



TALBOT COUNTY, MARYLAND

County Council

MINUTES

August 26, 2014

Present – President Corey W. Pack, Vice President Laura E. Price, Dirck K. Bartlett, Thomas G. Duncan, R. Andrew Hollis, County Manager Clay B. Stamp, County Attorney Michael Pullen and Staff Attorney Tony Kupersmith.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, August 26, 2014.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of July 22, 2014.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of August 19, 2014 and August 26, 2014.
- IV. Presentation of Request for Increase in Erosion and Sediment Control Review Fees by Talbot Soil Conservation District – Craig Zinter, District Manager, Talbot Soil Conservation District – Mr. Zinter outlined the Soil Conservation District’s reason for the request for increase in erosion and sediment control review fees, stating that the number and size of projects submitted for review by the Soil Conservation District had substantially decreased since 2008, thus resulting in a decrease of revenue. He stated that revenue in 2014 was one-third the revenue of 2013 and 25% of that in 2008, the beginning of the economic downturn. He then presented the Talbot Soil Conservation District’s recommendations for increases in erosion and sediment control fees, as well the elimination of exemption from fees, with the exception of designated non profits, churches and fire departments. Council discussion ensued with Mr. Zinter and other Talbot Soil Conservation District representatives in attendance; Council discussion ensued with County Attorney Mike Pullen as to the methods by which Council could approve the increase in fees. In order to provide the public an opportunity to comment on the proposed fee increases, the Council requested that Mr. Pullen draft a numbered resolution for introduction at an upcoming Council meeting.
- V. County Manager’s Report:
 - A. Talbot County Economic Development Commission – Requested Council approval for the appointment of Scott Beatty to a three-year term on the Talbot County Economic Development Commission; said term will expire June 30, 2017. Council discussion ensued. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye
 - B. Talbot County Historic Preservation Commission – Requested Council approval for the reappointment of Ron Mitchell to a three-year term on the Talbot County Historic Preservation

Commission; said term will expire on July 1, 2017. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye

Following Council’s vote on Mr. Mitchell’s reappointment, Mr. Bartlett encouraged any individuals who may be interested in historic structures to contact the County Manager’s Office if they are interested in volunteering their services and expertise to the County by serving on the Talbot County Historic Preservation Commission. He stated that the Commission is responsible for monitoring the historic buildings in the unincorporated areas of the County and is currently seeking new members.

- C. Talbot County Drug and Alcohol Abuse Council – Requested Council approval for the appointment of Sharon Huseman to the Talbot County Drug and Alcohol Abuse Council; said term will complete the unexpired term of Gary Pearce and will expire July 1, 2015. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye

Council members commended Mr. Pearce for his work on the Drug and Alcohol Abuse Council, including the rewrite of the Talbot County Liquor Code.

- D. Request from Department of Emergency Services – Requested Council approval for the purchase of 19 RAD-I personal radiation detectors in the amount of \$16,999.87. Mr. Stamp stated that the purchase would be made by piggy-backing on a federal government General Services Administration contract and will utilize Homeland Security funding; no County funding is required. He stated that the radiation detectors will be placed on Department of Emergency Services response vehicles and will be distributed to each of the seven volunteer fire departments in the county; Council discussion ensued with Mr. Stamp. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved the purchase by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan - Aye

VI. Continuation of Public Hearings:

Bill No. 1290, A BILL TO AMEND *TALBOT COUNTY CODE* § 190-184 TO INCREASE THE MAXIMUM GROSS FLOOR AREA FOR SUBMISSION OF A MINOR SITE PLAN FROM 300

SQUARE FEET TO 1,000 SQUARE FEET was read into the record by the Clerk and brought forward for a continuation of public hearing of Tuesday, August 12, 2014.

Bill No. 1294, A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO ESTABLISH LOT COVERAGE LIMITATIONS APPLICABLE TO LOTS OF RECORD THAT INCREASE IN CRITICAL AREA DUE TO ADOPTION OF OFFICIAL ZONING MAPS ESTABLISHING THE DIGITALLY GENERATED, GEO-REFERENCED 1,000 FOOT CRITICAL AREA BOUNDARY was read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday, August 12, 2014.

Prior to the public hearings, Assistant Planning Officer Mary Kay Verdery stated that during the previous public hearing on Bill No. 1290, there had been discussion as to whether the requirement would be applied to residential or agricultural properties. Ms. Verdery stated that it is the use of the property, or the activity which takes place on the property, not whether the property is residential or agricultural which would trigger the requirement for a site plan review. She then gave a brief history of the legislation, introduced on July 22, 2014. At that time, the Council had directed staff to explore an increase to 2,500 square feet of gross floor area as the threshold for submission of a minor site plan. Ms. Verdery stated that the Planning Commission had voted 4 – 1 to recommend that the Council approve the legislation as introduced, and at its August 6, 2014 meeting, had voted 4 – 1 to recommend approval of the amendment introduced on July 22, 2014 that would increase the threshold for submission of a minor site plan from 1,000 square feet to 2,500 square feet of gross floor area, or 25 percent of the primary structure, whichever is greater. Council discussion ensued with Ms. Verdery and the public was afforded an opportunity to comment on the legislation and proposed amendment. The amendment to Bill 1290 was brought forward for vote. The Council did not approve the amendment to Bill No. 1290 by voting 2 – 3 as follows:

Mr. Pack – Aye
Mr. Hollis – Nay
Mr. Bartlett– Nay
Ms. Price – Aye
Mr. Duncan - Nay

Council discussion again ensued. Bill No. 1290, as introduced, was then brought forward for vote. The Council approved Bill No. 1290 by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett– Aye
Ms. Price – Aye
Mr. Duncan – Aye

The provisions of Bill No. 1290 will take effect as provided for in the legislation.

Prior to the public hearing on Bill No. 1294, Assistant Planning Officer Mary Kay Verdery stated that the proposed legislation will update the Critical Area lot coverage standards and is a companion bill to Bill No. 1295 which updated the County's Critical Area maps. She stated that when the Critical Area maps were amended, some properties saw an increase of their acreage within the Critical Area; other properties saw a decrease of their acreage within the Critical Area. She stated that citizens can view their property online at www.DNR.state.md.us/criticalarea/mapupdate to determine whether or not their property was impacted by the Critical Area map update. Ms. Verdery stated that, if approved, Bill No. 1294 would establish lot coverage limitations for those lots of record which saw an increase of their acreage within the Critical Area with the update of the Critical Area maps. She outlined the proposed lot coverage provisions cited in Bill

No. 1294 for those properties affected by the Critical Area mapping update and provided examples of same, including a diagram as an illustration. Council discussion ensued with Ms. Verdery and the public was then afforded an opportunity to comment on the legislation; Council discussion again ensued. Mr. Pullen stated that, in his opinion, the illustration could be offered as an amendment to Bill No. 1294 should Council choose to do so. Ms. Verdery requested Council's approval to amend the diagram to add specific language to more clearly clarify the provisions of the legislation; Council discussion ensued. The diagram was introduced as an amendment to Bill No. 1294 by Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack, and Ms. Price. Mr. Pullen then provided Council with the specific language which, in his opinion, should be stated at the top of the diagram: *"Examples: Where adoption of the official zoning maps of Talbot County, Maryland increases the Critical Area of the lot of record existing as of the effective date of the map adoption, the following examples of lot coverage limitations shall apply to the following examples:"* At Mr. Bartlett's suggestion, Mr. Pullen changed the language to read *"...are illustrated in the following examples."* Mr. Pullen then requested Council's consideration to strike the word *"following"* so that the wording above would read as follows: *"Examples: Where adoption of the official zoning maps of Talbot County, Maryland increase the Critical Area of a lot of record existing as of the effective date of the zoning map bill, lot coverage limitations are illustrated in the following examples:"*. The Council approved the amendment to Bill No. 1294, including the language as provided by Mr. Pullen, by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

Bill No. 1294, as amended, was then brought forward for vote. The Council approved Bill No. 1294, as amended, by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis – Aye
Mr. Bartlett – Aye
Ms. Price – Aye
Mr. Duncan – Aye

VII. Council Comments:

Mr. Hollis - No comments.

Mr. Bartlett – Mr. Bartlett congratulated everyone on the recent MACo convention in Ocean City, particularly Mr. Duncan, who currently serves as the president of MACo. Mr. Bartlett stated that, in his opinion, it was a successful convention with a lot of good networking with other elected officials as well as a lot of good discussions on many issues that concern Talbot County.

Ms. Price – Ms. Price stated that she hoped all those children who had returned to school earlier in the week have a wonderful year.

Mr. Duncan – Mr. Duncan thanked Mr. Bartlett for his kind remarks. He too stated that, in his opinion, the convention was a successful one and that the interaction between the counties was very helpful in finding out how other counties throughout the state address their issues and concerns. He concurred with Mr. Bartlett's statement that the interaction with other elected officials and the work sessions were

informative. Mr. Duncan thanked his colleagues for their support and for having attended the MACo Summer Conference.

Mr. Pack - Mr. Pack stated that, in his opinion, this year's MACo Summer Conference was one of the better ones which he had attended and the courses in which he had participated were very interesting. He commended MACo Executive Director, Michael Sanderson, and his staff, for their selection of course offerings at the Conference. He stated that several staff members of the Talbot County Department of Emergency Services had set up a CPR training display at the Talbot County booth. County Manager Clay Stamp advised that over 250 individuals took part in the "hands only" CPR training. Mr. Pack stated that it was the first time he had taken CPR training in over 20 years, and that the Emergency Services staff made it easy for the students like him to learn how to save a life. He congratulated Mr. Stamp and the staff of the Department of Emergency Services for offering the training to so many individuals. Mr. Pack concluded his comments by stating that he was looking forward to the MACo Winter Conference.

VIII. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters and to reconvene on Tuesday, September 9, 2014 at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, and at 1:30 p.m. for the regularly scheduled meeting by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Hollis– Aye
Mr. Bartlett - Aye
Ms. Price – Aye
Mr. Duncan - Aye

The meeting adjourned at 7:24 p.m.

The transcript of the August 26, 2014 County Council meeting is available for review in the Office of the County Manager during regular office hours.

IX. On Tuesday, August 26, 2014, an Executive Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Ms. Price, seconded by Mr. Hollis, the Council met in Executive Session by voting 5 – 0 as follows:

Mr. Bartlett – Aye
Mr. Duncan – Aye
Mr. Hollis – Aye
Mr. Pack – Aye
Ms. Price – Aye

In accordance with State Article § 10-508 (a)(1)(i)(3)(7)(8) the purpose of the Executive Session was for discussion of personnel matters to discuss a personnel matter regarding Planning and Zoning; to discuss a personnel matter regarding Department of Corrections; and to discuss appointments to various County boards and committees; for a legal matter for legal advice regarding potential litigation involving the County; and for a real estate matter to discuss possible acquisition of property for a public purpose. The Executive Session recessed at 6:00 p.m. and reconvened at 7:35 p.m. The Executive Session ended at 9:10 p.m.

CASH STATEMENT 8/19/2014

BALANCE 8/12/2014		\$44,459,924.85
BANK CHARGES 7/2014		(644.28)
INTEREST ON ACCTS 7/2014		5,465.35
RETURNED CHECKS		(4,388.27)
UHC CLAIMS THRU 8/12/2014		(82,426.55)
STATE ADMIN BOARD OF ELECTIONS PPE 7/22/2014		(5,568.82)
USDA/RURAL DEV/UTMC QTRLY BOND PYMT 8/2014		(2,833.00)
USDA/RURAL DEV/AIRPORT QTRLY BOND PYMT 8/2014		(1,304.00)
STATE REPORT 7/2014		(5,762,673.71)
PAYROLL-FD/SS/MS WH 8/15/2014		(130,199.06)
SECUR DED		(5,998.05)
DEFERRED COMP DED		(11,118.49)
MD WH		(31,761.28)
PENSION DED		(30,619.48)
ACH TRANSFER		(10,851.75)
FLEX SPENDING ACCT		(3,171.56)
DEPOSITS		1,702,890.23
CHECKS		(2,172,831.84)
BALANCE 8/19/2014		<u>37,911,890.29</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP37	BALANCE 8/12/2014	--
	DEPOSIT	\$11,538.00
		11,538.00
AIP39	BALANCE	69,580.62
	DEPOSITS	25,284.00
	CHECKS	(28,904.14)
		66,770.48
AIP40	NEW ACCOUNT	--
AIP41	NEW ACCOUNT	--

AIRPORT ACCOUNTS TOTAL BALANCE **78,308.48**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.05%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$55,998,768.77</u>

CASH STATEMENT 8/26/2014

BALANCE 8/19/2014	\$37,911,890.29
BOARD OF EDUCATION 7/2014	(2,878,838.00)
ADDTL STATE REPORT 7/2014	(364.36)
UHC CLAIMS THRU 8/19/2014	(41,176.50)
RETURNED CHECK	(1,622.99)
DEPOSITS	826,298.53
CHECKS	(583,304.76)
BALANCE 8/26/2014	<u>35,232,882.21</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP37	11,538.00
AIP39	66,770.48
AIP40	--
AIP41	--
AIRPORT ACCOUNTS TOTAL BALANCE	<u>78,308.48</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.05%	18,000,000.00

TOTAL INVESTED **\$18,000,000.00**

PETTY CASH BALANCE **\$8,570.00**

GRAND TOTAL ALL FUNDS **\$53,319,760.69**