animal Control – Capital Outlay – Replacement of HVAC system and kennel flooring in the sum of \$32,000 or 50% of the cost; Talbot Humane will pay the remainder – Council chose to defer at the present time but is prepared to address should the HVAC system fail.

Board of Education – Operating Appropriation – Request from Board of Education to fully fund its Budget request in the sum of \$1,986,525. Council discussion ensued. No action was taken by the Council.

Talbot County Free Library – Operating Appropriation – Amount to be Determined – Council will reconsider when the Library reopens and an analysis of unanticipated expenses has taken place.

Service Fee on Semi-annual bills – Change from .8% to .5% - State approved for .5% - No Council action required since no Budget impact.

GRANTS FUND – Community Grants – Request from Pickering Creek for a grant in the sum of \$3,750 to upgrade lighting. Council discussion ensued with Ms. Lane as to grant funding allocated in FY2021. Ms. Lane stated that allocation for grants was reduced in the FY21 Budget in anticipation of the County receiving a grant for broadband which would require a match. No action was taken by the Council.

Community Grants – Tilghman Waterman’s Museum – Accepted return of funds in the sum of \$500 awarded to the Museum in order that the funding might be used instead to assist county citizens affected by COVID-19.

Revenues – Franchise Fees – to be determined – will be increased to match grants approved by the Council. No further action taken.

CAPITAL PROJECTS FUND – COUNTY BUILDINGS – New Capital Project - Sewer/Septic for Materials Repurposing Site in the sum of \$165,000, the estimated cost for sewer extension to the site. Ms. Lane stated that the funding would initiate the project. The Department of Planning & Zoning requires the site plan to show a sewer line. Council discussion ensued as to whether the Repurposing Center needs to be set up as an Enterprise Fund prior to proceeding further. The matter was put on hold.

Revenues – Long Term Debt in the sum of \$165,000 – Per Council’s prior discussion, the matter was put on hold.

Recreation Fund Capital Projects – Gymnasium Addition – Long Term Debt – Contributions – Requested Council consideration to move \$3,100,000 from Contributions to Long Term Debt with annual Program Open Space (POS) funds used for annual principal payments. Ms. Lane stated that originally, the \$3.1 million was to be raised through community contributions. Council discussion ensued as to whether POS funding might be cut in future years due to the reduction in State revenues resulting from COVID-19 and whether community funding might still be available. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved long term debt of \$800,000 above the amount the County has already encumbered in POS funding and this year’s anticipated amount by voting 4 – 1 as follows:

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

Items approved by a consensus of the Council will be included in an amendment to the FY2021 Budget which is scheduled for vote on Tuesday, May 26, 2020.

Council then discussed a recent letter from Governor Hogan to the State Legislature outlining the bills he would be vetoing; a request from Talbot County Public Schools on how to spend any FY2020 projected surplus funds; and whether the Board of Education should continue to submit their budget requests by category. At Council’s request, the Board of Education will be asked to consult the Council regarding use of any surplus funds for FY2020 and to continue to submit their budget requests by category.

XV. Summary of Closed Session held on May 12, 2020:

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

Time of closed session: 5:05 p.m. to 6:10 p.m.
 Place of closed session: Wye Oak Room, Talbot County Community Center
 Purpose of the closed session: To consider various matters as set forth in the statement for closing the meeting

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Pack, Callahan, Price, Divilio, Leshler
 Members opposed: None
 Abstaining: None
 Absent: None

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Statutory authority	Persons present	Action taken
Discuss personnel matter in Sheriff’s Office	GP § 3-305 (b) (1)	Corey Pack, Chuck Callahan, Laura Price, Frank Divilio, Pete Leshler, Andy Hollis, Jessica	Approval given to spend contingency funds on LEOPS study and for salary increases for certain

		Morris, Anthony Kupersmith, Angela Lane	specific employees under discussion in FY21 budget
Legal advice regarding damage to County roads and possible litigation	GP § 3-305 (b) (7) (8)	Same as above, plus Warren Edwards, less Angela Lane	Consensus to send demand letter for road damages.
Discuss litigation involving accident on County road	GP § 3-305 (b) (7) (8)	Same as above	No action
Discuss proposed acquisition of property for a public purpose in Royal Oak area	GP § 3-305 (b) (3)	Same as above, plus Ray Clarke, less Mr. Edwards	Approved making offer for acquisition of property in Royal Oak for a public purpose
Discuss appointments to various County boards and committees	GP § 3-305 (b) (1)	Same as above, less Mr. Clarke	Concurred with appointments to boards and committees

CASH STATEMENT 5/12/2020

BALANCE 5/05/2020	3,681,058.55
CIGNA CLAIMS PAID THRU 5/4/2020	(55,411.96)
MD STATE RETIREMENT FY20 ADMIN COST FEE	(11,712.33)
ELECTION BOARD PPE 3/3, 3/10, 3/17, 3/24 & 3/31/2020	(26,191.27)
MAY 2020 RETIREE HEALTH INS PLAN #727	(31,470.75)
BOARD OF EDUCATION APRIL 2020	(3,504,644.00)
USDA/RD QTRLY SEWER BOND PYMT #92-16	(16,408.00)
USDA/RD MTHLY BOND PYMT #97-08	(1,304.00)
USDA/RD QTRLY BOND PYMT #92-04	(2,833.00)
MLGIP TRANSFER TO CASH	5,000,000.00
DEPOSITS	1,195,136.51
CHECKS	(519,278.02)
BALANCE 5/12/2020	<u>5,706,941.73</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.48%	15,500,000.00
1880 BANK			10,124,514.33
TOTAL INVESTED			<u>25,624,514.33</u>
PETTY CASH			<u>15,570.00</u>
BALANCE			
<u>GRAND TOTAL ALL FUNDS</u>			<u>31,347,026.06</u>