



TALBOT COUNTY, MARYLAND

County Council

MINUTES

June 23, 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 – The Agenda of Tuesday, June 23, 2020 was brought forward for approval. Mr. Divilio requested to amend the agenda to add an administrative resolution on the “Talbot Boys” statue, for discussion only; Mr. Leshner seconded the motion. The Council approved amending the agenda by voting 4 – 1 as follows:

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

Council discussion ensued as to where the item should be placed on the agenda and whether it could be brought forward for action at tonight’s meeting. Mr. Divilio stated that it was his intention that the matter only be brought forward for discussion at this time.

- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, May 21, 2020.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, June 16, 2020 and Tuesday, June 23, 2020.
- IV. Introduction of Administrative Resolutions:

DECLARATION ENDING THE STATE OF EMERGENCY IN TALBOT COUNTY DECLARING THE STATE OF EMERGENCY IN TALBOT COUNTY DUE TO COVID-19 TERMINATED AND ENDED; PROVIDING FOR THE TALBOT COUNTY EMERGENCY OPERATIONS CENTER TO MOVE INTO THE RECOVERY PHASE WITH CONTINUED MONITORING AND COORDINATION IN SUPPORT OF THE TALBOT COUNTY HEALTH DEPARTMENT AND OTHER STAKEHOLDERS; AND, SUPERSEDING AND REPLACING THE FOURTH AMENDED EMERGENCY DECLARATION OF MAY 26, 2020 was read into the record by the Clerk and brought forward for introduction. Prior to introduction of the administrative resolution, Clay Stamp, Director of Emergency Services/Assistant County Manager, stated that it is his recommendation and the recommendation of Dr. Fredia Wadley, Talbot County Health Officer, that there is no need for the Council to extend the emergency declaration at this time. He stated that the purpose of an emergency declaration is to call attention to an emerging crisis situation at a given time, in this instance the COVID-19 pandemic, which allows the Council to pass emergency legislation to assist in mitigating the crisis, and allows the County to make emergency procurements. Mr. Stamp briefed the Council on activation of the Emergency Operations Center 103 days ago to support the public health sector and the business community and reviewed coordination efforts with various agencies since the beginning of the pandemic to assist Talbot County citizens. He stated that the Emergency Operations Center continues to hold weekly calls with the

operations coordination group and the business sector. Mr. Stamp stated that all the counties in Maryland are working with Governor Hogan to implement the Maryland Strong Roadmap to Recovery and the relaxation of the State of Emergency in Talbot County will not hinder Talbot County's recovery efforts. Mr. Stamp introduced Geneva Schaffle, Talbot County Emergency Management Coordinator, and expressed his appreciation to her for her role in emergency operations. He also introduced Nancy Andrew, who will continue the work of coordinating the County's efforts to provide grants to individuals and businesses as the County moves into the recovery phase. Mr. Stamp provided information on actions by various community agencies to assist the citizens of the county with various needs resulting from the pandemic. Council discussion ensued with Mr. Stamp and Ms. Andrew who stated that she looks forward to continue working in the spirit already set by the community to take care of one another. The administrative resolution was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price. Upon motion by Ms. Price, seconded by Mr. Callahan, the administrative resolution was brought 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 unanimous consent of 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.

AN ADMINISTRATIVE RESOLUTION OF THE COUNTY COUNCIL FOR TALBOT COUNTY, MARYLAND, REQUIRING THE DEVELOPMENT OF A TALBOT COUNTY DIVERSITY STATEMENT; PROVIDING FOR THE INCLUSION OF SUCH STATEMENT IN THE COUNTY EMPLOYEE HANDBOOK; AND, REQUIRING A WRITTEN ACKNOWLEDGMENT FROM EACH COUNTY EMPLOYEE THAT THEY HAVE RECEIVED, READ, AND UNDERSTAND THE DIVERSITY STATEMENT was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pack outlined the reasons he was offering the administrative resolution, stating in part that it would express on paper what the County stands for as a County and has always practiced. He stated that, in his opinion, at this point in time, creating a diversity statement that we could show to prospective hires, visitors and those with whom the County does business, would be something the County could show that it really believes in diversity. He stated that it would be incumbent upon employees to read the Statement and sign to the effect that they have read the document, understand what it says, and what it stands for. Mr. Pack concluded his comments by stating that, in his opinion, if we say that we believe in diversity, are a diverse county and are continually working toward it, then it can be put into a statement to show it.

Council discussion ensued. Mr. Divilio made a motion to add “and board member” to the wording of the administrative resolution so that the amended language would read as follows: “...and requiring a written acknowledgement from each County employee and board member, that they have received, read, and understand the diversity statement.” Council discussion ensued; the motion was seconded by Mr. Leshner, and 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

Council discussion again ensued. Mr. Divilio made a motion to bring the administrative resolution to second reader; as there was no second, the motion failed.

AN ADMINISTRATIVE RESOLUTION OF THE COUNTY COUNCIL FOR TALBOT COUNTY, MARYLAND, REQUIRING THAT THE COUNTY MANAGER PRODUCE A REPORT FOR THE COUNTY COUNCIL WITHIN THIRTY DAYS ON DIVERSITY TRAINING FOR TALBOT COUNTY EMPLOYEES AND IDENTIFYING FUTURE TRAINING OPPORTUNITIES; AND, ESTABLISHING AN ANNUAL REPORTING REQUIREMENT ON DIVERSITY TRAINING AND OPPORTUNITIES FOR TALBOT COUNTY EMPLOYEES was read into the record by the Clerk and brought forward for introduction. Mr. Pack stated that the purpose of his bringing the administrative resolution forward is to have the County Manager present an annual report to the Council during Budget discussions as to what diversity training has been conducted in the prior fiscal year and to determine if funding is needed for additional training in the next fiscal year. Council discussion ensued. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved bringing the administrative resolution to second reader by voting 4 – 1 as follows:

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

Ms. Price outlined her reasons for voting “nay” at the present time.

Upon motion by Ms. Price, and unanimous consent of the Council, a full reading of the administrative resolution was waived. The Council approved the administrative resolution by voting 4 – 1 as follows:

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

- V. Discussion of Talbot Boys proposal – AN ADMINISTRATIVE RESOLUTION OF THE COUNTY COUNCIL FOR TALBOT COUNTY, MARYLAND, PROVIDING FOR THE REPLACEMENT OF THE “TALBOT BOYS” MONUMENT WITH A JOINT MONUMENT LISTING THE NAMES OF ALL OF THOSE FROM TALBOT COUNTY WHO SERVED IN THE CIVIL WAR was read into the record by the Clerk in its entirety and brought forward for

discussion as previously requested by Mr. Divilio. Mr. Divilio stated that he had spoken with many members of the community with differing opinions on the statue and, after looking at what other communities in the state had done, the statue in Chestertown had most appealed to him because it lists the names of the soldiers who had fought for both the Union and the Confederacy in the Civil War, not just the Confederate side. He stated that after investigating the cost to remove the current statue (the whole monument) then to duplicate the entire monument and alter it to make one Civil War monument showing both sides, he had determined that it would not accomplish what he was trying to achieve due to the age of the copper portion of the monument and the way it has been interpreted for such a long time. He stated that, in his opinion, neither would constructing a Union monument to match the Talbot Boys monument – the idea had been brought up several times but had never been funded; in addition, the monument would still have two different statues showing two different things. Mr. Divilio then presented an artist's rendering of a monument similar to the Maryland monument at the Gettysburg Battlefield – a Union soldier and a Confederate soldier, both of whom appear to be injured, holding each other up. He stated that his goal is to take the Talbot Boy off the statue and save it as a part of history and to create a Civil War monument in its place that displays the names of all those who fought, a unity statue that is fair and shows equal representation. Mr. Divilio asked those in attendance to envision the unveiling of a unity statue, bringing everyone back to Talbot County and saying yes, we recognize what was on the Courthouse lawn for 100 years, no one has built the other side, so now it's our turn to correct that and say yes, there was a Civil War, but we came back and we are together – we may disagree on many things, and we may fight with one another, but at the end of the day we have come back and are working together. Council discussion ensued. Mr. Divilio stated that it is his intention that should the proposal move forward, it would be privately funded. Council discussion again ensued. No action was taken on Mr. Divilio's proposal.

VI. Introduction of Numbered Resolutions :

A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2020 GENERAL ELECTION TO AMEND § 205 OF THE TALBOT COUNTY CHARTER TO ESTABLISH TERM LIMITS FOR TALBOT COUNTY COUNCIL MEMBERS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pack outlined his reasons for offering the resolution for introduction, and briefly outlined the provisions in the legislation. The legislation was introduced by Mr. Leshner and Mr. Pack as Resolution No. 289. A public hearing was scheduled for Tuesday, July 14, 2020 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A RESOLUTION PROHIBITING STATUES DEPICTING PERSONS, SIGNS, OR SYMBOLS ASSOCIATED WITH MILITARY ACTION ON TALBOT COUNTY PROPERTY AND PROVIDING FOR THE REMOVAL OF THE "TALBOT BOYS" STATUE WHILE RETAINING THE BASE OF THE MONUMENT was read into the record by the Clerk and brought forward for introduction. Mr. Pack stated that he had personally spoken with several of his colleagues about his reasons for introducing the resolution and that, in his opinion, now is the time to do so. He stated that although several years ago he had voted to keep the Talbot Boys statue in place, times have changed, he has changed his mind, and in his opinion, it is time for the statue to be removed. The resolution was introduced by Mr. Leshner and Mr. Pack as Resolution No. 290. A public hearing was scheduled for Tuesday, July 28, 2020 at 6:30 p.m. in the Easton High School Auditorium, 723 Mecklenburg Avenue, Easton, Maryland 21601.

Following the introduction of Resolution No. 290, Ms. Price read the following statement into the record:

No decision made through fear and intimidation is for the civic good; such decisions are morally empty and dangerous to the fabric of our community and to the Constitution under which this nation has existed for nearly 300 years. While there are those who are demanding the immediate removal of the statue, there is another group of people who are afraid. Afraid to speak out for fear of being labeled, or worse yet, targeted. These are not the tactics of a free society; they are the tactics of an authoritarian government, and we should never embrace those. Instead, we need to calm our voices and treat each other with civility so that we actually hear each other's voices, ALL of them. Those who are threatening us, are simply using the tactics they would have us believe that they abhor. No matter what I say, there will be people who will disagree. In 10 years, I've never catered to one group of people or voted on the basis of those who are the most vocal publicly. Nor will I do so now. Removing the Talbot Boys statue might be a real issue in our community or it might simply be an abrupt reaction to the chaos that is being fanned around the country. I do know one thing: removing the Talbot Boys statue has nothing to do with George Floyd, though his horrible death is being hijacked. Surely, everyone who reads seriously about what is happening in this country is aware of the takeover of a movement that began with an honest protest against the murder of George Floyd and the demand that law and order be administered in a just and equitable way. I watch what has happened in this country and it makes me sick. The daytime "peaceful" protests have escalated too often into chaos and lawlessness. I'm outraged by the looting and the rioting. But I was not elected to solve the problems in Minneapolis, Seattle, New York or even Baltimore. I was elected to balance a budget. I was elected to guard the taxpayer dollars and spend your money wisely. I was elected to make decisions on zoning issues. I was elected to help oversee county government. I was not elected to make a decision on a statue from 100 years ago. If that were the case, you would have an entirely different council sitting here. We have been through this not once, but twice, since I've been on the Council. We carefully weighed all the facts in the past, held public hearings and made options available for groups to balance the story. First with the Frederick Douglas statue and also offering space for a Union Memorial, should groups desire to build one. Discussions were held, work sessions were undertaken and there seemed to be a willingness for a compromise, to truly tell the whole story of this county, in the context of the very real conflict between those who supported the Union and those who supported the Confederacy. Not just tear down something that is painful for some. People who were once open to being creative and possibly blending two statues together and including all the names, both Union and Confederate, no longer seem to be willing to compromise. This is a real loss. We are neighbors; we are friends; we share a messy, painful and mostly positive history since those days. If the County Council, or the citizens, via a ballot question, do decide to remove this statue, then it should not be done within the context of the chaos raging in our country. Never should an individual or an elected body succumb to the demands of those who wish to destroy law and order. We should not be influenced by an angry national movement; our actions must be in relation to our county... Decisions must not be made on the emotion of the day. Should my opinion matter? As a citizen, yes, but as an elected councilmember, no. We must take the time to listen to everyone and gather all the facts again. Maybe this time is different, I acknowledge that, but I am going to take the time to make sure that we do that. I hope that we can put an official poll out to the people. That is the only way and it will allow us time to weigh all the facts and absorb what is going on around us.

Following Ms. Price's reading of her statement into the record, Mr. Leshar stated that at the time of the public hearing on Resolution No. 290, he intends to introduce an amendment to remove the statue and the pedestal (the complete monument).

A RESOLUTION CONCERNING THE PROPOSED REZONING BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") OF REAL PROPERTY LOCATED AT 29328 DUTCHMANS LANE, EASTON, MARYLAND 21601, FURTHER DESCRIBED AS TAX MAP 34, PARCEL 91,

CONSISTING OF APPROXIMATELY 1.696 ACRES± (THE “PROPERTY”); FINDING THAT THE PROPOSED REZONING FROM TALBOT COUNTY’S TOWN RESIDENTIAL (“TR”) ZONING DISTRICT TO THE TOWN’S R-10A ZONING DISTRICT UPON ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE PRE-ANNEXATION COUNTY ZONING; AND, WAIVING THE 5-YEAR HOLD IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416 OF THE MARYLAND ANNOTATED CODE was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Anthony Kupersmith, briefed the Council on the provisions outlined in the resolution and the reasons for same. The resolution was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Resolution No. 291. A public hearing was scheduled for Tuesday, July 21, 2020 at 6:30 p.m. in the Easton High School Auditorium, 723 Mecklenburg Avenue, Easton, Maryland 21601.

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF DUTCHMANS LANE TO THE TOWN OF EASTON AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO EFFECT THE TRANSFER was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Anthony Kupersmith, stated that the purpose of the resolution is to allow the County to transfer a large portion of Dutchmans Lane, for no monetary consideration, to the Town of Easton following annexation of the property by the Town. The legislation was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Resolution No. 292. A public hearing was scheduled for Tuesday, July 21, 2020 at 6:30 p.m. in the Easton High School Auditorium, 723 Mecklenburg Avenue, Easton, Maryland 21601.

- VII. Discussion of a County-Wide Poll on Whether to Remove the Talbot Boys Statue to be Conducted in Conjunction with the November 2020 General Election – Ms. Price stated that, in her opinion, she would like citizens to be able to voice their opinion at the polls as to whether the Talbot Boys statue should be removed or remain in place, and outlined options investigated to date but which are unavailable. She outlined her suggestion to have registered voters, upon leaving their polling place, to be handed a piece of paper on which they would express their preference to keep the statue, remove the statue or to “marry” the statue with a yet to be determined proposal presenting both sides of the conflict of the Civil War and deposit the paper into a box the results of which would then be tallied by an accounting firm. Council discussion ensued regarding various facets of the proposal and whether the Council or citizens should make the final decision on the statue.

VIII. Introduction of Legislation:

A BILL TO AMEND BILL NO. 1366, THE APPROPRIATION FOR IMPROVEMENTS TO BLACK DOG ALLEY was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1448. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE THE REPLACEMENT OF THE EASTON HIGH SCHOOL FOOTBALL TRACK was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1449. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

Bill No. 1450, A BILL TO AUTHORIZE A NUTRIENT CREDIT PROGRAM was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1450. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley

Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE THE PURCHASE OF ADDITIONAL SECURITY CAMERAS FOR THE ST. MICHAELS HIGH SCHOOL was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1451. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AMEND BILL NO. 1393, THE APPROPRIATION FOR THE DEVELOPMENT OF THE FREDERICK DOUGLASS PARK ON THE TUCKAHOE LOCATED AT 13213 LEWISTOWN ROAD, QUEEN ANNE, MARYLAND was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1452. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AMEND BILL NO. 1404, THE APPROPRIATION FOR A SEWER SYSTEM FOR THE FERRY POINT MARINA AND SURROUNDING AREAS was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1453. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AMEND BILL NO. 1430 AND BILL NO. 1362, THE APPROPRIATION FOR THE REGION II (ST. MICHAELS) SEWER REHABILITATION AND IMPROVEMENTS was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1454. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE THE PURCHASE AND INSTALLATION OF A NEW TELEPHONE AND PUBLIC ADDRESS SYSTEM FOR THE WHITE MARSH ELEMENTARY SCHOOL was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1455. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AMEND BILL NO. 1420, THE APPROPRIATION FOR THE RENOVATION OF CLASSROOMS AT THE EASTON ELEMENTARY SCHOOL (DOBSON BUILDING) FOR THE EARLY HEAD START PROGRAM was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1456. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AMEND BILL NO. 1422, BILL NO. 1335, AND BILL NO. 1317, THE APPROPRIATION FOR STORMWATER MANAGEMENT AND UPGRADES OF GOLDSBOROUGH NECK ROAD AND AIRPORT ROAD was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1457. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE IMPROVEMENTS TO SKIPTON CREEK LANDING BOAT RAMP was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1458. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE THE RESURFACING/REPAVING OF THE EASTON HIGH SCHOOL PARKING LOT was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1459. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE A GYMNASIUM ADDITION TO THE TALBOT COUNTY COMMUNITY CENTER was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, and Mr. Pack as Bill No. 1460. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO AUTHORIZE THE RESURFACING/REPAVING OF THE ST. MICHAELS SCHOOL PARKING LOT was read into the record by Finance Director, Angela Lane, and introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1461. A public hearing was scheduled for Tuesday, July 14, 2020 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

A BILL TO REPEAL OFFICIAL ZONING MAP 34 OF TALBOT COUNTY, AND REENACT THE SAME WITH AN AMENDMENT DESIGNATING THE ZONING DISTRICT OF A PARCEL OF LAND SHOWN ON TAX MAP 34 AND DESCRIBED AS “THIRD STREET” ON A PLAT TITLED “DE-ANNEXATION PLAT TOWN OF EASTON THIRD STREET RIGHT-OF-WAY IN THE TOWN OF EASTON TALBOT COUNTY, MARYLAND TAX MAP 34 GRID N/A PARCEL N/A”, PREPARED BY LANE ENGINEERING, INC., AND DATED APRIL 28, 2020, SUCH PARCEL CONSISTING OF 0.579 ACRES±, FROM THE R-10A TOWN OF EASTON ZONING DISTRICT TO TOWN RESIDENTIAL (TR) TALBOT COUNTY ZONING DISTRICT IN PART AND TOWN CONSERVATION (TC) TALBOT COUNTY ZONING IN PART, WHICH ZONING DESIGNATION IS CONTINGENT UPON THE DE-ANNEXATION OF “THIRD STREET” BY THE TOWN OF EASTON, MARYLAND was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Anthony Kupersmith, stated that the legislation is part of the transaction for the transfer of Dutchmans Lane to the Town of Easton which involves the annexation of Dutchmans Lane and the Covington property by the Town of Easton and the de-annexation of Third Street, which the Town of Easton needs to do in order to not create an enclave. The legislation was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1462. A public hearing was for Tuesday, July 21, 2020 at 6:30 p.m. in the Easton High School Auditorium, 723 Mecklenburg Avenue, Easton, Maryland 21601.

A BILL TO AMEND ARTICLE III OF CHAPTER 64 OF THE TALBOT COUNTY CODE (DEVELOPMENT IMPACT FEES) TO ADD NEW DEFINITIONS FOR “SINGLE-FAMILY DETACHED DWELLING” AND “OTHER RESIDENTIAL” was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Mr. Pack stated that the purpose of the legislation is to provide a new definition of “single-family detached dwelling” and “other residential” which is not currently in the Talbot County Code, in order to allow developers to take advantage of a reduction in impact fees for housing designed for low income and workforce housing. The legislation was introduced by Mr. Callahan, Mr. Divilio, Mr. Pack, and Ms. Price as Bill No. 1463. A public hearing was scheduled

for Tuesday, July 14, 2020 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

IX. Public Hearings:

Resolution No. 285, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2020 GENERAL ELECTION TO ADD A SECTION TO THE TALBOT COUNTY CHARTER TO ALLOW THE COUNTY COUNCIL TO WAIVE RESIDENCY REQUIREMENTS FOR CERTAIN EMPLOYEES;

Resolution No. 286, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2020 GENERAL ELECTION TO AMEND § 614 OF THE TALBOT COUNTY CHARTER TO CLARIFY THAT THE CONSTANT YIELD TAX RATE CERTIFICATION PREPARED BY THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION SHOULD BE USED TO IDENTIFY PROPERTIES INCLUDED ON THE TAX ROLLS;

Resolution No. 287, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2020 GENERAL ELECTION TO AMEND § 614 OF THE TALBOT COUNTY CHARTER SO THAT CONSUMER PRICE INDEX-URBAN (CPI-U), A MEASURE INTENDED TO TRACK THE COST OF GOODS IN URBAN, NOT RURAL, SETTINGS, IS NO LONGER USED IN CALCULATING THE CAP ON REVENUES DERIVED FROM REAL PROPERTY TAXES IN TALBOT COUNTY; and

Resolution No. 288, A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE NOVEMBER 2020 GENERAL ELECTION TO AMEND § 614 OF THE TALBOT COUNTY CHARTER TO ALLOW, BUT NOT REQUIRE, THE COUNTY COUNCIL TO ADD UP TO ONE CENT (1¢) PER ONE HUNDRED DOLLARS OF ASSESSED VALUE ABOVE THE REVENUE CAP FOR NO MORE THAN FIVE YEARS BEGINNING JULY 1, 2021, were read into the record by the Clerk, brought forward for public hearing, and the public was afforded an opportunity to comment on any or all of the resolutions. Resolution Nos. 285, 286, 287, and 288 are eligible for vote on Tuesday, July 21, 2020.

X. Request for Council Consideration to Forward a Letter of Support to the Maryland Congressional Delegation for H.R. 7120 – JUSTICE IN POLICING ACT OF 2020 - Prior to Council discussion, Mr. Pack outlined several provisions proposed in the legislation which, if approved, would establish national oversight on policing with regard to the banning of certain tactical holds used by officers; would provide for standardization of police training throughout the nation's 18,000 policing agencies, and would create a database of those individuals who, in his opinion, should not be selected to become police officers and carry a gun. Mr. Pack stated that, in his opinion, the Council should forward a letter to the Maryland Congressional delegation in support of the proposed legislation. Council discussion ensued. Mr. Leshar made a motion to forward a letter to the Maryland Congressional delegation in support of the provisions of H.R. 7120; Mr. Pack passed the gavel to Mr. Callahan and seconded the motion. The Council approved forwarding a letter in support of the legislation by voting 4 – 1 as follows:

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

Ms. Price stated that her “no” vote did not mean that she did not support the majority of the provisions of the legislation, but that she wanted to wait to see what the other legislation also being offered entails in order to see where there are overlaps. She reiterated that she does not want anyone to take her vote to mean that she does not support more standardized police practices.

XI. County Manager’s Report:

- A. Request from Department of Public Works – Requested Council approval to have the Department of Public Works apply for and accept grant funding from the Maryland Department of the Environment in the sum of \$30,000 to be used for operation and maintenance at the Region II (St. Michaels) Wastewater Treatment Plant; said funding is available due to the Plant’s operation below required Enhanced Nutrient Removal (ENR) levels. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved submittal of the grant application by voting 5 – 0 as follows:

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

- B. Request from Town of Oxford – Requested Council approval to forward a letter to the National Fish and Wildlife Foundation in support of the Town of Oxford’s resiliency project; no County funds are required. Upon motion by Mr. Leshner, seconded by Mr. Divilio, the Council approved forwarding a letter in support of the project by voting 5 – 0 as follows:

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

Request from Finance Office – Finance Director, Angela Lane requested Council approval of 4th Quarter FY20 Budget Transfers between various agencies and departments of the county government. She stated that the transfers are outlined in the County Charter for transfer in the 4th quarter of the fiscal year, with the recommendation of the County Manager. Ms. Lane then read the proposed transfers into the record which totaled from \$15,476,402 to \$15,476,402, a net change of \$0.00. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved the transfers as outlined voting 5 – 0 as follows:

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

- C. Special Legislative Day – Requested Council approval to declare Tuesday, July 21, 2020 a Special Legislative Day. Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved declaring Tuesday, July 21, 2020 as a Special Legislative Day by voting 5 – 0 as follows:

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

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

XIII. Council Comments:

Mr. Divilio – No comments.

Mr. Leshner - No comments.

Ms. Price - No comments.

Mr. Callahan - Mr. Callahan stated that, in his opinion, there is a lot of emotion tonight and he asked everyone to just stay positive, think about the feelings of others, and to think about what you are saying before you say it because people are getting offended very easily. He stated that we are all going to get through this and, in his opinion, over the next several weeks and months, things will get better, we just need to stay positive and don't need to fight amongst ourselves as a Council.

Mr. Pack - Mr. Pack stated that he wish he shared Mr. Callahan's optimism. He stated that, in his opinion, people get charged up when we talk about diversity statements and requesting a diversity report from the County Manager because there comes a time when you have to put your words into action – it's not enough to say that we are a diverse community, to say we get along, to say we are doing an okay job. He stated that, in his opinion, as wonderful as the current administration is, they are not always going to be here and he is just trying to give the perspective from where he sits. He stated that we have to do a better job at not just talking the talk but actually walking the walk. He stated that he was dumbfounded and shocked that the Council had to set aside a diversity statement until another day because, in his opinion, if we are going to sit here as a collective group and promote these things, why not do it? Mr. Pack commended Mr. Divilio for his stance on the subject of a diversity statement, for trying "to move the needle," and for trying to get people to understand that we have to get to a different point than from where we are. He stated that did not mean to be so emotionally charged, but perhaps it is time for him to show some emotion. He stated that his position has changed from where it was five years ago and that he is not ashamed to say that, in his opinion, it is time for a change. He stated that he welcomes any amendments Mr. Leshner puts forward and he looks forward to reading them and that, in his opinion, it's time to put our money where our mouth is; we've got to do this if we really mean it. Mr. Pack commented on Mr. Henry Herr's request to present something to the Council by stating that if the base remains and the statue goes away, perhaps we can do something with the base. He stated that the resolution he is proposing is written the way it is to allow open conversation. Mr. Pack stated that as Ms. Lynn Mielke was commenting about what happened at Culp's Hill and the encounter between

the Union and Confederate troops, he was replaying in his mind that they were Talbot Countians who were fighting against each other on the battlefield, but once the battle was over, they comforted each other. He stated that, in his opinion, we have reached a point where we have to make a decision and that although he was hoping to be able to do a ballot question, he is now glad that the Office of Law had advised that could not be done because he had rather cast his vote as an elected official rather than put it back on the citizens and have them do the job they had already hired him to do. Mr. Pack stated that he will be glad to listen to all points of view at the public hearing on Tuesday, July 28, 2020 and requested that all comments be made in a respectful manner. He stated that, in his opinion, it is time for this Council to make a decision – we don't need to push it back on the people, we don't need to do straw polls, and we don't need to set up tables outside election polling locations – we have to make a decision, live with it, and move on. He stated that the statue is taking up a lot of time and he wants citizens to really also focus on the ballot questions which have been put forth for consideration and which will be voted on on July 21, 2020. Mr. Pack expressed his appreciation to Mr. Hollis and County staff for what they have been doing with regard to diversity training already in place, Mr. Hollis' desire to bring more training opportunities to County staff, and expressed his hope that the Council gives Mr. Hollis the support he needs. Mr. Pack concluded his comments by urging everyone to support the Talbot County Fair which this year, due to COVID-19, will be held as a drive-thru fair on Saturday, July 11, 2020 from 10:00 a.m. to 6:00 p.m.; an outdoor movie will also be held on Friday, July 10th at 6:00 p.m.; more information is available at www.talbotcountyfair.org.

- XIV. The Council will reconvene on Tuesday, July 14, 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, and for the regularly scheduled meeting at 6:00 p.m.

The meeting adjourned at 9:27 p.m.

The transcript of the June 23, 2020 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

- XV. Summary of Closed Session held on June 23, 2020:

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

Time of closed session: 4:40 p.m. to 5:15 p.m.
Place of closed session: Talbot County Free Library Meeting Room, 100 West Dover Street, Easton
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, Leshner
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 negotiations for proposed acquisition of property for a public purpose in Royal Oak area	GP § 3-305 (b) (3)	Corey Pack, Chuck Callahan, Laura Price, Frank Divilio, Pete Leshner, Andy Hollis, Anthony Kupersmith, Jessica Morris	Update on status of negotiations for purchase of property
Legal advice on potential litigation involving inmate at Talbot County Department of Corrections	GP § 3-305 (b) (7) and (8)	Same as above	No action
Update on legal enforcement regarding Chesapeake Bay Balloon Festival	GP § 3-305 (b) (7) and (8)	Same as above	No action

CASH STATEMENT 6/16/2020

BALANCE 6/09/2020	9,532,666.35
TOTAL ADP PAYROLL PPE 5/29/2020	(618,790.80)
DEFERRED COMP DED PPE 5/29/2020	(17,791.87)
PENSION DED PPE 5/29/2020	(38,261.82)
DEFERRED COMP PPE 5/29/2020 PLAN 401(A)	(7,116.40)
ELECTION BOARD PPE 5/19/2020 & 5/26/2020	(11,092.41)
STATE REPORT 5/2020	(9,051.36)
CIGNA CLAIMS PAID THRU 6/8/2020	(63,781.58)
USDA RD/MTHLY BOND PYMT #97-08	(1,304.00)
TRANSFER TO CLOSE FLEX ACCOUNT	625.00
SERVICE CHARGE	(35.00)
DEPOSITS	550,867.93
CHECKS	(519,726.51)
VOIDED CHECK(S) #342062	2,550.00
BALANCE 6/16/2020	8,799,757.53

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.28%	15,500,000.00
1880 BANK			10,132,954.88
TOTAL INVESTED			<u>25,632,954.88</u>
PETTY CASH BALANCE			<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>34,448,282.41</u>

CASH STATEMENT 6/23/2020

BALANCE 6/16/2020	8,799,757.53
CIGNA CLAIMS PAID THRU 6/15/2020	(108,864.98)
BOARD OF EDUCATION 6/2020	(3,504,644.00)
TALBOT COUNTY PUBLIC IMPROVEMENT BOND 2015	(182,850.00)
TRANSFER TO MLGIP ACCOUNT	(3,000,000.00)
WF/GF EQUIP LEASE PMT	(4,092.00)
USDA/RD QTRLY BOND PMT #92-11	(60,886.00)
USDA/RD QTRLY BOND PMT #92-09	(26,240.00)
SALES & USE HOG NECK GOLF COURSE DUE 6/20/2020	(788.08)
BANK CHARGES 5/2020	(3,773.28)
INTEREST ON ACCOUNTS 5/2020	480.53
ROBERT W BAIRD & CO/BONDS OF 2020 PROCEEDS	24,692,140.22
TRANSFER TO MLGIP ACCOUNT	(2,000,000.00)
POSTAGE WIRE	(3,000.00)
DEPOSITS	463,577.28
CHECKS	(1,379,445.83)
BALANCE 6/23/2020	<u>23,681,371.39</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.26%	20,500,000.00
1880 BANK			10,132,954.88
TOTAL INVESTED			<u>30,632,954.88</u>
PETTY CASH BALANCE			<u>15,570.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>54,329,896.27</u>