



TALBOT COUNTY, MARYLAND

County Council

MINUTES

October 9, 2018

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

- I. Agenda – Ms. Williams requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, October 9, 2018.
- II. Disbursements – Ms. Williams requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, October 2, 2018 and Tuesday, October 9, 2018.
- III. Introduction of Christina Tyler, Deputy Director, Talbot County Department of Corrections – Douglas Devenyns, Director, Talbot County Department of Corrections introduced Christina Tyler as the new Deputy Director for the Talbot County Department of Corrections. Ms. Tyler comes to Talbot County from the Wicomico County Department of Corrections where she served as Deputy Director. Mr. Devenyns stated that Ms. Tyler is a certified instructor with the Maryland Correctional Training Commission, assists with instruction and training at the Eastern Shore Criminal Justice Academy, and served as the Prison Rape Elimination Act (PREA) Coordinator while employed at the Wicomico County Department of Corrections. She has received numerous awards during her working career. Ms. Tyler is also active in her community in Delmar, MD. Council welcomed Ms. Tyler to Talbot County.
- IV. Proclamation: Talbot County 4-H Week – October 7 – 13, 2018 – The Clerk read a proclamation into the record in recognition of October 7-13, 2018 as 4-H Week in Talbot County. The proclamation spoke of the opportunities for youth who participate in 4-H to develop valuable life skills, including leadership, communication, and public speaking, and the variety of ways 4-H promotes civic involvement of its members, their families, and the community at large. There are presently six 4-H clubs in Talbot County. 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

Mr. Callahan presented the Proclamation to representatives of the University of Maryland Extension – Talbot County, leaders of individual 4-H clubs in Talbot County and youth participants in attendance.

- V. Certificates of Recognition to Carol Frampton and Linda Brown – The Clerk read a certificate of recognition into the record in recognition of the 50 years of service by sisters, Carol Frampton and Linda Brown, to the Talbot County Green Clover 4-H Club. The certificate spoke of the half century Ms. Frampton and Ms. Brown have volunteered their time and talent to multiple generations of Talbot

County youth through 4-H. Council thanked Ms. Frampton and Ms. Brown for their commitment to Talbot County youth. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the certificates of recognition by voting 5 – 0 as follows:

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

Ms. Williams presented Ms. Frampton and Ms. Brown with Certificates of Recognition in commemoration of their decades of service to the youth of Talbot County.

- VI. Presentation of Talbot County Senior Care Program – Fredia Wadley, M.D., Talbot County Health Officer; Kate Stinton, RN, LCSW, Community Health Nurse Supervisor, Talbot County Health Department – Ms. Stinton briefed the Council on in-home support services provided to Talbot County’s neediest senior citizens aged 65 and older who are at risk of having to otherwise go into nursing homes, and who do not qualify for a large number of other services. Ms. Stinton stated that the Health Department, which has managed the Senior Care Program since its inception in 1982, received \$100,000 from Upper Shore Aging and \$50,000 from Talbot County in FY18; additional smaller donations are received from churches and individuals. Services provided include personal emergency response systems, personal care services, homemaker services, food and nutritional supplements, and the purchase of medications; all clients also receive case management and nurse management services. The Senior Care Program is a cooperative effort between the Maryland Department of Aging, the Talbot County Department of Social Services and the Talbot County Health Department. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the Senior Care Program as presented by voting 5 – 0 as follows:

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

- VII. Public Hearing:

Resolution No. 264, A RESOLUTION SUPPORTING THE EXPANSION OF THE EXISTING MARYLAND ENTERPRISE ZONE IN A PORTION OF CENSUS TRACT 9603 LOCATED IN THE TOWN OF EASTON FOR PORTIONS OF CENSUS BLOCKS 9605012, 9602012, 9603001, AND 9604002, MORE PARTICULARLY SHOWN ON EXHIBIT A TO THIS RESOLUTION, PURSUANT TO ECONOMIC DEVELOPMENT ARTICLE § 5-701 ET SEQ., MARYLAND ANNOTATED CODE was read into the record by the Clerk and brought forward for public hearing and the public was provided an opportunity to comment on the legislation. Upon motion by Ms. Price, seconded by Mr. Callahan, Resolution No. 264 was brought to third reader. Prior to vote on the motion, Cassandra Vanhooser, Director of the Department of Economic Development and Tourism, stated that the resolution supports the Town of Easton’s application for an expansion of its enterprise zone to include those portions of Easton Point recently annexed into the Town, two properties at Mistletoe Hall Farm, and Talbot Commerce Park. She stated that the purpose of the enterprise zone is to provide Real Property Tax credits and Income Tax credits to those who either bring their businesses

to Easton or expand their business already located here. She stated that anyone who makes a \$25,000 investment in a business and adds two employees is eligible to apply for the Enterprise Zone tax credits with the Town of Easton. Ms. Vanhooser stated that the Town of Easton will hold a public hearing on its resolution to expand the Town's enterprise zone on Monday, October 15, 2018 at 7:15 p.m. The Council approved bringing Resolution No. 264 to third reader by 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 no objection of the Council, a full reading of the resolution was waived. The Council approved Resolution No. 264 by voting 5 – 0 as follows:

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

Bill No. 264 will take effect immediately.

VIII. Eligible for Vote:

AN ADMINISTRATIVE RESOLUTION TO INCREASE ANNUAL BOAT SLIP RENTAL FEES THROUGH THE TALBOT COUNTY, MARYLAND DEPARTMENT OF PARKS & RECREATION FROM \$650 TO \$750 PER ANNUM AND TO APPROVE THE TERMS OF BOAT SLIP LEASES TO BE EXECUTED BY LESSEES was read into the record by the Clerk and the public was afforded an opportunity to comment on the administrative resolution. Council discussion ensued regarding current slip rental rates, proposed rates as listed in the administrative resolution, and minimum and maximum target amounts for the slip rental fees for both larger and smaller slips. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved amending the administrative resolution to state that slip rentals fees would be increased by \$100 for FY2018-2019 and to approve the terms of the boat slip lease to be executed by the lessees by voting 5 – 0 as follows:

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

IX. Council Consideration of Traffic Advisory Committee Recommendations for Citizen Request for Speed Limit Reduction on North Dover Road; Citizen Request for Speed Limit Reduction on Council Road; Citizen Request for Speed Limit Reduction on McDaniel Farm Lane and Pennywhistle Drive; and Citizen Request for Modification of Intersection Controls (Stop Signs) on Claiborne Road and Claiborne Landing Road Intersection - Mike Mertaugh, Assistant County Engineer, briefed the Council on the following requests:

1. North Dover Road – Citizen request to reduce speed limit on North Dover Road - Mr. Mertaugh stated the subject road is approximately 1.4 miles long, serving houses and agricultural land and is the main access to the Easton Wastewater Treatment Plant. He stated that since no speed limit is posted, by default it is 50 m.p.h.; however, due to sight distance issues on the road caused by several humps and valleys, the Traffic Advisory Committee is recommending a reduction in the speed limit to 30 m.p.h., the same limit as posted on Dover Neck Road which feeds into North Dover Road;
2. Councell Road – Citizen request for reduction of speed limit on Councell Road in areas of residential homes approximately one (1) mile from the intersection with MD Rt. 328 (Matthewstown Road) – Mr. Mertaugh stated that the subject road is approximately 2.6 miles long and connects MD Rt. 328 to Chapel Road, also a County road. He stated that although the roadway has a reasonably wide travel surface, there are several locations with sight distance issues; coupled with the location of several residential communities, the houses of which are close to the road, and the fact that the road serves as a through road to other areas of the county, the Traffic Advisory Committee recommends reducing the speed limit from 50 m.p.h. (currently unposted) to the posted speed limit of 40 m.p.h. for the majority of the 2.6 mile length;
3. McDaniel Farm Lane & Pennywhistle Drive – Citizen request for reduction of current speed limit of 35 m.p.h. to 25 m.p.h. in the Nutcracker Point subdivision of McDaniel – Mr. Mertaugh stated that the speed limit is currently 35 m.p.h. on the subject roadways as it approaches the Nutcracker Point subdivision; the speed limit changes to 25 m.p.h. in the subdivision; no areas beyond the subdivision are served by the roadways. He stated that it is the Traffic Advisory Committee’s recommendation to reduce the 35 m.p.h. speed limit to 25 m.p.h. to make enforcement of the speed limit easier and to be consistent with the speed limits on other neighborhood streets; and
4. Claiborne Road & Claiborne Landing Road Intersection – Modification of Intersection Controls (Stop Signs) – Citizen request to evaluate the current configuration of stop signs at and near the above-referenced intersection - Mr. Mertaugh stated that the Council previously approved the Traffic Advisory Committee’s recommendation to reduce speed limits approaching the Village of Claiborne. He stated that at present, the stop sign for the intersection of Claiborne Road and Claiborne Landing Road is located on the main road, Claiborne Road, instead of Claiborne Landing Road which merges into Claiborne Road. He stated that it is the Traffic Advisory Committee’s recommendation that the stop signs be switched so that the main road is the through road and those entering Claiborne Road from Claiborne Landing Road would be required to stop. He stated that as a reminder to those using the landing who are not familiar with the community, the Committee also recommends that an additional 25 m.p.h. speed limit sign be placed near the exit from Claiborne Landing. Mr. Mertaugh stated that the new stop sign at Claiborne Landing Road will also include large orange flags indicating a new traffic pattern for a period of time.

Council discussion ensued with Mr. Mertaugh as each request was brought forward. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved the Traffic Advisory Committee recommendations as presented by voting 5 – 0 as follows:

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

- X. Council Consideration of Approval of the 2017 Talbot County Land Preservation, Parks and Recreation Plan – Preston Peper, Director, Talbot County Department of Parks and Recreation, briefed the Council on the 2017 Plan, required to be submitted to the State every five years by each county as part of the requirements for Program Open Space. The purpose of the Plan is to serve as a guide for Talbot County in the acquisition, development and preservation of recreation areas and open spaces within the county, ensuring environment protection and enhancement of natural resources while also assuring that an appropriate level of parks and recreational facilities are provided for present and future county residents. He stated that the Plan indicates to the State how Program Open Space (POS) funds allocated to Talbot County are spent. He stated that there are very few changes from the previous plan. The 2017 Plan has been approved by Maryland Department of Natural Resources, the Parks and Recreation Advisory Board and the Talbot County Office of Planning and Zoning. Council discussion ensued with Mr. Peper. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the Plan as submitted by voting 5 – 0 as follows:

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

- XI. County Manager’s Report:

- A. CHANGE ORDER #4 - Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 (GRACE STREET PUMP STATION) UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND – Requested Council approval of Change Order #4 for Bid No. 17-09 in the sum of \$500,137.50 to complete road improvements, including the installation of new curbing and laterals along 325 feet of sewer line. Ms. Morris stated that the County has been working with USDA Rural Development and the Town of St. Michaels on the project to cover cost overruns. She stated that the Town of St. Michaels and the County have entered into an MOU regarding the cost overruns; the Town of St. Michaels has taken a straw poll and will be voting in favor of the MOU. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved Change Order #4 by voting 5 – 0 as follows:

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

- B. Request to Enter into Contract with General Code for Codification of Chapter 190, Talbot County Code – Requested Council’s approval to enter into a contract with General Code Publishers, the current publishers of the Talbot County Code, for the codification of the zoning ordinance in a sum not to exceed \$20,000. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved entering into the contract by voting 5 – 0 as follows:

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

- C. Talbot County Ethics Commission – Requested Council approval for the appointment of Richard Hutchison to a three-year term on the Talbot County Ethics Commission; said term will expire on July 1, 2021. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved the appointment by voting 5 – 0 as follows:

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

- D. Frederick Douglass Park on the Tuckahoe Advisory Committee - Requested Council approval for the appointment of Kenneth Morris and Kim Kearns to the Frederick Douglass Park on the Tuckahoe Advisory Committee as representatives of the family of Frederick Douglass and the Talbot County Parks and Recreation Advisory Board, respectively. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved the appointments by voting 5 – 0 as follows:

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

- E. Talbot County Property Tax Assessment Appeals Board – Requested Council approval to forward the name of Anne Arnold to the Governor for consideration for reappointment to a five-year term on the Talbot County Property Tax Assessment Appeals Board. If approved, said term will expire on June 1, 2023. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council approved forwarding Ms. Arnold’s name to the Governor for consideration for reappointment by voting 5 – 0 as follows:

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

- F. Talbot County Tourism Board – Requested Council approval for the reappointment of John Booth to a four-year term on the Talbot County Tourism Board as the Bay Hundred representative; said term will expire on July 1, 2022. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved the reappointment by voting 5 – 0 as follows:

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

- G. Annual Consolidated Transportation Meeting – Ms. Morris stated that the Council will be meeting with representatives of the Maryland Department of Transportation for the annual Consolidated Transportation Plan meeting on Tuesday, October 16, 2018 at 3:00 p.m. The meeting will take place in the Wye Oak Room at the Talbot County Community Center located at 10028 Ocean Gateway, Easton. The meeting is open to the public.

XII. Council Comments:

- Ms. Price – Ms. Price stated that she and Mr. Pack, along with other Maryland locally and State elected officials, as well elected officials from Delaware, had recently been invited to tour the White House and to attend a briefing by several departments which spoke about opioids and deregulation. She stated that Wilbur Ross, U.S. Secretary of Commerce, also spoke, and the audience was provided an opportunity to ask questions. She stated that the Maryland elected officials spoke about the Hogan administration and how his Cabinet Secretaries are so accessible. Ms. Price concluded her comments by stating that it was really a treat to be able to have access to, and interact with, the federal officials.
- Mr. Bartlett - No comments.
- Mr. Callahan - Mr. Callahan expressed his appreciation to his colleagues for reconsidering the Administrative Resolution regarding boat slip rental fees in consideration of the watermen’s concerns and he appreciates the Council for looking at it. He stated that his whole intention was to have more communication with the watermen and hopefully they got the point and will communicate with the Council a little more in the future.
- Ms. Pack - Mr. Pack concurred with Ms. Price’s comments about the visit to the White House. He stated that the briefing afterward was, in his opinion, more entertaining than the actual tour. He stated that he had heard a lot of good information from the various department heads and, in his opinion, Mr. Ross, the Secretary of Commerce, was excellent. Mr. Pack reminded everyone that Tilghman Island Day will be held on Saturday, October 20, 2018 and encouraged those who could to attend the event which begins at 10:00 a.m. and goes until 7:00 or 8:00 p.m.
- Ms. Williams - Ms. Williams stated that Talbot Humane will hold its Bark in the Park fundraising event on Saturday, October 13, 2018 from 8:00 a.m. until Noon. She stated that all kinds of prizes will be given out for all kinds of dogs. Ms. Williams concluded her comments by encouraging everyone to attend.

Upon motion by Ms. Price, seconded by Mr. Callahan, the Council voted to adjourn to Closed Session for discussion of legal, personnel and real estate matters, and to reconvene in Open Session on Tuesday, October 23, 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 7:44 p.m.

The transcript of the October 9, 2018 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIV. On Tuesday, October 9, 2018, a Closed Session of the Talbot County Council convened at 4:30 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 – Absent (*arrived at 4:40 p.m.*)
Ms. Price – Aye
Ms. Williams - Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(3)(4)(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 Oxford Volunteer Fire Department; for a real estate matter to discuss a proposal for a company to relocate to Talbot County and to discuss possible acquisition of property in Bellevue for a public purpose; and for a legal/personnel matter to discuss allocating funding for board/committee to retain outside legal counsel. The Closed Session recessed at 5:50 p.m., reconvened at 7:50 p.m. and ended at 8:25 p.m.

CASH STATEMENT 10/2/2018

BALANCE 9/25/2018	\$ 20,027,496.36
CIGNA CLAIMS THROUGH 9/24/2018	(104,054.36)
OCTOBER 2018 RETIREE HEALTH INSURANCE PLAN #727	(28,046.42)
ELECTION BOARD PPE 8/28 & 9/4/2018	(8,115.73)
USDA/RD QTRLY BOND PYMT LOAN #92-03	(9,478.60)
DEPOSITS	2,385,100.25
CHECKS	(1,641,831.44)
BALANCE 10/02/2018	<u>20,621,070.06</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		2.02%	28,000,000.00
1880 BANK			10,044,702.92
TOTAL INVESTED			<u>\$38,044,702.02</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$ 58,681,342.08</u>

CASH STATEMENT 10/09/2018

BALANCE 10/02/2018	\$ 20,621,070.06
TOTAL ADP PAYROLL PPE 9/21/2018	(607,360.30)
DEFERRED COMP DED PPE 9/30/2018	(14,160.94)
DEFERRED COMP DED PPE 9/21 & 9/30/2018	(16,964.04)
PENSION DED PPE 9/21 & 9/30/2018	(37,441.65)
SECU DED PPE 9/21/2018	(3,379.40)
DEFERRED COMP PPE 9/21/2018 PLAN 401(A)	(4,491.95)
FLEX SPENDING BENEFITS PP3 9/21/2018	(3,264.00)
FLEX SPENDING BENEFITS PPE 9/30/2018	(283.33)
ELECTION BOARD PPE 9/11 & 9/18/2018	(7,422.59)
BOARD OF EDUCATION 9/2018	(3,319,812.00)
POST COUNTY TAX PAYMENT FY19/SEPT 2018	(2,933.05)
DEPOSITS	1,814,423.88
CHECKS	(543,606.10)
VOIDED CHECK (S) #327504, 327937, 328039	179.11

BALANCE 10/09/2018 **17,874,553.70**

AIRPORT ACCOUNTS

AIP42 0.00

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		2.09%	28,000,000.00
1880 BANK			10,044,702.02

TOTAL INVESTED	<u>\$38,044,702.02</u>
PETTY CASH BALANCE	<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS	<u>\$55,934,825.72</u>