



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

May 11, 2021

Present – President Chuck F. Callahan, Vice President Pete Leshner, Frank Divilio, Corey W. Pack, Laura Price, County Manager Clay Stamp, and Acting County Attorney Patrick Thomas.

- I. Agenda – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, May 11, 2021.
- II. Minutes - Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, April 27, 2021.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, May 11, 2021.
- IV. Proclamation: Honor the Blue and Red – May 15 - 22, 2021 - The Clerk read a proclamation into the record which spoke of the professionalism, commitment and dedication of first responders to the communities they serve, often risking their own safety to protect others. Upon motion by Mr. Divilio, seconded by Mr. Leshner, the Council approved the proclamation by voting 5 – 0 as follows:  
  
Mr. Callahan – Aye  
Mr. Divilio – Aye  
Mr. Leshner – Aye  
Ms. Price – Aye  
Mr. Pack – Aye
- V. Update and Request by Mid-Shore Behavioral Health, Inc. – Kathryn Dilley, LCSW-C, Executive Director, Mid-Shore Behavioral Health, Inc.; Ann Simpers, LCPC, Behavioral Health Coordinator, S.O.R., Mid-Shore Behavioral Health, Inc. – Ms. Dilley emphasized the critical importance of maintaining good mental health as the nation moves forward through the pandemic and outlined her organization’s efforts to support mental and behavioral health services in the Mid-Shore region. She stated that between 95% and 97% of those receiving behavioral health services in the past year were seen via telehealth. She outlined the mission and vision of Mid-Shore Behavioral Health which serves as the core service agency for the five Mid-Shore counties, provided information on services currently offered by the organization, programs over which the organization has oversight, and initiatives planned for FY22 for both adolescents and adults. She stated that the newly formed Adolescent Clubhouse recovery model now has two locations on the Eastern Shore, Mid-Shore Behavioral Health is partnering with the Minorities Dream Alliance, a newly formed non-profit which seeks to connect with at-risk youth. She stated that Mid-Shore Behavioral Health has been selected by the State to provide oversight, procurement and development of the first assisted living mental health pilot project in the state which is designed to house five to six residents leaving the State Hospital system. She provided information on her organization’s suicide prevention initiative, including a virtual event on Thursday, May 13, 2021 from 5:30 p.m. to 7:30 p.m. with Kevin Hines, a suicide attempt

survivor; Mr. Hines will discuss the families impacted by suicide. Ms. Simperts briefed the Council on activities related to the State Opioid Response (SOR) Grant, stating that in 2019, Mid-Shore Behavioral Health received SOR funding which it used to fund two Lower Shore Safe Stations (Wicomico and Worcester counties) as well as eight (8) crisis beds at the A.F. Whitsitt Center, and two (2) recovery houses (Dorchester and Queen Anne’s counties). Ms. Simperts stated that funding for continuation of these projects for the next two years was recently received; some of the SOR funding, along with Opioid Operational Command Center funding, was utilized to open the Caroline County Safe Station. Ms. Simperts provided information on those community organizations in which representatives of Mid-Shore Behavioral Health actively participate and community outreach initiatives and events sponsored by or in part by the organization. Council discussion ensued with Ms. Dilley and Ms. Simperts as various items were brought forward.

Ms. Dilley requested Council approval of a Letter of Agreement designating Mid-Shore Behavioral Health, Inc. as the core service agency with regard to participating counties’ responsibilities for the management of the public health system; no County funding is required. Upon motion by Mr. Pack, seconded by Mr. Divilio, the Council approved the Letter of Agreement for FY22 by voting 5 – 0 as follows:

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

VI. Introduction of Petition:

IN THE MATTER OF THE PETITION OF DAN WATSON, FOR RECISSION (WITHOUT PREJUDICE) OF RESOLUTION NO. 281 was read into the record by the Clerk and became known as Petition No. 21-1. Patrick Thomas, Acting County Attorney, read Section VI. (b) and Section IX. of the Council Rules of Procedure into the record which outlined the process for presentation of petitions to the County Council and the process by which they may be considered. Council discussion ensued with Mr. Thomas. At Council’s request, Mr. Thomas read a portion of Section VI. (a) of the Council Rules of Procedure into the record to clarify the procedure by which any legislation related to the Petition could be brought forward. Council discussion again ensued. No further action was taken.

VII. Introduction of Numbered Resolution:

A RESOLUTION TO APPROVE EXECUTION OF A LEASE OF UNIMPROVED LAND AT THE EASTON AIRPORT DESCRIBED AS LOT 9200, CONSISTING OF THIRTY-FIVE THOUSAND TWO HUNDRED (35,200) SQUARE FEET, MORE OR LESS, FOR A TERM OF THIRTY (30) YEARS WITH THE RIGHT TO RENEW FOR UP TO TWO (2) ADDITIONAL TERMS OF FIVE (5) YEARS EACH, WITH RENT OF THIRTY-TWO THOUSAND THREE HUNDRED EIGHTY-FOUR DOLLARS AND FOUR CENTS (\$32,384.04) PER YEAR, SUBJECT TO ANNUAL ESCALATION IN AN AMOUNT EQUAL TO THE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX UP TO FIVE PERCENT (5%), AND WITH A REQUIREMENT THAT THE TENANT, AEROVANTI HANGAR, LLC, CONSTRUCT AN AIRCRAFT HANGAR AND RELATED IMPROVEMENTS; AND TO APPROVE EXECUTION OF A TWO-YEAR OPTION TO LEASE UNIMPROVED LAND AT THE EASTON AIRPORT DESCRIBED AS LOT 9180 AND LOCATED ADJACENT TO LOT 9200, WHICH LOT 9180 CONSISTS OF THIRTY SIX THOUSAND EIGHTY FEET (36,080) SQUARE FEET, MORE OR LESS, FOR A TERM OF THIRTY (30) YEARS WITH THE RIGHT TO RENEW FOR UP TO TWO (2) ADDITIONAL TERMS OF FIVE (5) YEARS EACH, WITH A NONREFUNDABLE OPTION PAYMENT IN THE AMOUNT OF TWENTY-FOUR THOUSAND DOLLARS (\$24,000), PAYABLE IN

MONTHLY INSTALLMENTS OF ONE THOUSAND DOLLARS (\$1,000) PER MONTH DURING THE OPTION TERM; AND, TO APPROVE, IN THE EVENT THE OPTION IS EXERCISED, THE TERMS OF SAID LEASE, WITH RENT IN THE AMOUNT OF THIRTY-THREE THOUSAND ONE HUNDRED NINETY-THREE DOLLARS AND FIFTY-SIX CENTS (\$33,193.56) PER YEAR, SUBJECT TO ANNUAL ESCALATION IN AN AMOUNT EQUAL TO THE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX UP TO FIVE PERCENT (5%), AND WITH A REQUIREMENT THAT THE TENANT, AEROVANTI HANGAR, LLC, CONSTRUCT AN AIRCRAFT HANGAR AND RELATED IMPROVEMENTS, was read into the record by the Clerk and brought forward for introduction. Prior to introduction, Micah Risher, Manager, Easton Airport, provided details on the proposed Tenant’s purpose for lease of the property. The resolution was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Resolution No. 302. A public hearing was scheduled for Tuesday, June 8, 2021 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

V. Eligible for Vote:

Bill No. 1471, A BILL TO REPEAL OFFICIAL ZONING MAP 41 OF TALBOT COUNTY, AND REENACT THE SAME WITH AN AMENDMENT CHANGING THE ZONING DISTRICT ON A PORTION OF TAX MAP 41, PARCEL 68, REMAINING LANDS AND LOTS 1, 2, AND 3, CONSISTING OF 2.029 ACRES OF LAND, MORE OR LESS, FROM THE VILLAGE HAMLET (VH) ZONING DISTRICT TO THE WESTERN RURAL CONSERVATION (WRC) ZONING DISTRICT, was read into the record by the Clerk and brought forward for vote. Prior to the vote, Mr. Callahan confirmed that a majority of the Council had visited the site as is required prior to Council’s consideration for approval. Council discussion ensued with Applicant’s representatives and Miguel Salinas, Talbot County Planning Officer. Ms. Price made a motion to bring Bill No. 1471 forward for vote; Mr. Divilio seconded the motion. Patrick Thomas, Acting County Attorney, stated that both the legislation and its exhibit, the Findings of Fact, include language referencing “a change and a mistake” as the basis for approval of the legislation; should Council find that there is not a “change” in the neighborhood, but only a “mistake” in the zoning, both the legislation and Findings of Fact will need to be amended accordingly. Mr. Leshner started to offer an amendment to Ms. Price’s motion; however, Ms. Price withdrew her original motion then made a motion to amend the legislation and the Findings of Fact to eliminate the word “change”; Mr. Leshner seconded the motion. The Council approved the amendments by voting 5 – 0 as follows:

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

Upon motion by Ms. Price, seconded by Mr. Divilio, the Council approved Bill No. 1471, as amended, by voting 4 – 1 as follows:

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

Bill No. 1471, as amended, will take effect as provided for in the legislation.

Bill No. 1472, A BILL TO AMEND CHAPTER 134 OF THE TALBOT COUNTY CODE (ROADS ORDINANCE) TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A ROADS REPURPOSING FACILITY, was read into the record by the Clerk and brought forward for vote. Prior to the vote, Mr. Leshner outlined what the two issues of concern by the public related to Bill No. 1472: (1) Is the proposed use of this County property as a Repurposing Center the best use of this land. Mr. Leshner stated that, in his opinion, it is the best use for the property, stating that it would provide an opportunity for the Roads Department to do in-house milling operations, to reuse the materials on new road surfaces and save the County money, and would allow the County to sell materials to contractors. He emphasized that the Repurposing Center would not be a retail and/or drop-off location for citizens, so traffic at the location would be minimal. He stated that the other issue of concern for the public is whether sewer should be extended to the property. Mr. Leshner emphasized that the question of sewer is not before the Council this evening. Council discussion ensued. Upon motion by Mr. Pack, seconded by Mr. Divilio, the Council approved Bill No. 1472 by voting 5 – 0 as follows:

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

Bill No. 1472 will take effect as provided for in the legislation.

VI. County Manager's Report:

- A. Talbot County Board of Education Redistricting Commission – Mr. Stamp stated that at Council's request, staff will be advertising for an at-large member to serve on the Board of Education Redistricting Commission. Individuals who are interested in being considered by the Council should forward a resume to the County Manager's Office by Noon on Thursday, May 20, 2021.
- B. Request to Change Public Hearing Dates - Requested Council approval to change the public hearing dates on the following resolutions from Tuesday, May 25, 2021 to Tuesday, June 8, 2021 in order to provide an opportunity for the Planning Commission to review and provide recommendations on the resolutions:
- Resolution No. 299, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP REAL PROPERTY OWNED BY TALBOT COUNTY, MARYLAND LOCATED ON ST. MICHAELS ROAD (MARYLAND ROUTE 33), EASTON, MARYLAND 21601 AND SHOWN ON TALBOT COUNTY TAX MAP NO. 34, GRID 2 AS PARCEL 11 FROM UNPROGRAMMED TO "S-1" IMMEDIATE PRIORITY STATUS (*Repurposing Center*)
  - Resolution No. 300, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP COMMERCIAL REAL PROPERTY LOCATED ON OCEAN GATEWAY AND MARINA DRIVE, TRAPPE, MARYLAND 21673 AND SHOWN ON TALBOT COUNTY TAX MAP NO. 62 AS PARCELS 13, 21, 42, 43, AND 80 FROM UNPROGRAMMED TO "S-1" IMMEDIATE PRIORITY STATUS, AND TO RECLASSIFY

AND REMAP RESIDENTIAL REAL PROPERTY LOCATED ON OCEAN FERRY POINT DRIVE, TRAPPE, MARYLAND 21673 AND SHOWN ON TALBOT COUNTY TAX MAP NO. 62 AS PARCELS 1 THROUGH 19 FROM UNPROGRAMMED TO "S-2" FUTURE PLANNED SEWER SERVICE IN 3 TO 5 YEARS (*Ferry Point*)

- Resolution No. 301, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO APPROVE A CAPITAL PROJECT FOR THE IMPROVEMENTS ASSOCIATED WITH THE WASTEWATER TREATMENT SYSTEM ON RUSTLING OAKS DRIVE, WYE MILLS, MARYLAND SHOWN ON TALBOT COUNTY TAX MAP 1, GRID 23 AS PARCEL 98 (*Preserve at Wye Mills*)

Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved the request by voting 5 – 0 as follows:

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

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

VIII. Council Comments:

Mr. Leshner - No comments.

Mr. Pack - Mr. Pack stated that currently, 65% of Maryland's adult population has had at least one dose of the COVID vaccine, which is, in his opinion, an important milestone as Maryland and the nation move toward herd immunity. He reiterated Mr. Leshner's statement at a recent Council meeting encouraging every person able to do so to do their part and get vaccinated. Mr. Pack congratulated Childlene Brooks, Manager, the Talbot County Senior Center at Brookletts Place, and her staff, as they prepare to reopen their doors to the senior citizen population of Talbot County. He stated that Ms. Brooks and her staff had met with Dr. Maria Maquire to review COVID-19 protocols for reopening. Mr. Pack concluded his comments by stating that the St. Michaels Senior Center will be reopening in the near future.

Mr. Divilio – Mr. Divilio stated that the Council had recently received the Spring/Summer newsletter published by Karen Roberts of the County Manager's Office. He expressed his appreciation to Ms. Roberts for coordinating the newsletter. He stated that, in his opinion, the newsletter is a great wealth of information for County staff and it is great to see one document with information about so many departments, from upcoming Parks and Recreation camps, to the new babies born to Dispatchers, to ideas staff are implementing to reduce health insurance costs.

Ms. Price - No comments.

Mr. Callahan - Mr. Callahan stated that although the Council is currently dealing with some sensitive subjects, in his opinion, we are going to get it all worked out.

- IX. Upon motion by Mr. Pack, seconded by Mr. Divilio, the Council voted to adjourn and to reconvene on Tuesday, May 18, 2021, previously declared a Special Legislative Day, 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 at 6:00 p.m. for the regularly-scheduled meeting by voting 5 – 0 as follows:

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

The meeting adjourned at 7:45 p.m.

The transcript of the May 11, 2021 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

**X. Summary of Closed Session Held on May 11, 2021:**

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

Time of closed session: 4:30 p.m. to 5:00 p.m.  
 Place of closed session: Via WebEx events (virtual meeting)  
 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: Callahan, Divilio, Pack, Price  
 Members opposed: None  
 Abstaining: None  
 Absent: Leshler (arrived at 4:32 p.m.)

3. Statutory authority to close session and listing of each topic actually discussed, persons present, and each action taken in the session:

<b>Topic description</b>	<b>Statutory authority</b>	<b>Persons present</b>	<b>Action taken</b>
To discuss appointments to various County boards and committees	GP § 3-305 (b) (1)(i)	Chuck Callahan, Frank Divilio, Pete Leshler, Corey Pack, Laura Price, Clay Stamp, Jessica Morris	No action
For legal advice on Civil Action No: 1:21-cv-01088	GP § 3-305 (b) (7) and (8)	Chuck Callahan, Frank Divilio, Pete Leshler, Corey Pack,	No action

		Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas, Kevin Karpinski	
For legal advice on processing petitions	GP § 3-305 (b) (7)	Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action

**CASH STATEMENT 5/11/2021**

BALANCE 5/04/2021	41,150,041.90
TOTAL ADP PAYROLL PPE 4/30/2021	(13,987.97)
PENSION DED PPE 4/30/2021	(768.40)
DEFERRED COMP DED PPE 4/30/2021	(990.00)
CIGNA CLAIMS PAID THRU 5/3/2021	(70,806.65)
MAY 2021 RETIREE HEALTH INS PLAN #727	(32,333.12)
USDA/RD MONTHLY BOND PYMT #97-08	(1,304.00)
USDA/RD QUARTERLY BOND PYMT #92-04	(2,833.00)
FY21 ADMIN COST FEE/MD STATE RETIREMENT AGENCY	(21,051.86)
BANK FEE FOR RETURNED CHECK #135466240	(12.00)
RETURNED CHECK #135466240	(182.50)
TALBOT CO. FREE LIBRARY/FY20-21 5/2021	(117,398.00)
TALBOT CO. HUMANE SOCIETY/FY20-21 5/2021	(34,167.00)
BOARD OF EDUCATION 4/2021	(3,635,367.00)
DEPOSITS	972,623.33
CHECKS	(1,112,766.22)
VOIDED CHECK(S) #349158, 350454 Thru 350487	188,984.79
<b>BALANCE 5/11/2021</b>	<b><u>37,267,682.30</u></b>

**INVESTMENTS - CERTIFICATES OF DEPOSIT**

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		0.04%	20,500,000.00
BAYVANGUARD BANK			10,174,657.19
<b>TOTAL INVESTED</b>			<b><u>30,674,657.19</u></b>

<b>PETTY CASH BALANCE</b>	<b><u>12,275.00</u></b>
<b><u>GRAND TOTAL ALL FUNDS</u></b>	<b><u><u>67,954,614.49</u></u></b>