



Talbot County, Maryland



Easton, Maryland

MINUTES

March 27, 2012

Present – President Corey W. Pack, Vice President R. Andrew Hollis, Dirck K. Bartlett, Thomas G. Duncan, Laura E. Price, and County Manager John C. Craig. County Attorney Michael Pullen was absent.

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, March 27, 2012.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, March 6, 2012 and Tuesday, March 13, 2012.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the disbursements of March 20, 2012 and March 27, 2012.
- IV. Proclamation: Welcome Home Vietnam Veterans Day – Prior to presentation of the proclamation for Welcome Home Vietnam Veterans Day, Council welcomed those Vietnam Veterans who were present and thanked them for their service to their country. The Clerk then read a proclamation into the record which gave a brief timeline of America’s involvement in the Vietnam War and recognized those who gave their time, effort, courage, loyalty, and in some cases, their lives, to service in the United States Armed Forces during that conflict. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved the proclamation by voting 5 – 0 as follows:

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

Mr. Pack presented the Proclamation to Kenley Timms, one of the organizers of the event. Mr. Timms accepted on behalf of the Vietnam and Vietnam-era veterans.

Several of the veterans then spoke of their personal experiences upon returning home from service in Vietnam. Individual Council members welcomed the veterans “home” and expressed their gratitude and appreciation to them for their service.

- V. Proclamation: American Diabetes Association Alert DaySM - Prior to introduction of the proclamation, Kenneth Kozel, President and CEO of Shore Health System, Inc., Dr. Kenneth Ligaray, Medical Director of the University of Maryland Diabetes and Endocrinology Center, and Jacqueline Mowbray, Nurse Manager for the Center for Diabetes and Endocrinology at Shore Health System briefed the Council on the purpose of the American Diabetes Association Alert Day. They stated that the purpose of the day of recognition is to bring awareness to the risk factors of the disease so that appropriate medical care can be received. The Clerk read a proclamation into the record in recognition of the prevalence of diabetes as a serious, debilitating and deadly disease, community awareness of the risk factors associated with the disease, increased efforts to promote healthier lifestyle choices to help those already suffering from the effects of diabetes and to reduce the likelihood of contracting the disease. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the proclamation by voting 5 – 0 as follows:

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

Mr. Bartlett presented the proclamation to Ms. Mowbray, who accepted on behalf of those involved in the prevention and treatment of diabetes.

VI. Presentation of Petition for Support of Allied Health Building and Athletic Facility by Chesapeake College Students – Students of the Allied Health Program at Chesapeake College read a statement into the record and presented a petition in support of funding for the renovation and expansion of the Chesapeake College Center for Allied Health and Athletics. The State of Maryland has allocated \$27 million for the project with the remaining 25%, or \$9 million, to be funded by the College’s five support counties; commitment by at least three of the support counties is required to move forward with the project. Mr. Pack stated that the Council is aware of the proposed project and will continue to take the matter under consideration during its budget deliberation process in these trying financial times.

VII. Introduction of Numbered Resolution:

Prior to introduction of the resolution, County Engineer Ray Clarke briefed the Council on the applicant’s request to amend the County’s Comprehensive Water and Sewer Plan. He stated that the applicant is a resident of a subdivision of which nine (9) lots are currently not served by the Region V Wastewater Treatment Plant, but that at the present time, none of the other residents of the subdivision are interested in connecting to the Region V plant. Mr. Clarke stated that Leeward Lane is bounded on several sides by the sewer service area and that it was his recommendation that the applicant’s property be incorporated into the Region V sewer service area. Council discussion ensued. A RESOLUTION TO AMEND THE COMPREHENSIVE WATER & SEWER PLAN SEWER SERVICE AREA OF THE REGION V WASTEWATER TREATMENT PLANT, TO INCLUDE AN IMPROVED RESIDENTIAL PARCEL CONSISTING OF APPROXIMATELY 1.6480 ACRES OWNED BY JAMES W. AND SYLVIA M. ROBERTSON, 5560 LEEWARD LANE, TILGHMAN, MARYLAND, 21671, TAX MAP 44, PARCEL 35, LOT 10, AND TO RECLASSIFY THAT PROPERTY FROM “UN-PROGRAMMED” TO “S-1” IMMEDIATE PRIORITY STATUS was introduced by Mr. Duncan, Mr. Hollis, Mr. Pack, and Ms. Price as Resolution No. 193. A public hearing was scheduled for Tuesday, April 24, 2012 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VIII. Public Hearings:

Prior to the public hearing on Resolution No. 192, Airport Manager Mike Henry stated that the legislation relates to the proposed installation of a 145’ telecommunications monopole on Easton Airport property and to determine the feasibility of same. Mr. Henry stated that, in his opinion, if service is to be provided in that area, the safest location for the monopole is at the Airport adjacent to the beacon tower, instead of out in the middle of a field. He stated that if successfully installed, the monopole will generate revenue for the Airport. The public hearing was then held on A RESOLUTION TO APPROVE AN OPTION TO ENTER INTO A LEASE AGREEMENT FOR APPROXIMATELY 35' X 38' OF LAND AT THE EASTON AIRPORT, ON WHICH THE LESSEE IS TO APPLY FOR APPROVAL TO INSTALL A MONOPOLE FOR TELECOMMUNICATIONS, and the public was afforded an opportunity to comment on the proposed legislation. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved Resolution No. 192 by voting 3 – 2 as follows:

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

Resolution No. 192 is effective immediately.

Prior to the public hearing on Bill No. 1216, Planner Brett Ewing stated that the purpose of the proposed legislation is to specify a land use category for landscape contractors in the General Table of Land Uses and to remove landscape contractors from the list of permitted cottage industry uses. The Talbot County Code currently permits landscaping contractors in the Limited Commercial (LC), General Commercial (GC) and Limited Industrial (LI) zones as well as a cottage industry use, with specific standards; no variances can be requested. Mr. Ewing stated that there had been several landscape contractors who had previously been cited for operating landscaping businesses without proper approvals but who had sought to come into compliance with the County Code; however, the size of their properties did not meet cottage industry guidelines. The public hearing was then held on Bill No. 1216, A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, “ZONING, SUBDIVISION AND LAND DEVELOPMENT”, ARTICLE III, LAND USES, §190-16, §190-39, AND ARTICLE XI, §190-208 AND ADDING §190.38.1 TO DEFINE THE “LANDSCAPE CONTRACTOR” USE, AND TO PERMIT THE SAME SUBJECT TO AMENDED REGULATIONS, and the public was afforded an opportunity to comment on the proposed legislation. Council discussion ensued. Mr. Ewing stated that the legislation, as introduced, includes the Planning Commission’s amendments as approved by the Commission 5 – 0. Mr. Ewing presented an amendment for Council’s consideration which would add the Village Center zones, VC-1 and VC-2, to the General Talbot of Land Uses and would allow landscape contractors as a special exception. The VC-1 and VC-2 zones, created when Bill No. 1205 became effective in September 2011, were inadvertently omitted from the legislation when it was introduced. Written comment on Bill No. 1216 will be accepted until the close of business on Friday, March 30, 2012. Bill 1216, and the amendment, are eligible for vote on Tuesday, April 10, 2012.

IX. County Manager’s Report:

A. Talbot County Blue Ribbon Commission Oversight Committee – Requested Council approval for the reappointment of Dr. Russell Schilling and Robbie Gill to three-year terms on the Talbot County Blue Ribbon Commission Oversight Committee; said terms will expire April 1, 2015. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the reappointments by voting 5 – 0 as follows:

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

B. Bid No. 12-01, BAY SHORE ROAD STONE REVETMENT NEAR THE VILLAGE OF WITTMAN, TALBOT COUNTY, MD – Requested Council approval of the Assistant County Engineer’s recommendation to award Bid No. 12-01 to the lowest bidder, Schwaninger Excavation, in the amount of \$23,615.00; funding for the project will come from previously approved Capital Budget funding. Upon motion by Mr. Hollis, seconded by Mr. Bartlett, the Council approved the award by voting 5 – 0 as follows:

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

- C. Talbot County Restaurant Week – Mr. Craig stated that Talbot County Restaurant Week was currently in progress and encouraged citizens to dine at participating restaurants which are offering three course lunches for \$20.12 and three course dinners for \$30.12. More information may be obtained at www.diningtalbot.com or by calling the Talbot County Office of Tourism at 410-770-8000.

X. Council Comments:

Mr. Hollis - No comments.

Mr. Bartlett - No comments.

Ms. Price - Ms. Price reminded everyone that early voting was in progress.

Mr. Duncan - No comments.

Mr. Pack - Mr. Pack again welcomed the veterans back home, thanked the veterans for coming and thanked Kenley Timms for organizing the tribute to the veterans.

- XI. 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, April 10, 2012, at 12:30 p.m. in Executive Session for discussion of legal, personnel, and real estate matters, and for the legislative session at 1:30 p.m. by voting 5 – 0 as follows:

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

The meeting adjourned at 7:38 p.m.

- XII. On Tuesday, March 27, 2012, an Executive Session of the Talbot County Council convened at 5:40 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508 (a)(1)(i)(3)(4)(7) the purpose of the Executive Session was for discussion of a legal/real estate matter for legal advice concerning the possible relocation of Memorial

Hospital at Easton to County owned property and the timetable for same; and for a personnel matter to discuss appointment to various County boards and committees. The Executive Session recessed at 6:00 p.m. and reconvened at 7:40 p.m. The Executive Session ended at 8:10 p.m.

The transcript of the March 27, 2012 County Council meeting is available for review in the Office of the County Manager during regular office hours.

CASH STATEMENT 3/20/2012

BALANCE 3/13/2012	\$7,563,289.31
RETURNED CHECKS	(10,633.46)
UHC CLAIMS THRU 3/13/2012	(57,970.22)
PAYROLL-FD/SS/MS WH 3/16/2012	(100,393.53)
SECUR DED	(9,035.47)
DEFERRED COMP DED	(10,227.72)
MD WH	(26,916.74)
PENSION DED	(29,024.32)
ACH TRANSFER	(10,756.75)
FLEX SPENDING ACCT	(2,282.51)
DEPOSITS	643,465.30
CHECKS	(760,044.67)
VOID CHECK NO. S 274202, 3078063,3078636, 3079466	44,538.13
BALANCE 3/20/2012	<u>\$7,234,007.35</u>

AIRPORT ACCOUNTS

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	6,346.21
BALANCE 3/13/2012	6,346.21
DEPOSITS	9,750.00
AIP-35	35,352.09
AIP36	8,519.87
AIP37	728.93
AIP38	--
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$62,697.10</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/19/2011	04/17/12	0.41%	4,000,000.00
07/19/2011	07/17/12	0.61%	4,000,000.00
10/18/2011	07/18/12	0.26%	3,000,000.00
10/18/2011	07/18/12	0.26%	5,000,000.00
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00

PNC-MLGIP INVESTMENTS TOTAL	0.12%	13,000,000.00
TOTAL INVESTED		<u>\$36,000,000.00</u>
PETTY CASH BALANCE		<u>\$6,800.00</u>
GRAND TOTAL ALL FUNDS		<u>\$43,303,504.45</u>

CASH STATEMENT 3/27/2012

BALANCE 3/20/2012		\$7,234,007.35
UHC CLAIMS THRU 3/20/2012		(44,591.38)
MLGIP INTEREST ON ACCT 2/2012		979.81
RONB QTRLY BOND PAYMENT		(9,478.60)
DEPOSITS		586,718.36
CHECKS		(274,678.16)
VOID CHECK NO.S 274487,274648,274952,274966,274971		2,540.46
BALANCE 3/27/2012		<u>\$7,495,497.84</u>

AIRPORT ACCOUNTS

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS		--
AIP-34		16,096.21
AIP-35		37,352.09
AIP36		8,519.87
AIP37		728.93
AIP38		--
AIRPORT ACCOUNTS TOTAL BALANCE		<u>\$62,697.10</u>

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PNC-MLGIP INVESTMENTS TOTAL	0.12%	13,000,000.00
TOTAL INVESTED		<u>\$36,000,000.00</u>
PETTY CASH BALANCE		<u>\$6,800.00</u>

GRAND TOTAL ALL FUNDS

\$43,564,994.94