



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 25, 2023

Present – President Chuck Callahan, Vice President Pete Leshner, Keasha N. Haythe, Lynn L. Mielke, Dave Stepp, County Manager Clay Stamp, and County Attorney Patrick Thomas.

- I. Agenda – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, April 25, 2023.
- II. Minutes – Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, April 11, 2023.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, April 25, 2023.
- IV. Introduction of Sarah Kilmon, Talbot County Communications Manager – Sarah Kilmon introduced herself as the new Talbot County Communications Manager. Ms. Kilmon stated that she had grown up in Talbot County and comes to Talbot County Government from the office of Senator Johnny Mautz. County Manager, Clay Stamp, stated that the hiring of a communications manager was a priority of the Council so that the County can enhance communication between the Council, County government and the community. Council members welcomed Ms. Kilmon.
- V. Proclamation: Maryland Month of the Young Child – April 2023 – The Clerk read a proclamation into the record in recognition of April as month of the young child in Maryland. The proclamation spoke of the importance of recognizing the needs of, and providing services for, young children and their families in our community. The proclamation encouraged individuals and communities to focus on the needs of young children and to support the organizations which meet those needs. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the proclamation by voting 5 – 0 as follows:

Mr. Callahan – Aye  
 Mr. Stepp – Aye  
 Mr. Leshner – Aye  
 Ms. Mielke - Aye  
 Ms. Haythe - Aye

Dina Myers, LCSW-C, Coordinator, Easton Judy Center Early Learning Hub, introduced Lori Julian, Coordinator, Judy Center Early Learning Hub at St. Michaels Elementary School. Ms. Myers stated that during the first five years of life, a child's brain develops more rapidly than at any other time of life. She stated that the goal of Judy Centers throughout the state is to prepare young children for success in school and in life by working with various organizations and agencies to provide integrated services and programming to young children in order to increase their readiness for kindergarten. Ms. Myers then introduced representatives of the various early childhood agencies in attendance.

Mr. Stepp presented the Proclamation to Ms. Myers and representatives of the various agencies in attendance which provide services to young children.

- VI. Proclamation: National Library Week – April 23 - 29, 2023 – The Clerk read a proclamation into the record in recognition of National Library Week, April 23 – 29, 2023. The proclamation spoke of the importance of intellectual freedom as essential to the preservation of a democracy and the importance of libraries to the communities they serve: providing professional expertise, services, materials and guidance free of charge so that citizens can access credible sources and materials in order to make informed decisions about their lives. Upon motion by Mr. Leshner, seconded by Ms. Haythe, the Council approved the proclamation by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

Scotti Oliver, Assistant Director, Talbot County Free Library, and Susan Sherman, President, Board of Trustees, Talbot County Free Library, expressed their appreciation to the Council for their support through the years and for recognizing National Library Week. Ms. Oliver invited the Council to the 8<sup>th</sup> Annual Chesapeake Children’s Book Festival which will be held at the Talbot County Free Library – Easton Branch, on Saturday, June 24, 2023 from 10:00 a.m. to 2:00 p.m. Council members expressed their appreciation to the Library for the services they provide to the community.

Mr. Leshner presented the Proclamation to Ms. Oliver, Ms. Sherman, and representatives of Talbot County Free Library staff in attendance.

- VII. Introduction of Legislation:

A BILL TO ADDRESS REMAINING COMMENTS AND CONDITIONS OF APPROVAL IMPOSED BY THE MARYLAND CRITICAL AREA COMMISSION (THE “COMMISSION”) FOR BILL NO. 1525, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) REGARDING THE EXPANSION OF STRUCTURES UTILIZED FOR NONCONFORMING USES, SUBJECT TO CERTAIN CONDITIONS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Patrick Thomas, stated that the purpose of the legislation is to address comments forwarded to the County by the Critical Area Commission for Bill No.1525, approved by the Council in September 2022. Bill No. 1525 amended the County’s Zoning Code with regard to expansion of structures utilized for nonconforming uses in certain zoning districts. Mr. Thomas stated that in February 2023, the Critical Area Commission approved Bill No. 1525, subject to the conditions as outlined in the proposed legislation; the Planning Commission, at its meeting on Wednesday, March 1, 2023 considered the amendments, and recommended that Council approve same. Bryce Yelton, Assistant Planning Officer, further detailed the proposed legislation. The legislation was introduced by Mr. Callahan, Ms. Haythe, Ms. Mielke, and Mr. Stepp as Bill No, 1530. A public hearing was scheduled for Tuesday, May 23, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

- VIII. County Manager’s Report:

A. Board and Committee Appointments – Mr. Stamp stated that the County has vacancies on the following boards and committees: Adult Public Guardianship Review Board; Agricultural Resolution Board; Animal Control Board; Board of Appeals; Board of

Electrical Examiners; Commission on the Aging, Historic Preservation Commission; Public Works Advisory Board; Talbot County Local Drug and Alcohol Abuse Council; and the Talbot County Property Tax Assessment Appeals Board. He stated that individuals who are interested in serving can contact the County Manager's Office at 410-770-8010 or visit the County website at [www.talbotcountymd.gov](http://www.talbotcountymd.gov).

IX. Eligible for Vote:

Bill 1528, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT), SECTIONS 190-15 (CRITICAL AREA OVERLAY), 190-25.2 (TABLE OF LAND USES), 190-31 (MARINE USES), 190-33 (ACCESSORY USES), 190-50 (NONCONFORMING STRUCTURES), 190-58.2 (MINOR VARIANCES), AND 190-78 (TERMS DEFINED), REGARDING EROSION CONTROL MEASURES, PIERS, AND RIPARIAN STRUCTURES was read into the record by the Clerk and brought forward for vote. Prior to the vote, Mr. Leshner stated that the legislation is the result of proposed changes requested by citizens, as well as additional changes proposed by staff for the purpose of clarification of some regulations in the referenced sections of Chapter 190. Council members expressed their appreciation to staff for their work on this matter over the past several years. Upon motion by Mr. Stepp, seconded by Mr. Leshner, the Council approved Bill No. 1528 by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

Bill No. 1528 becomes effective as provide for in the legislation.

X. Public Hearing:

Resolution No. 341, A RESOLUTION TO AMEND THE 911 FEE FOR TALBOT COUNTY, MARYLAND BY INCREASING THE FEE FROM \$0.75 PER MONTH TO \$1.50 PER MONTH was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, Brian LeCates, Director, Talbot County Department of Emergency Services, stated that the purpose of the legislation is to help the County offset the operational costs of the 911 Center so that less funding is required from the General Fund. He stated that the increase in fees will apply to both landline phones and cell phones and is provided for under State law; the last time the fee was increased was 2004. Council discussion ensued with Mr. LeCates. Upon motion by Mr. Leshner, seconded by Ms. Mielke, the Council approved Resolution No. 341 by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

Resolution No. 341 is effective immediately.

XI. Update from Easton Airport – Micah Risher, Manager, Easton Airport – Mr. Risher utilized a PowerPoint presentation to update the Council on the Easton Airport Airfield Modernization

Program, the primary goals of which are to: increase safety, bring the airfield into compliance with modern design standards; improve Runway Safety Areas at both ends of the airport; integrate innovative technologies into the operation of the airport; comply with federal environmental standards; and ensure the future of aviation in Talbot County. He addressed concerns of some members of the public that Easton Airport would become another BWI, emphatically stating that it would not. He outlined the history of the modernization program which began in 2006 with a 12-year planning phase and for which the final Environmental Assessment was issued in 2018. He stated that, beginning in 2017, the airport began the initiation of projects to get the airport ready for the airfield modernization program, including removal of obstructions such as trees, light poles and buildings. He stated that the Talbot County Business Center was purchased by the Easton Airport in 2017 specifically to accommodate space for a Runway Safety Area at that location; the FAA reimbursed Talbot County in 2019 for its previous purchase of the facility; once the building has been demolished it will remain as open space with its use restricted under the regulations of the Maryland Department of the Environment's Voluntary Clean-up Program (VCP). Mr. Risher then outlined several components of the modernization program including, the relocation of Runway 4/22 which currently is too close to U.S. Rt. 50 on the northern end - shifting it 1,900 feet in the southwesterly direction to make room for a 1,000 foot Runway Safety Area on the northern end; replacement of approximately 80% of the airfield; installation of new wiring which will be more energy efficient; installation of new drainage swales, etc. which will bring the airport up to modern environmental standards to ensure the future viability of the airport. He highlighted safety upgrades included in the modernization program including, among others, a new ILS system with natural gas powered back-up, new GPS approaches, new signage and airfield markings, and new taxiway geometry for runway safety; and environmental benefits including, among others, transition of the existing 58-acre industrial site, the current location of the Talbot County Business Center building to a well-landscaped 60-acre green space; installation of stormwater controls to remove pollutants to protect the watershed; and reduction of impervious surface by 13 acres. Mr. Risher stated that the pre-Covid estimated cost of the six-year project was \$52 million; however, the cost is likely to increase significantly; the FAA will pay 90% of the cost; the Maryland Aviation Administration (MAA) will pay 5% and Easton Airport will pay the remaining 5%. Council discussion ensued with Mr. Risher. He stated that the FAA grant is anticipated to be awarded in September 2023, after which the Talbot County Business Center will transition to a construction site in October 2023. Detailed information on the Easton Airport Airfield Modernization Project may be found on the Airport's website at: [Projects - Easton Airport](#). Mr. Risher concluded his presentation by briefing the Council on community outreach programs at Easton Airport including the Aviation Career Education (ACE) programs and the return of Walk & Talk Airport Tours on May 4<sup>th</sup>, 6<sup>th</sup>, 18<sup>th</sup> and June 3<sup>rd</sup>. He stated that Airport Day 2023 will be held on Saturday, October 14, 2023.

Mr. Risher then outlined his requests to Council with regard to the Airport Modernization Program as follows:

- Request from Easton Airport – Requested Council approval to apply for and accept grant funding from the Federal Aviation Administration (FAA) Airport Improvement Plan (AIP) and Bipartisan Infrastructure Law: Airport Infrastructure Grant (BIL – AIG) for the Easton Airport Airfield Modernization Program in the sum of \$11,213,120. Upon motion by Ms. Haythe, seconded by Ms. Mielke, the Council approved having Easton Airport submit the grant application as outlined by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe - Aye

- BID NO. 23-04, PACKAGE 1: IMPROVE RUNWAY 4 RSA, EASTON/NEWNAM FIELD AIRPORT (ESN) – EASTON, TALBOT COUNTY, MARYLAND – Requested Council approval of the Airport Manager’s recommendation to award Bid No. 23-04 to the lowest responsive and responsible bidder, Atlantic Contracting and Material Company, Inc., in the sum of \$10,494,054, contingent upon award of grant funding for the project from the FAA. Council discussion ensued with Mr. Risher. Upon motion by Mr. Stepp, seconded by Mr. Leshner, the Council approved the award as outlined by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

Mr. Risher stated that a Notice-to-Proceed for the bid award will not be issued until confirmation of award of the grant funding has been received.

- Request from Easton Airport – Requested Council approval of Airport Consultant, AECOM’s Price Proposal dated April 4, 2023 for professional engineering and construction phase services for Bid No. 23-04 (Construction) in the sum of \$701,432, contingent upon receipt of the grant funding; 90% of the cost for the professional engineering and construction phase services is reimbursable from the FAA. Upon motion by Mr. Stepp, seconded by Ms. Haythe, the Council approved the Price Proposal by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

XII. County Manager’s Report:

- A. Request from Department of Public Works – Requested Council approval to apply for and accept Operation and Maintenance (O&M) funds from the Maryland Department of the Environment (MDE) Bay Restoration Fund (BRF) in the sum of \$30,000. Ray Clarke, County Engineer, stated that the funding is available each year to assist with operational and maintenance costs for wastewater treatment plants which meet MDE goals for release of Total Nitrogen and Total Phosphorus. He stated that the Region II WWTP in St. Michaels met the goals and is eligible for the funding. Council discussion ensued with Mr. Clarke. Upon motion by Mr. Leshner, seconded by Mr. Stepp, the Council approved submitting an application for the BRF funding by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

- B. Request to Transfer Maryland Department of Housing and Community Development (DHCD) Housing Bond Allocation – Requested Council approval to transfer Talbot County’s 2023 tax-exempt housing bond allocation in the sum of \$1,557,360 to the Maryland Department of Housing and Community Development; said bonds will be used by the State to fund various housing programs, including assisting first-time homebuyers, and to issue mortgage credit certificates. Upon motion by Mr. Leshner, seconded by Mr. Stepp, the Council approved transfer of the bond allocation by voting 5 – 0 as follows:

Mr. Callahan – Aye  
Mr. Stepp – Aye  
Mr. Leshner – Aye  
Ms. Mielke – Aye  
Ms. Haythe – Aye

- XIII. Public Comments: Members of the public were afforded an opportunity to comment on matters of interest to them.

XIV. Council Comments:

Mr. Stepp – Mr. Stepp wished everyone a “Happy Talbot Day”.

Mr. Leshner - No comments.

Ms. Mielke - Ms. Mielke stated that she had recently toured Shore Gourmet at Greensboro Elementary School in Caroline County where they served farm-to-table food in the cafeteria with each of the contributing farms identified. She stated that since young children were being served, there were lots of leftovers, and, in her opinion, the best part was that arrangements had been made with a local farmer to donate the leftovers to his pig farm. Ms. Mielke stated that each Thursday from 10:00 a.m. to 11:00 a.m., Shore Gourmet has a “Show Go Mobile” stocked with fresh produce, soups, salad and sandwiches at the Talbot County Senior Center; the products are available to all, not just senior citizens. Ms. Mielke concluded her comments by stating that Hog Neck Golf Course will be sponsoring a golf academy for women beginning in May and encouraged individuals who may be interested in participating to sign up.

Ms. Haythe - Ms. Haythe stated she had recently attended the 10<sup>th</sup> anniversary celebration of the Multicultural Resource Center at the Waterfowl Building and had seen the great photographs and information which showcased the many families which have received services from the organization. She stated that, in her opinion, it was a great event. She stated that the Council has received emails from citizens requesting that the public look into the matter of an Adequate Public Facilities Ordinance (AFPO) and that the

Council will be holding a work session on an AFPO once the budget is finalized.

Mr. Callahan – Mr. Callahan stated that, in his opinion, the airport modernization project is going to be a huge project for Talbot County and commended Micah Risher for the job he is doing. He thanked Mr. Stepp for bringing the matter of the official birthday of Talbot County to the Council’s attention and that, in his opinion, it will be an inspiration to everyone in the community and he looks forward to making the day special in upcoming years.

XV. Upon motion by Ms. Haythe, seconded by Mr. Stepp, the Council voted to adjourn and to reconvene on Tuesday, May 2, 2023 at 12:30 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 that meeting, and at 1:30 p.m. for the regularly scheduled meeting. The Council will be holding two public hearings on Bill No. 1529, AN ACT TO ESTABLISH THE 2023-2024 ANNUAL BUDGET AND APPROPRIATION ORDINANCE; the public hearing on the Constant Yield and the FY24 Budget will be held at 2:00 p.m. in the Bradley Meeting Room; and on the FY24 Budget at 7:00 p.m. in the Easton Elementary School Cafeteria, 307 Glenwood Avenue, Easton, by voting 5 - 0 as follows:

Mr. Callahan - Aye  
Mr. Stepp - Aye  
Mr. Leshner - Aye  
Ms. Mielke – Aye  
Mr. Haythe - Aye

The meeting adjourned at 7:37 p.m.

The transcript of the April 25, 2023 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XVI. Summary of Closed Session Held on April 25, 2023:

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

Time of closed session: 3:00 p.m. to 5:55 p.m.  
Place of closed session: County Council Office  
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: Callahan, Haythe, Leshner, Mielke, Stepp  
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	Reason for Closed Session Discussion	Persons Present	Action Taken
To discuss a personnel matter in Department of Information Technology	GP § 3-305(b)(1)(i)	Discussion involves specific individual	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Donna Pardieu	Job offer will be made
To discuss appointments to various County boards and committees	GP § 3-305(b)(1)(i)	Public discussion would discourage individuals from volunteering to serve	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal update on litigation involving Talbot Integrity Project v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal update on litigation involving Bartlett et al v Talbot County	GP § 3-305(b)(7)(8)	Attorney-client privilege regarding status of litigation	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
For legal advice on state cannabis legislation	GP § 3-305(b)(7)	Attorney-client privilege regarding legal advice	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action
To discuss a real estate matter regarding County-owned property in Easton	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential sale of a specific parcel of real	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	No action



		property for a public purpose		
To discuss a real estate matter regarding possible acquisition of property in St. Michaels for a public purpose	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Keasha Haythe, Pete Leshner, Lynn Mielke, Dave Stepp, Clay Stamp, Patrick Thomas, Jessica Morris	Council requested Parks and Recreation Advisory Board review for recommendation

**CASH STATEMENT 04/25/2023**

BALANCE 4/18/2023	92,089,292.44
CIGNA CLAIMS PAID THRU 4/17/2023	(91,977.88)
DEPOSITS	1,509,074.13
CHECKS	(545,396.66)
ACH DISBURSEMENT(S)	(354,364.57)
WIRE TRANSFERS	(177,254.88)
VOIDED CHECK(S) #365824, 366270 through 366277	12,179.87
VOIDED ACH #	0.00
<b>BALANCE 04/25/2023</b>	<b><u>92,441,552.45</u></b>

**INVESTMENTS - CERTIFICATES OF DEPOSIT**

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		4.83%	20,829,525.69
BAYVANGUARD BANK			10,276,913.49
<b>TOTAL INVESTED</b>			<b><u>31,106,439.18</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>18,105.00</u></b>
<b><u>GRAND TOTAL ALL FUNDS</u></b>			<b><u>123,566,096.63</u></b>