



TALBOT COUNTY, MARYLAND

County Council

MINUTES

November 13, 2018

Present – President Jennifer L. Williams, Vice President Corey W. Pack, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, and County Attorney Anthony Kupersmith. Assistant County Attorney Mary O'Donnell was absent.

- I. Agenda – The Agenda of Tuesday, November 13, 2018 was brought forward for approval. Upon motion by Ms. Price, seconded by Mr. Callahan, and unanimous consent of the Council, the agenda was amended to move the first, second and fourth administrative resolutions of Item VII, *Introductions of Administrative Resolutions*: AN ADMINISTRATIVE RESOLUTION TO DESIGNATE MICHAEL C. DUELL AS THE CHIEF CODE COMPLIANCE OFFICER FOR TALBOT COUNTY, MARYLAND; AN ADMINISTRATIVE RESOLUTION TO DESIGNATE MICHAEL C. DUELL AS A DESIGNATED REPRESENTATIVE; and AN ADMINISTRATIVE RESOLUTION TO DESIGNATE DUANE GOTTSCHALK, JR. AS ALCOHOLIC BEVERAGES INSPECTOR, respectively, to the County Manager's Report. The Council approved the Agenda, as amended, by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye
- II. Minutes – Ms. Williams requested and received Council's unanimous consent for approval of the Minutes of Tuesday, October 23, 2018.
- III. Disbursements – Ms. Williams requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, October 30, 2018, Tuesday, November 6, 2018, and Tuesday, November 13, 2018.
- IV. Proclamation: National Education Week – November 12-16, 2018 – The Clerk read a proclamation into the record in recognition of National Education Week. The proclamation spoke of the emphasis on the education of the individual and the importance of public schools as one of the foundations of our democracy, with the belief that knowledge and freedom go hand in hand. A motion was made by Mr. Pack, seconded by Mr. Callahan, to approve the proclamation. Prior to the vote, Kelly Griffith, Superintendent, Talbot County Public Schools, introduced Michael Garman, President, Talbot County Board of Education, and several current and past members of the Board of Education in attendance. Mr. Garman thanked the Council for their on-going investment in the students of Talbot County Public Schools and Dr. Griffith briefed the Council on several activities taking place in recognition of National Education Week. The Council approved the proclamation by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

Ms. Price presented the Proclamation to Dr. Griffith, who accepted on behalf of Talbot County Public Schools and the representatives of the Talbot County Board of Education in attendance.

- V. Proclamation: National Hospice and Palliative Care Month – November 2018 – The Clerk read a proclamation into the record in recognition of November as National Hospice and Palliative Care Month. The proclamation spoke of the purpose of hospice and palliative care – to provide patients and their families with the physical, spiritual, psychological, and emotional care they need during the last chapter of life so that the wishes of the patients and their families are given priority. The proclamation also spoke of the dedication of the thousands of volunteers who provide care to individuals with life-limiting illnesses. Dr. Mary DeShields, Medical Director, Talbot Hospice, briefed the Council on the recently completed expansion of Hospice House, bringing the total number of beds available to 12, and the addition of two hospice beds at Shore Regional Health. Michelle Williams, DNP, Associate Medical Director, Talbot Hospice, briefed the Council on the soon-to-be launched home-based palliative care program available for those in the community who, upon referral by their primary care physician, can receive palliative care in their home. Molly Kirsch, BSN, RN, Clinical Director, Talbot Hospice, stated that Talbot Hospice will be hosting a screening of the movie, *Being Mortal*, at 10:00 a.m. on Thursday, November 15, 2018 in the conference room at 586 Cynwood Drive, Easton; a panel of speakers will be in attendance to discuss the movie. Council discussion ensued with the representatives. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved the proclamation by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

Ms. Williams presented the Proclamation to the representatives who accepted on behalf of Talbot Hospice.

- VI. Introduction of Administrative Resolution:

AN ADMINISTRATIVE RESOLUTION TO DESIGNATE BRENT GARNER AS THE BUILDING OFFICIAL FOR TALBOT COUNTY, MARYLAND was read into the record by the Clerk and brought forward for introduction. The administrative resolution was introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams. Upon motion by Mr. Pack, seconded by Ms. Price, the administrative resolution was moved to second reader with the Council voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

Upon motion by Mr. Bartlett, 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:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan – Aye

The Administrative Resolution is effective immediately.

VII. County Manager's Report:

- A. Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND (Change Order No. 5) – Requested Council approval of Change Order No. 5 for Bid No. 17-09 in the sum of \$79,799.98; said cost includes the installation of three (3) new manholes, bypass pumping of the existing sewage flows during the sewer line realignment construction process, and site restoration following completion of the work; funding from the USDA grant allocated for this project will cover the cost. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved Change Order No. 5 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan – Aye

- B. Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND (Change Order No. 6) - Requested Council approval of Change Order No. 6 for Bid No. 17-09 in the sum of \$234,672.00 for roadway restoration work on Thompson Street; funding from the USDA grant allocated for this project will cover the cost. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved Change Order No. 6 by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan – Aye

- C. Bid No. 18-11, TALBOT COUNTY SANITARY DISTRICT – SEWER SYSTEM INSTALLATION YACHT CLUB ROAD, ST. MICHAELS, TALBOT COUNTY, MARYLAND - Requested Council approval to award Bid No. 18-11 to the low bidder, Bravos Construction, in the sum of \$93,100.00; costs for the project will be reimbursed through the Bay Restoration Fund. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the bid award by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack – Aye
Mr. Callahan - Aye

- D. Bid No. 18-12, SEWER INSTALLATION LONG HAUL ROAD - ST. MICHAELS, TALBOT COUNTY, MARYLAND - Requested Council approval to award Bid No. 18-12 to the low bidder, J.R. Smith, in the sum of \$62,750.00; costs for the project will be reimbursed through the Bay Restoration Fund. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the bid award by voting 5 - 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan – Aye

- E. Request for Concurrence for Perpetual Conservation Easement to the Maryland Environmental Trust - Requested Council concurrence with the perpetual conservation easement of 7.5 acres of land to the Maryland Environmental Trust; the property, owned by the Edward Delaney Revocable Trust and Elizabeth Anderson Revocable Trust, is located on Margits Lane in Trappe and is adjacent to an existing conservation easement. Mr. Hollis stated that County staff has reviewed the request and has no concerns. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved concurrence with the request by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan – Aye

- F. Request from Talbot County Finance Office – Requested Council approval to utilize \$40,000 of cable TV franchise fees from Atlantic Broadband and Easton Utilities for a pilot project to extend broadband service to the Lloyd’s Crest community; use of the funding will allow the monthly fee to be \$60 per month above the regular subscription fee; Finance Director, Angela Lane has certified that the funding is available. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved utilizing the funds for the pilot project by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan – Aye

VIII. Council Comments:

Ms. Price – Ms. Price congratulated everyone and thanked Mr. Bartlett for his twelve years of service on the Council, Ms. Williams for her four years of service, and for, in her opinion, leading the Council so well.

- Mr. Bartlett - Mr. Bartlett expressed his appreciation to everyone for 12 wonderful years on the County Council, particularly those members of staff that the Council works with on a daily basis. He stated that, in his opinion, staff going above and beyond in their daily duties to serve customers in the community makes the Council's job easier. He stated that it makes serving as an elected official easy when the staff does what they do every day. He stated that it has been an honor and a pleasure to serve them and the citizens of Talbot County. He stated that, in his opinion, it had been a difficult election; he congratulated all the winners and everyone who ran for office, and stated that although it is not an easy thing to do, it is a rewarding experience and he recommends it to everyone.
- Mr. Callahan - Mr. Callahan expressed his appreciation to all his constituents. He stated that, in his opinion, it was tough running for office; it was an experience to go through, and he really appreciates everyone who voted for him. He stated that working with Ms. Williams over the past four years has been great and he is sorry to see her leave because, in his opinion, she is smart, very dedicated to Talbot County, and he doesn't think she deserves what she got. Mr. Callahan expressed his sentiments about the statements made by Mr. Bartlett in a recent video with *The Talbot Spy*, stating that, in his opinion, some of the statements were hurtful and showed a lack of the respect he thought he and Mr. Bartlett had for one another and which could have been left unsaid. He stated that, in his opinion, the new Council is going to be great; we will serve the citizens, we are all going to respect each other from here on out, and he is looking forward to serving with the new Council. Mr. Callahan concluded his comments by again expressing his appreciation to his constituents for re-electing him and he pledged to work hard and do the best he can for everyone.
- Mr. Pack - Mr. Pack expressed his appreciation to all veterans, particularly those who gave the ultimate sacrifice. He stated that at this time of year we reflect upon all the servicemen and women for what they have done for our country. He stated that some were Republicans, some were Democrats, some were white, some were black, but they all put on that uniform and went into service in defense of what makes this country great – the liberty and the freedoms we have. He stated that, in his opinion, that's why people from around the world want to come here – because of what our country stands for. He stated that over the last couple of weeks, from the national level down to the local level, there has been, in his opinion, a vileness that has been permeating throughout the nation, which is unfortunate because that's not who we are as a people, and not what makes America or Talbot County great. Mr. Pack concurred with Mr. Callahan's statement that we have to move on to the next Council. He stated that he had already indicated to Mr. Divilio and Mr. Leshner that the next Council has to "hit the ground running," including filling a Planning Commission vacancy and getting the Short Term Rental Review Board ready to go by January when the new applications come in. He emphasized that the Council has to get about the business of the people who elected them to do a job. He stated that the Council will need to meet with Finance Director, Angela Lane, and start looking at the budget to see what those numbers show us. He stated that, in his opinion, the voters missed the mark on Question A on the ballot (to lift the cap on revenues generated by real estate taxes from 2% to 2.5%, etc.) because there was so much attention being made about a lot of other things, and

that it does not matter who is sitting on the Council for the next four years – if we do not have the revenue, there is very little we can do for the citizens of the county. He stated that the Council had tried to make it very clear to the citizens that when it comes to public safety, roads, and other day-to-day operational expenses, the County is running into very, very difficult times due to the revenue cap. He stated that although the Talbot County Taxpayers Association and the Talbot County Education Association had tried to lobby for Question A, there was so much distraction that, in his opinion, the majority of the citizens did not hear clearly the dire need for funding that the County and the next Council will face. Mr. Pack expressed hope that in the next presidential election in two years, the next Council can perhaps do a better job of outlining the need for revenue. He expressed his appreciation to those re-elected him to the Council and that he is about getting the work done. He stated that, in his opinion, we will get by these difficult times and move on. Mr. Pack stated that it had been a pleasure to have worked with Ms. Williams and that he had learned a lot from her over the past four years. He stated that, in his opinion, Talbot County is better than it was four years ago when Ms. Williams came in and that she has been able to show leadership, direction, patience and understanding, and has a way of civility about her that rises above all the other noise. Mr. Pack stated that he will miss Ms. Williams; it has been an honor serving with her, and encouraged her to continue to “fight the good fight” and push forward to accomplish other things she wants to get done in her life. Mr. Pack concluded his comments by stating that it was great to have served with Mr. Bartlett and he wished him well with whatever course his life takes him on.

Ms. Williams - Ms. Williams reiterated a statement she had made previously that, in her opinion, Talbot County has the best staff of any county in the country and one could not ask for more dedicated individuals than we have working for us. She stated that she hopes that everyone in the county appreciates how hard the staff works and how much they care. She concluded her comments by stating that the staff has made her life a pleasure and the job easy, and she thanks each and every one.

Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council voted to adjourn and to reconvene on Tuesday, December 11, 2018 at 4:30 p.m. 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 at 6:00 p.m. for the regularly scheduled meeting by voting 5 – 0 as follows:

Ms. Williams – Aye
Ms. Price – Aye
Mr. Bartlett – Aye
Mr. Pack - Aye
Mr. Callahan - Aye

The meeting adjourned at 6:54 p.m.

The transcript of the November 13, 2018 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

- XIV. On Tuesday, November 13, 2018, a Closed Session of the Talbot County Council convened at 5:00 p.m. in the Bradley Meeting Room and County Council Conference Room. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council met in Closed Session by voting 4 – 0 as follows:

Mr. Bartlett – Aye
 Mr. Callahan – Aye
 Mr. Pack – Aye
 Ms. Price – Absent (*arrived at 5:02 p.m.*)
 Ms. Williams – Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(3)(7)(8) the purpose of the Closed Session was for a personnel matter to discuss appointments to various County Boards and Committees; for legal/real estate matters to consult with the County Attorney regarding zoning regulations involving a barge and to discuss a right-of-way matter involving the Oxford Volunteer Fire Department; and for a real estate matter to discuss the possible acquisition of property in Easton for a public purpose. The Closed Session ended at 6:00 p.m.

CASH STATEMENT 10/30/2018

BALANCE 10/23/2018	\$ 16,287,579.30
ELECTION BOARD PPE 9/25 & 10/02/2018	(7,884.90)
CIGNA CLAIMS THRU 10/22/2018	(16,954.70)
FLEX SPENDING BENEFITS PPE 10/5/2018	(3,264.00)
PUBLIC IMPROVEMENT BOND SERIES 2010	(54,365.00)
DEPOSITS	1,117,339.01
CHECKS	(342,124.61)
BALANCE 10/30/2018	<u>16,980,325.10</u>

AIRPORT ACCOUNTS

AIP42	0.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>0.00</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.16%	28,000,000.00
1880 BANK			10,048,830.80

TOTAL INVESTED **\$38,048,830.80**

PETTY CASH BALANCE **\$15,570.00**

GRAND TOTAL ALL FUNDS **\$55,044,725.90**

CASH STATEMENT 11/06/2018

BALANCE 10/30/2018	\$ 16,980,325.10
TOTAL ADP PAYROLL PPE 10/19/2018	(606,609.00)
TOTAL ADP PAYROLL PPE 10/31/2018	(14,400.73)
DEFERRED COMP DED PPE 10/19 & 10/31/2018	(16,494.04)
PENSION DED PPE 10/19 & 10/31/2018	(37,243.09)
SECU DED PPE 10/19/2018	(3,380.81)
DEFERRED COMP PPE 10/19/2018 PLAN 401(A)	(4,521.65)
FLEX SPENDING BENEFITS PPE 10/19/2018	(3,197.00)
FLEX SPENDING BENEFITS PPE 10/31/2018	(283.33)
CIGNA CLAIMS THRU 10/29/2018	(99,132.80)
BOARD OF EDUCATION 10/2018	(3,319,812.00)
RETURNED CHECK #4015	(75.00)
DEPOSITS	2,147,403.92
CHECKS	(922,869.37)
BALANCE 11/06/2018	<u>14,099,710.20</u>

AIRPORT ACCOUNTS

AIP42	0.00
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AIRPORT ACCOUNTS TOTAL BALANCE 0.00

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.18%	28,000,000.00
1880 BANK			10,048,830.80

TOTAL INVESTED \$38,048,830.80

PETTY CASH BALANCE \$15,570.00

GRAND TOTAL ALL FUNDS \$ 52,164,111.00

CASH STATEMENT 11/13/2018

BALANCE 11/06/2018	\$ 14,099,710.20
CIGNA CLAIMS THRU 11/05/2018	(45,267.91)
ELECTION BOARD PPE 10/9 & 10/16/2018	(7,291.92)
NOVEMBER 2018 RETIREE HEALTH INS PLAN #727	(28,046.42)

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POSTAGE WIRE/TOURISM	(500.00)
USDA/RD QTRLY BOND PYMT #92-04	(2,833.00)

USDA/RD MTHLY BOND PYMT #97-08	(1,304.00)
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DEPOSITS	728,683.27
CHECKS	(900,505.75)
VOIDED CHECK #(S) 328544	5,093.00

BALANCE 11/13/2018	<u>13,847,737.47</u>
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AIRPORT ACCOUNTS

AIP42	0.00
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AIRPORT ACCOUNTS TOTAL BALANCE	<u>0.00</u>
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INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.18%	28,000,000.00
1880 BANK			10,053,098.99

TOTAL INVESTED	<u>\$38,053,098.99</u>
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PETTY CASH BALANCE	<u>\$15,570.00</u>
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GRAND TOTAL ALL FUNDS	<u>\$51,916,406.46</u>
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