



TALBOT COUNTY, MARYLAND

County Council

MINUTES

February 24, 2015

Present – President Corey W. Pack, Vice President Laura E. Price, Dirck K. Bartlett, Chuck F. Callahan, Jennifer L. Williams, County Manager R. Andrew Hollis, County Attorney Michael Pullen and Staff Attorney Anthony Kupersmith.

- I. Agenda – The Agenda of February 24, 2015 was brought forward for approval. Ms. Price made a motion that *Item V, Presentation to Clay Stamp, Executive Director, Maryland Emergency Management Agency (MEMA) and former Director, Talbot County Department of Emergency Services*, be removed from the agenda as Mr. Stamp is unavailable to attend the meeting; Mr. Callahan seconded the motion and there was no objection; the matter will be brought forward at a future Council meeting. Mr. Pack requested that *Item VI, Presentation of FY 2016 Delmarva Community Transit's FY 2016 Annual Transportation Plan – Santo Grande, Executive Director, Delmarva Community Services, Inc.; Cathy Frye, Finance Director, Delmarva Community Services, Inc.; Jerome Stanley, Transportation Operations Manager, Delmarva Community Services, Inc.; Andrea Waters, CCTM, Grant Administrator, Delmarva Community Services, Inc.* be moved forward on the agenda and *Item IV, Presentation on Rural Counties Coalition – The Honorable Doug Howard, Chairman, Rural Counties Coalition; Member, Carroll County Commissioners; Sara Visintainer, Chief of Staff, Caroline County Commissioner's Office* be moved back as presenter Doug Howard had been unavoidably detained. Mr. Pack then requested and received Council's unanimous consent for approval of the Agenda of Tuesday, February 24, 2015 as amended.
- II. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, February 17, 2015 and Tuesday, February 24, 2015.
- III. Presentation of FY 2016 Delmarva Community Transit's FY 2016 Annual Transportation Plan – Santo Grande, Executive Director, Delmarva Community Services, Inc.; Cathy Frye, Finance Director, Delmarva Community Services, Inc.; Jerome Stanley, Transportation Operations Manager, Delmarva Community Services, Inc.; Andrea Waters, CCTM, Grant Administrator, Delmarva Community Services, Inc. – Mr. Grande briefed the Council on Delmarva Community Transit's Annual Transportation Grant application for FY 2016 to the State of Maryland under the Federal Transit Act. The grant application includes operating and capital funding requests as well as the sources of all funding received through the Maryland Transportation Administration, including federal funding, for the public transportation system for Caroline, Kent and Talbot counties; funding for the transportation system in Dorchester County is filed separately. Mr. Grande stated that federal guidelines have changed and funding for Section 516 (jobs access reverse commute funding program) is now incorporated in Section 5311 (rural public transportation funding program). Talbot County manages the paperwork for the grant funding.
- IV. Introduction of Administrative Resolution:

A RESOLUTION AUTHORIZING TALBOT COUNTY TO FILE AN APPLICATION WITH THE MARYLAND TRANSIT ADMINISTRATION OF THE MARYLAND DEPARTMENT OF TRANSPORTATION FOR A SECTION 5303, 5304, 5307, 5309, 5310, 5311, 5316, AND/OR 5317 GRANT UNDER THE FEDERAL TRANSIT ACT was read into the record by the Clerk and brought forward for introduction. Council discussion ensued with Mr. Grande. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved the Administrative Resolution by voting 5 – 0 as follows:

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

VI. Update on Agricultural Vision and Harvest Directory Project – Shannon Dill, Extension Educator, University of Maryland Extension/Talbot County; Paige Bethke, Director, Talbot County Office of Economic Development. Ms. Bethke stated that in 2007, the County Council had approved recommendations outlined in an agricultural visioning plan for sustaining agriculture as an industry in Talbot County. Ms. Bethke stated that the visioning plan had been drafted following input at several public forums and from the Washington College Center for the Environment and Society, Talbot County citizens, public officials, farmers and the University of Maryland Cooperative Extension. The visioning plan included the following recommendations: supporting diverse agriculture in Talbot County, including the promotion of bio-fuels; the branding of Talbot County agriculture and investigating a regional marketing approach; and connecting agriculture and the environment. She stated that the Council had appropriated \$6,000 to implement the recommendations but that no project was identified at the time on which to expend the funds; the funding has been held by the Extension Service. Ms. Dill briefed the Council on a proposal to use a portion of the previously allotted funding for a Harvest Directory Project, similar to the Upper Shore Harvest Directory through which farmers in Kent, Cecil, and Queen Anne’s counties can catalog and advertise their products, particularly seasonal produce, for distribution to local restaurants, other growers and the general public; those farms which offer tours and value-added products available to consumers can also advertise. Ms. Dill stated that the web-based Directory is currently maintained by the Upper Shore Regional Council through a partnership with Washington College Center for the Environment and Society. Ms. Bethke stated that she and Ms. Dill had been in discussions with Doris Mason of the Upper Shore Regional Council regarding Talbot County’s participation and changing the name to Eastern Shore Harvest Directory. She advised that her office and the Extension Service had entered into a two-year contract with Washington College to development a similar map for Talbot County; at the end of that timeframe, the data will become the property of the Extension Office or the Office of Economic Development. Once information for Talbot County farms has been included in the Directory and is available to the public, Ms. Bethke will notify the Council.

VII. Introduction of Numbered Resolution:

Resolution No. 218, A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 7966 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, LYING ON THE WEST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 22.136 ACRES OF LAND, MORE OR LESS, OWNED BY APHENA PHARMA SOLUTIONS MARYLAND, LLC, F/K/A CELESTE CONTRACT PACKAGING LLC, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY’S EXISTING LIMITED INDUSTRIAL (“LI”) ZONE TO THE TOWN’S INDUSTRIAL (“I”) ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY’S EXISTING “LI” ZONING, AND FINDING THAT THE PROPOSED REZONING WILL ALLOW LAND USES THAT ARE SUBSTANTIALLY DIFFERENT FROM THOSE PERMITTED UNDER THE COUNTY’S EXISTING “LI” ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH MD. CODE, LOCAL GOV’T ARTICLE, § 4-416 was read into the record and brought forward for public hearing and the public was afforded an opportunity to comment on the legislation. Planning Officer, Mary Kay Verdery stated that the Planning Commission, at their meeting on Wednesday, February 4, 2015, unanimously recommended that the County Council waive the County’s zoning requirements for the annexation as proposed in Resolution No. 218. Upon

motion by Ms. Price, seconded by Ms. Williams, the Council approved moving Resolution No. 218 to third reader by voting 5 – 0 as follows:

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

Upon motion by Ms. Price, seconded by Ms. Williams, and unanimous consent of the Council, a full reading of the legislation was waived. The Council approved Resolution No. 218 by voting 5 – 0 as follows:

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

Resolution No. 218 becomes effective immediately.

- VIII. Presentation on Rural Counties Coalition – The Honorable Doug Howard, Chairman, Rural Counties Coalition; Member, Carroll County Commissioners; Sara Visintainer, Chief of Staff, Caroline County Commissioner’s Office – Mr. Howard and Ms. Visintainer briefed the Council on the Rural Counties Coalition, formed in late 2011 by Allegany, Carroll, Frederick and Washington counties for the purpose of providing a voice for Maryland’s rural counties on important state and federal policy issues. The Coalition has since grown its membership to 11 counties. Mr. Howard and Ms. Visintainer requested Council’s consideration to join the Coalition and Council discussion ensued with the representatives. Mr. Bartlett requested that Ms. Visintainer provide the Council with position papers for the Coalition on legislative issues in Annapolis from the 2014 Legislative Session. The Council agreed to continue to take the matter under consideration.
- IX. Presentation by Talbot County Agricultural Community – Craig Zinter, District Manager, Talbot County Soil Conservation District; John Swaine, III, Chairman, Board of Supervisors, Talbot Soil Conservation District; Ed Heikes, Member, Board of Directors, Talbot County Farm Bureau; John Barga, County Executive Director, U.S. Department of Agriculture/Talbot County Farm Service Agency; Shannon Dill, Extension Educator, University of Maryland Extension/Talbot County – Ms. Dill provided a graphic outlining the four agricultural agencies serving the Talbot County community which provide services for 4-H development programs, agriculture and natural resources, farm loans, horticulture and nutrition programs, conservation planning, technical planning and support, etc. She stated that although the agencies work in cooperation and conjunction with one another, they are four different entities with four different missions and four different funding streams; however, the overall mission of the agencies is to help ensure that farms in Talbot County are profitable and environmentally sustainable. Mr. Zinter stated that the goal of his office is to develop conservation plans for all farmed parcels in Talbot County, which to date has completed conservation plans for approximately 97 %, or 108,000 acres, in the county. He stated that 207 Best Management Practices (BMPs) were installed on farms in the county in 2014, with 125 of the 199 erosion and sediment plans developed by his office approved. He stated that Talbot County ranked #2 in the state for acreage in cover crops for 2014, with 68%, or 51,554 acres of land, utilizing cover crops. Mr. Heikes briefed the Council on changes to local Farm Bureau policies adopted by the Talbot County Farm Bureau during the previous year, several of which were forwarded to the Maryland Farm Bureau for consideration and possible inclusion in State of Maryland policy or national policy at the legislative level.

He stated that several policies have already been adopted in full or in part by the Maryland Farm Bureau. Council discussion ensued with the representatives on the various policies as each was brought forward. Ms. Dill issued an invitation to Council members to attend the upcoming Farm Bureau Annual Spring Social on Thursday, March 12, 2015 at 5:30 p.m. and the 4-H Achievement Program on Friday, March 13, 2015 at 6:30 p.m.; both events will take place at the Easton High School Cafeteria. Representatives of the agricultural community will continue to update the Council on a regular or as-needed basis.

X. County Manager's Report:

- A. Request for Department of Public Works - Requested Council approval to submit an application for grant funding in the sum of \$1,000,000 from the Bay Restoration Fund; if approved, said funding will be used to upgrade septic systems and to extend sewer to several locations, including Talbot Commerce Park (in conjunction in the Town of Easton), and the Tricefields subdivision adjacent to the Town of St. Michaels; Mr. Hollis stated that this is a recurring grant for which Talbot County has submitted applications since 2007. Upon motion by Ms. Williams, seconded by Ms. Price, the Council approved submittal of the grant application by voting 5 – 0 as follows:

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

- B. Request from Circuit Court for Talbot County – Family Support Services – Requested Council approval to have Talbot County Family Support Services submit a grant application to the Department of Family Administration Special Projects Grant for the following projects: \$3,000 in funding for the purchase of enhanced electronic files; \$8,000 in funding for a children of divorce and separation educational seminar; and a yet unspecified amount of funding for multi-lingual signage at the Courthouse. Upon motion by Ms. Price, seconded by Mr. Callahan, the Council approved submittal of the grant application by voting 5 – 0 as follows:

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

- C. Talbot County Affordable/Workforce Housing Commission – Requested Council approval for the appointment of Hein Olckers to the Talbot County Affordable/Workforce Housing Commission. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council approved the appointment by voting 5– 0 as follows:

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

- D. Talbot County Blue Ribbon Commission Oversight Committee – Requested Council approval for the appointment of Ken Kozel to a three-year term on the Talbot County Blue Ribbon Commission Oversight Committee; said term will expire April 1, 2018. Upon motion by Ms. Price, seconded by Ms. Williams, the Council approved the appointment by voting 5 – 0 as follows:

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

- E. Talbot County Board of Appeals – Requested Council approval for the reappointment of Paul Shortall and Margaret Young to three-year terms on the Talbot County Board of Appeals; said terms will expire on February 1, 2018. Upon motion by Mr. Bartlett, seconded by Mr. Callahan, the Council approved the reappointments by voting 5 – 0 as follows:

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

- F. Talbot County Commission on the Aging – Requested Council approval for the appointment of Judith Shuler to a three-year term on the Talbot County Commission on the Aging. Upon motion by Ms. Price, seconded by Ms. Williams, the Council approved the appointment by voting 5 – 0 as follows:

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

- G. Talbot County Emergency Services Advisory Board – Requested Council approval for the appointment of Meg Roney to a three-year term on the Talbot County Emergency Services Advisory Board as a representative of the Talbot County Fire and Rescue Association; said term will expire on February 1, 2018. Upon motion by Mr. Callahan, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

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

- H. Talbot County Weed Control Committee – Requested Council approval for the reappointment of Wade Dudrow, William “Bill” Foster, and Robert Garrett to three-year terms on the Talbot County Weed Control Committee; said terms will expire on July 1, 2018. Upon motion by Mr. Callahan, seconded by Ms. Williams, the Council approved the reappointments by voting 5 – 0 as follows:

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

- I. Heart Savers CPR and AED Training Marathon – Mr. Hollis stated that the Talbot County Department of Emergency Services will be holding its annual CPR and AED Training Marathon on Wednesday, February 25, 2015 at the Talbot County Community Center. Classes are approximately one and one-half hours long and begin every hour on the hour, beginning at 9:00 a.m.; the last class begins at 7:00 p.m.; certificates of completion will be awarded. Interested individuals may register at www.talbotdes.org.
- J. Talbot County Agricultural Resolution Board – Requested Council approval for the reappointment of Lewis Smith to the Talbot County Agricultural Resolution Board as a representative of the agricultural community; said term will expire on January 1, 2016. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

XI. Council Comments:

Ms. Williams - No comments.

Mr. Bartlett - No comments.

Ms. Price - No comments.

Mr. Callahan - No comments.

Mr. Pack - No comments.

- XII. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council voted to adjourn to Executive Session for discussion of legal, personnel, and real estate matters and to reconvene on Tuesday, March 3, 2015 from 3:30 p.m. to 8:00 p.m. and on Wednesday, March 4, 2015 from 4:00 p.m. to 8:00 p.m. for Budget presentations from County departments and agencies, and to reconvene on Tuesday, March 10, 2015 at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, and for the regularly scheduled meeting at 1:30 p.m. by voting 5 - 0 as follows:

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

The meeting adjourned at 7:42 p.m.

The transcript of the February 24, 2015 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIII. On Tuesday, February 24, 2015, an Executive Session of the Talbot County Council convened at 5:00 p.m. in the Bradley Meeting Room and the County Council Conference Room. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508(a)(1)(i)(3)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; to discuss a personnel matter in Permits and Inspections; and to discuss filling a vacancy in the Department of Emergency Services; for a legal matter for legal advice regarding entering into a contract; 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 7:50 p.m. The Executive Session ended at 9:30 p.m.

- XIV. Work Session: Update on Martingham Sewer Project/Deepwater Point Road – Ray Clarke, County Engineer – The County Council held a work session with County Engineer Ray Clarke on Tuesday, February 17, 2015 in the Bradley Meeting Room. Mr. Clarke gave an outline of the history of the project for the proposed widening of Deepwater Point Road in St. Michaels in conjunction with the extension of sewer to the Martingham community. He stated that in 2009, his office had reviewed several options for widening the road at the request of some residents of Deepwater Point Road while evaluating ways to pump sewage from Martingham to the Region II Wastewater Treatment Plant. He stated that upon presentation of the preferred option to Rural Development in the Preliminary Engineering Report, which included widening of Deepwater Point Road, that portion of the project was postponed as it was determined by Rural Development that costs for Martingham users of the Region II system would have increased too much. Mr. Clarke then presented two options for Council’s consideration: (1) move forward with the Martingham sewer extension project and submit the Deepwater Point Road widening project as a change order to the sewer extension project; and (2) conduct a new Environmental Assessment and Preliminary Engineering Report for the road improvement project and seek grant funding for same; Mr. Clarke advised Council that the design phase for the sewer extension project is 95% to 98% complete. Council discussion ensued with Mr. Clarke. Mr. Clarke will provide Council with various scenarios for pull-offs, etc. on Deepwater Point Road until a project for widening the road can be initiated. The work session ended at 5:00 p.m. Upon motion by Ms. Williams, seconded by Ms. Price, the Council adjourned to Executive Session by voting 5 – 0 as follows:

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

- XI. On Tuesday, February 17, 2015, an Executive Session of the Talbot County Council convened at 5:10 p.m. in the County Council Conference Room. Upon motion by Mr. Bartlett, seconded by Ms. Price, the Council met in Executive Session by voting 5 - 0 as follows:

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

In accordance with State Article § 10-508(a)(1)(i)(3)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees and to discuss a personnel matter in the Sheriff’s Office; for a legal matter for legal advice regarding entering into a contract; and for a real estate matter to discuss possible acquisition of property for a public purpose. The Executive Session ended at 5:00 p.m.

CASH STATEMENT 2/17//2015

| | |
|-------------------------------|-----------------------------|
| BALANCE 2/10/2015 | \$26,022,949.03 |
| RETURNED CHECKS | (397.55) |
| POSTAGE WIRE | (3,000.00) |
| STATE REPORT 1/2015 | (231,009.13) |
| SHERIFF/SUMMONS REFUNDS | (480.00) |
| PAYROLL-FD/SS/MS WH 2/13/2015 | (131,959.88) |
| SECU DED | (6,032.82) |
| DEFERRED COMP DED | (10,264.87) |
| MD WH | (32,397.92) |
| PENSION DED | (31,483.14) |
| ACH TRANSFER | (11,261.75) |
| FLEX SPENDING ACCT | (2,966.55) |
| DEPOSITS | 885,272.47 |
| CHECKS | (912,641.31) |
| BALANCE 2/17/2015 | <u>25,534,326.58</u> |

AIRPORT ACCOUNTS

| | |
|------------------------------------|-------------------|
| AIP-RUNWAY 4-22 EXTENSION ANALYSIS | -- |
| AIP37 | 16,762.37 |
| AIP39 | 73,794.25 |
| AIP40 | -- |
| AIP41 | BALANCE 2/10/2015 |
| | 26,651.93 |
| | DEPOSITS |
| | 25,875.73 |
| | CHECKS |
| | (7,833.67) |
| | 44,693.99 |

AIRPORT ACCOUNTS TOTAL BALANCE **135,250.61**

INVESTMENTS – CERTIFICATES OF DEPOSIT

| <u>CERTIFICATE DATE</u> | <u>MATURITY DATE</u> | <u>RATE</u> | <u>AMOUNT</u> |
|-----------------------------|----------------------|-------------|---------------|
| PNC-MLGIP INVESTMENTS TOTAL | | 0.06% | 18,000,000.00 |

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

| | |
|------------------------------|-------------------------------|
| PETTY CASH BALANCE | <u>\$8,570.00</u> |
| GRAND TOTAL ALL FUNDS | <u>\$43,678,147.19</u> |

CASH STATEMENT 2/24/2015

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|--------------------------|-----------------------------|
| BALANCE 2/17/2015 | \$25,534,326.58 |
| SHERIFF/SUMMONS REFUNDS | (315.00) |
| DEPOSITS | 568,681.50 |
| CHECKS | (268,529.31) |
| BALANCE 2/24/2015 | <u>25,834,163.77</u> |

AIRPORT ACCOUNTS

| | |
|------------------------------------|-----------|
| AIP-RUNWAY 4-22 EXTENSION ANALYSIS | -- |
| AIP37 | 16,762.37 |
| AIP39 | 73,794.25 |
| AIP40 | -- |
| AIP41 | 44,693.99 |

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|---------------------------------------|--------------------------|
| AIRPORT ACCOUNTS TOTAL BALANCE | <u>135,250.61</u> |
|---------------------------------------|--------------------------|

INVESTMENTS – CERTIFICATES OF DEPOSIT

| <u>CERTIFICATE DATE</u> | <u>MATURITY DATE</u> | <u>RATE</u> | <u>AMOUNT</u> |
|-----------------------------|----------------------|-------------|---------------|
| PNC-MLGIP INVESTMENTS TOTAL | | 0.06% | 18,000,000.00 |

| | |
|-----------------------|-------------------------------|
| TOTAL INVESTED | <u>\$18,000,000.00</u> |
|-----------------------|-------------------------------|

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|---------------------------|--------------------------|
| PETTY CASH BALANCE | <u>\$8,570.00</u> |
|---------------------------|--------------------------|

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|------------------------------|-------------------------------|
| GRAND TOTAL ALL FUNDS | <u>\$43,977,984.38</u> |
|------------------------------|-------------------------------|