



TALBOT COUNTY, MARYLAND

County Council

MINUTES

October 22, 2019

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

- I. Agenda – The Agenda of Tuesday, October 22, 2019 was brought forward for approval. Mr. Leshner made a motion to amend the Agenda to include a new Item VIII, *AN ADMINISTRATIVE RESOLUTION TO TERMINATE THE EMERGENCY BURNING BAN ADOPTED BY TALBOT COUNTY ON OCTOBER 4, 2019 THROUGHOUT TALBOT COUNTY*; the motion was seconded by Ms. Price. The Council approved amending the Agenda as presented by voting 5 – 0 as follows:
 - Mr. Pack – Aye
 - Mr. Divilio – Aye
 - Mr. Callahan – Aye
 - Ms. Price – Aye
 - Mr. Leshner – Aye
- II. Minutes – Mr. Pack requested and received Council's unanimous consent for approval of the Minutes of Tuesday, September 10, 2019 and Tuesday, October 4, 2019.
- III. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, October 15, 2019 and Tuesday, October 22, 2019.
- IV. Presentation of Government Finance Officers Association (GFOA) Award for FY2018 to Talbot County Finance Office - Finance Director, Angela Lane stated that the Comprehensive Annual Financial Report for Talbot County is required by the Government Finance Officers Association of the United States and Canada in order to participate in their Certificate of Achievement for Excellence in Financial Reporting Program. She stated that in order to be awarded a certificate of achievement, a governmental unit must publish an easily readable and efficiently organized comprehensive annual financial report which must conform to the standards of the GFOA while satisfying all generally accepted accounting principles and legal requirements. Ms. Lane stated this is the 18th consecutive year Talbot County has received the award. She expressed appreciation to her staff for their assistance to ensure that the County meets all the requirements for the program. Council expressed their appreciation to Ms. Lane and her staff for all their hard work. The FY 2017-2018 Comprehensive Financial Report is available on the County's website at www.talbotcountymd.gov.
- V. Update by Talbot County Department of Economic Development and Tourism – Cassandra Vanhooser, Director, Department of Economic Development and Tourism; Sam Shoge, Economic Development Coordinator, Department of Economic Development and Tourism – Mr. Shoge briefed the Council on the recent Maryland Economic Development Association (MEDA) Conference hosted by Talbot County at the Tidewater Inn on October 20, 2019 and October 21, 2019. He stated that the conference was an opportunity to interact with their colleagues across the state and to highlight the ability of economic development to transform the lives of business owners and the lives of citizens. He stated that the conference launched Economic Development Week, the week of October 20 – 26, 2019. Mr. Shoge briefed the Council on several matters related to economic development in Talbot County including, the American

Salmon project in Cordova, the recent resource fair sponsored by the Easton Economic Development Corporation and the Easton Business Alliance which provided an opportunity for business leaders to learn about incentives and financing opportunities which may be available to them. He briefed the Council on several upcoming events including Coffee and Conservation on Friday, November 8, 2019 at 8:30 a.m. during Waterfowl Festival weekend and the annual Business Appreciation Breakfast on Friday, April 24, 2020. Ms. Vanhooser briefed the Council on the Hill Community Project in Easton which tells the story of one of the oldest free African-American communities in the nation. She stated that the Hill Community Project includes a 32-page brochure which she authored in partnership with researchers from University of Maryland Land Records, Morgan State University, Historic Easton, the Town of Easton and Easton Utilities. Ms. Vanhooser stated that the Frederick Douglass Park on the Tuckahoe project is also underway; an interpretive element is currently being developed, a Master Plan team has been selected and a public meeting process will follow. She stated that the story of Frederick Douglass, combined with the location of the park on the Tuckahoe River, will, in her opinion, attract a much broader audience. She outlined how Talbot County is partnering with CRUSA (Capital Region USA – Virginia, Maryland and Washington, DC) to market to international visitors as “the Chesapeake loop.” Ms. Vanhooser listed numerous other projects and events designed to bring visitors to Talbot County. Council expressed their appreciation to Ms. Vanhooser and Mr. Shoge for their economic development and tourism efforts.

- V. Proclamation: Economic Development Week 2019 – The Clerk read a proclamation into the record in recognition of October 20 – 26, 2019 as Economic Development Week in Maryland. The proclamation spoke of those who work on behalf of the businesses in the county to create, retain, and expand opportunities for those businesses, which in turn provide a stable tax base for the community, attract high quality talent to help ensure the workforce of tomorrow, and make the county a great place to live, work, and visit. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the proclamation by voting 5 – 0 as follows:

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

Ms. Price and Mr. Callahan, Council liaisons to the Department of Economic Development and Tourism, respectively, presented the Proclamation to Ms. Vanhooser and Mr. Shoge.

- VI. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO TERMINATE THE EMERGENCY BURNING BAN ADOPTED BY TALBOT COUNTY ON OCTOBER 4, 2019 THROUGHOUT TALBOT COUNTY was brought forward for introduction. Prior to introduction, Clay Stamp, Director, Talbot County Department of Emergency Services, requested on behalf of the Burn Ban Committee, Council’s consideration to lift the burning ban which Council had put into effect by administrative resolution on October 4, 2019. He stated that it is the opinion of the Committee that recent heavy rains have reduced the risk for easy start and spread of fire and the ban should be lifted. Upon motion by Mr. Callahan, seconded by Ms. Price, 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. Leshler – Aye

Assistant County Manager, Jessica Morris, asked for a Point of Order that the administrative resolution needed to be read into the record. The administrative resolution was read into the record by the Clerk. Upon motion by Mr. Callahan, seconded by Ms. Price, 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. Leshler – Aye

Termination of the burning ban will take effect at 9:00 a.m. on Wednesday, October 23, 2019.

VII. Public Hearing:

Bill No. 1435, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ALLOW A REPLACEMENT PIER BEYOND ONE HUNDRED FIFTY FEET (150') FROM MEAN HIGH WATER FOR DIRECT ACCESS TO LEGAL NONCONFORMING BOATHOUSES, was read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Callahan, seconded by Mr. Divilio, Bill No. 1435 was brought to third reader with the Council voting 5 – 0 as follows:

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

Upon motion by Ms. Price, and no objection by the Council, a full reading of the legislation was waived. The Council approved Bill No. 1435 by voting 5 – 0 as follows:

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

Bill No. 1435 will take effect as provided for in the legislation.

VIII. Presentation by Talbot County Roads Department on Proposed New County Recycling Center – Warren Edwards, Talbot County Roads Superintendent – Mr. Edwards provided updated information on the proposed new County recycling center to be located off of Maryland Route 33. He reviewed each of the changes and recommendations made following the work session with Council on October 15, 2019 and after speaking with various contractors in Talbot County who had expressed concerns that the proposed

County recycling center would sell product to members of the public and impact their livelihood. Mr. Edwards stated that he had assured the contractors that the recycling center would not be selling recycled material to the public. Council discussion ensued with Mr. Edwards, Mary Kay Verdery, Planning Officer, Ray Clarke, County Engineer, and Angela Lane, Finance Director, regarding various aspects of the proposed County recycling center including, cost of equipment, sources of material to be recycled, zoning requirements, and anticipated revenue to be generated by the facility. County Attorney Anthony Kupersmith requested that staff be granted additional time to formalize any fee schedules for the proposed facility and to develop any language needed to establish the facility as an enterprise fund; there was no objection by the Council. In order to provide the public an opportunity to comment on the proposal, the Public Comment portion of the meeting was moved forward.

- IX. Public Comments: Members of the public commented on topics of interest to them; several members of the public commented on the proposed County recycling center.

Mr. Edwards responded to several statements made by members of the public and Council discussion again ensued. Council agreed to continue to review the matter; a work session will be scheduled at a later date.

- X. Council Discussion of Chesapeake Bridge Transit Study – Prior to Council discussion, Jessica Morris, Assistant County Manager, stated that the Maryland Department of Transportation had held an Open House to review the Chesapeake Bay Transit Study on October 3, 2019 at the Talbot County Community Center. She stated the public was provided an opportunity to view the different options for a possible additional crossing of the Chesapeake Bay and to comment on the proposals. Ms. Morris stated that the Council also had their annual meeting with Department of Transportation representatives on October 15th. She stated that a letter to the Department of Transportation had been drafted for Council’s consideration which includes requested information from County Engineer, Ray Clarke, on environmental impacts to Talbot County, one of the proposed options for a new Bay crossing. Ms. Price stated that individuals attending the Open House had anticipated being able to make public comments on the proposed options; however, no speaking comments were taken at any of the Open House events, instead cards were provided for written comments or individuals could provide comments online directly to the Maryland Department of Transportation so that the Council did not have the benefit of hearing the comments made by previous attendees. Council discussion ensued and staff was requested to revise the letter to include not only continuing to strongly object to any additional crossing going through Talbot County but to also reiterate Council’s concerns of the past decade about ingress and egress on Maryland Rt. 33, particularly in the event of an evacuation, the impact to the county’s environmentally sensitive areas and the historic resources in those areas. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved forwarding a modified letter to the State, by voting 5 – 0 as follows:

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

- XI. County Manager’s Report:

- A. Bid 19-14, REQUEST FOR FARMLAND RENTAL PROPOSALS – EASTON AIRPORT, EASTON – TALBOT COUNTY, MARYLAND – Requested Council approval to award Bid No. 19-14 to the highest bidder, Meadow Farm Joint Venture, LLC in the sum of \$12,865 per crop season for the years 2020, 2021, and 2022. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved the award by voting 5 – 0 as follows:

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

- B. Request from Department of Emergency Services – Requested Council approval to have the Talbot County Department of Emergency Services participate with the other eight Maryland Eastern Shore counties for the development of a Request for Proposals (RFP) for the Next Generation 911 (NG911) infrastructure project for all nine counties by a single vendor. Clay Stamp, Director, Department of Emergency Services, stated that the project will allow 911 Centers in Maryland to move away from an older telephone circuit switch technology to an Internet platform so that the 911 Centers can receive texts and videos to 911. Funding for development of the RFP will be solicited from the Maryland Emergency Number Systems Board. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved Talbot County’s participation as outlined by voting 5 – 0 as follows:

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

- C. Request from Department of Emergency Services - Requesting Council approval for the purchase of iPads for each of the firetrucks in the county as part of the implementation of the Active 911 project; the technology will alert firefighters who have Smartphone technology to provide responders with information regarding the location of fire hydrants, hazards at the incident location, etc.; total cost of the iPads is \$33,813.54 (\$16,559.54 from Verizon Wireless and \$17,254.00 from E Plus Technology Inc. for computer and related equipment). Mr. Stamp stated that Homeland Security Funding will cover the cost of the hardware. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved the purchase 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 – Department of Economic Development and Tourism – Requested Council’s consideration to forward a letter in support of the Department of Economic Development and Tourism’s application to the Maryland Heritage Area Authority for a \$5,000 grant; if approved, said funding will be used to develop an interpretive element for the Frederick Douglass Park on the Tuckahoe. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved the letter of support by voting 5 – 0 as follows:

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

- E. BOOnanza at Talbot County Community Center – Ms. Morris stated that the Talbot County Department of Parks and Recreation will be hosting a BOOnanza on Thursday, October 24, 2019 from 6:00 p.m. to 8:00 p.m. at the Talbot County Community Center. Information on the event may be obtained by calling the Department of Parks and Recreation at 410-770-8050.

XII. Council Comments:

- Mr. Divilio– Mr. Divilio stated that he had attended an event at St. Stephen’s A.M.E. Church in Unionville on Saturday to honor the minister there and had presented a proclamation on behalf of the Council. He stated that, in his opinion, it was a fantastic event. He stated that the church is a small community church which is still going strong in the tight-knit community which was established with 18 residential lots, two commercial lots, a school and a church. He stated that, in his opinion, there is a correlation between the fact that the community is tight-knit and the church remains strong. Mr. Divilio concluded his comments by stating that he appreciated having been invited to the event.
- Mr. Leshner – Mr. Leshner congratulated all the honorees. He stated that he had recently had the privilege of attending the Talbot Branch of the NAACP Freedom Fund Luncheon on Saturday. He stated that, in his opinion, we have some giants in our midst and a number of them received their due recognition. He offered his congratulations to the honorees and stated that it was truly a great community event.
- Mr. Callahan - Mr. Callahan expressed his appreciation to Roads Superintendent Warren Edwards for his efforts with the public with regard to the proposed County recycling center. He stated that in his opinion, Mr. Edwards’ heart is in the right place - it’s a matter of taxpayer money and what we are doing with it. He stated that we have to make businesses and people feel that the County is doing the right thing. He concurred with Ms. Price’s comment that the County does not want to run a business out of business using their own tax money. He stated that, in his opinion, hopefully we can work out a compromise and get there. He commended Mr. Edwards for stepping up and bringing the idea forward and stated that he and Mr. Edwards had talked about it many times. Mr. Callahan concluded his comments by reiterating that the one thing the County does not want to do is hurt the businesses and that he is very sensitive to that, and stated that the County will keep moving forward to make it positive for everybody.
- Ms. Price Ms. Price encouraged those who were interested in the work of the Kirwan Commission to read *The Star Democrat* for Sunday, October 20, 2019. She stated that *The Talbot Spy* also reported on the last funding formula workgroup committee meeting of October 15th.
- Mr. Pack - Mr. Pack stated that the Maryland You Are Beautiful Ceremony will be held on Tuesday, October 29, 2019. He thanked Mr. Divilio for attending the event in Unionville to honor the pastor of the church there and stated that he had been

unable to attend as he was at another service at Union Baptist Church for Deacon Potter in honor of his 50-plus years of service to the church and the community. Mr. Pack concluded his comments by stating that he was happy to have been a part of the event to recognize Deacon Potter.

- XIII. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council voted to adjourn and to reconvene on Monday, October 28, 2019 at 4:00 p.m. in the Bradley Meeting Room for a work session on the possible abandonment of Walkers Turn Road; at 5:00 p.m. for a meeting with the elected officials of the municipalities in the Meeting Room of the Talbot County Free Library; and at 6:00 p.m. for a community meeting in the Meeting Room of the Talbot County Free Library to discuss the County property located at 925 Port Street (Easton); to reconvene on Tuesday, October 29, 2019 at 5:30 p.m. in the Easton High School Cafeteria, 723 Mecklenburg Avenue, Easton for the Maryland You Are Beautiful Ceremony to recognize volunteers in Talbot County; and to reconvene on Tuesday, November 12, 2019 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; and for the regularly scheduled meeting at 6:00 p.m. 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 8:28 p.m.

The transcript of the October 22, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

- XIV. Annual Consolidated Transportation Meeting – The Council met with representatives of the Maryland Department of Transportation (MDOT) and State Highway Administration (SHA) on Tuesday, October 15, 2019 at 3:00 p.m. in the Wye Oak Room at the Talbot County Community Center, 10028 Ocean Gateway in Easton. Each of the MDOT and SHA representatives in attendance provided statistical information related to their respective agencies and an update on projects throughout the state. Council provided a project priority listing for Talbot County, including various road capacity issues and intersection improvements. Council discussion ensued with the representatives as various items were brought forward, including the current re-decking and renovation project of the westbound span of the Chesapeake Bay Bridge. Council also reiterated that they remain against any proposed new bridge crossing coming to Talbot County.
- XV. Work Session with Warren Edwards, Roads Superintendent, on Proposed Recycling Center – The Council held a work session on the proposed new County recycling center Tuesday, October 15, 2019 at 4:00 p.m. in the Wye Oak Room at the Talbot County Community Center, 10028 Ocean Gateway in Easton. The purpose of the work session was to hear Mr. Edwards’ proposal for a possible County-owned recycling center on a portion of the County’s spoil site on St. Michaels Road including, estimated costs for set-up, products to be received for recycling, the sources for same, and annual revenue anticipated to be generated. Council discussion ensued with Mr. Edwards as various details were presented by Mr. Edwards and Planning Officer Mary Kay Verdery. Council will review the matter in more detail and discussions will continue at a later date.

XVI. Summary of Closed Session Held on October 22, 2019:

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

Time of closed session: 4:35 p.m. to 6:00 p.m.
 Place of closed session: County Council Conference Room
 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, Divilio, Leshner
 Members opposed: None
 Abstaining: None
 Absent: Price (arrived at 4:43 p.m.)

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 a proposal to help retain an existing business, namely the Whalen Company	GP § 3-305 (b) (4)	All 5 Council Members, Jessica Morris, Clay Stamp, Susan Moran, Anthony Kupersmith, Mary O'Donnell, Cassandra Vanhooser, Angela Lane	Direction to negotiate lease termination
Receive legal advice and discuss pending litigation involving Maryland State Department of Education determination on non-recurring costs	GP §§ 3-305(b)(7)-(8)	Same as above less Ms. Vanhooser	Direction to meet with Talbot schools superintendent
Discuss personnel matter involving the Hog Neck Golf Course	GP § 3-305 (b) (1)	Same as above	None
Discuss possible acquisition of real property for a public purpose, namely Elks property on Dutchmans Lane	GP § 3-305 (b) (3)	Same as above	None

Discuss appointments to various boards and commissions	GP § 3-305(b)(1)	Same as above	None
Receive legal advice and discuss pending or potential litigation related to the Preserve at Wye Mills	GP §§ 3-305(b)(7)-(8)	Same as above, less Mr. Callahan	None
Receive legal advice and discuss pending or potential litigation related to the Eastern Shore Vacation Rentals	GP §§ 3-305(b)(7)-(8)	Same as above, with Mr. Callahan	Direction to prepare response to letter

CASH STATEMENT 10/15/2019

BALANCE 10/01/2019	20,288,023.56
STATE REPORT 9/2019	(626,922.32)
CIGNA PAID THROUGH 10/7/2019	(63,278.79)
DEPOSITS	678,599.34
CHECKS	(1,154,000.99)
VOIDED CHECK(S) #335824	209.00
BALANCE 10/15/2019	<u>19,122,629.80</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		1.90%	20,500,000.00
1880 BANK			10,095,050.96
TOTAL INVESTED			<u>30,595,050.96</u>
PETTY CASH			<u>15,570.00</u>
BALANCE			
<u>GRAND TOTAL ALL FUNDS</u>			<u>49,733,250.76</u>

CASH STATEMENT 10/22/2019

BALANCE 10/15/2019	19,122,629.80
TOTAL ADP PAYROLL PPE 10/4/2019	(631,778.45)
DEFERRED COMP DED PPE 10/4/2019	(17,548.37)
PENSION DED PPE 10/4/2019	(38,243.66)
SECU DED PPE 10/4/2019	(3,512.86)
DEFERRED COMP PLAN 401(A) PPE 10/4/2019	(6,948.73)
CIGNA CLAIMS PAID THROUGH 10/15/2019	(154,435.66)
SALES & USE COMMUNITY CENTER DUE 10/20/2019	(160.96)
SALES & USE HOG NECK GOLF COURSE DUE 10/20/2019	(739.83)
USDA/RD MTHLY BOND PMT #97-08	(1,304.00)
WF/GF EQUIPMENT LEASE 10/2019	(4,092.00)
RETIREE GIFT CARD H. DOVE	(250.00)
DEPOSITS	1,500,189.56
CHECKS	(630,591.86)
VOIDED CHECK(S) #334869, 337293, 334504	4,942.87
BALANCE 10/22/2019	<u><u>19,138,155.85</u></u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		1.93%	20,500,000.00
1880 BANK			10,099,200.44
TOTAL INVESTED			<u><u>30,599,200.44</u></u>
PETTY CASH BALANCE			<u><u>15,570.00</u></u>
<u>GRAND TOTAL ALL FUNDS</u>			<u><u>49,752,926.29</u></u>