



TALBOT COUNTY, MARYLAND

County Council

MINUTES

August 9, 2022

Present – President Chuck Callahan, Vice President Pete Leshner, Corey W. Pack, Laura Everngam Price, County Manager Clay Stamp, and County Attorney Patrick Thomas. Council member Frank Divilio was absent.

- I. Agenda – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, August 9, 2022.
- II. Minutes – Mr. Callahan requested and received unanimous consent for approval of the Minutes of Tuesday, July 12, 2022 and Tuesday, July 26, 2022.
- III. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, August 2, 2022 and Tuesday, August 9, 2022.
- IV. Introduction of Sharon Pepukayi, Ed.D., Superintendent, Talbot County Public Schools – Mr. Callahan introduced newly appointed Talbot County Public Schools Superintendent Dr. Sharon Pepukayi, who assumed her duties as superintendent on July 1, 2022. Dr. Pepukayi stated that she grew up in Talbot County and graduated from St. Michaels High School. She comes to Talbot County from Delaware where she worked as both a teacher and administrator. Dr. Pepukayi stated that she has been in the role of superintendent for the past 30 days and has been on a listening and learning tour at various meetings throughout the county, including meeting with summer school students of Talbot County Public Schools. Council members congratulated Dr. Pepukayi on her appointment as Superintendent and welcomed her back to Talbot County.
- V. Introduction of Numbered Resolution:

A RESOLUTION TO APPROVE AMENDED RULES OF PROCEDURE OF THE TALBOT COUNTY BOARD OF APPEALS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Patrick Thomas, stated that the Board of Appeals has updated and approved its Rules of Procedure in order to clarify various items outlined in the County Code; those updated Rules of Procedure must now be approved by a resolution of the County Council. The resolution was introduced by Mr. Callahan, Mr. Leshner, Mr. Pack, and Ms. Price as Resolution No. 333. A public hearing was scheduled for Tuesday, September 13, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601.

- VI. Introduction of Legislation:

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ADD A DEFINITION OF “COUNTRY CLUB” AND TO PROVIDE FOR THE EXPANSION AND MAJOR MODIFICATION OF A NONCONFORMING COUNTRY CLUB IN THE RESOURCE CONSERVATION (RC) DISTRICT was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Patrick Thomas, stated that

legislation was initiated by Attorney Willard “Burry” Parker (on behalf of Talbot Country Club) for the purpose of adding a definition of “country club” and to provide for the expansion of “nonconforming” country clubs, similar as to how nonconforming golf courses can currently expand. Mr. Thomas stated that the legislation being considered for introduction is as was proposed and approved by the Talbot County Planning Commission. Council discussion ensued. The legislation was introduced by Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1523. A public hearing was scheduled for Tuesday, September 13, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601.

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) REGARDING SOLAR ENERGY SYSTEMS was read into the record by the Clerk and brought forward for introduction. Prior to introduction, County Attorney, Patrick Thomas, stated that the Council, on Tuesday, April 26, 2022, approved Resolution No. 329, a temporary moratorium on large-scale solar systems in the county in order to allow staff time to more adequately address mitigation requirements for placement of solar systems on agricultural lands. Mr. Thomas stated that the legislation being proposed for introduction is as recommended by the Talbot County Planning Commission to address mitigation requirements and other related issues. Brennan Tarleton, Acting Planning Officer, outlined several provisions included in the proposed legislation; Council discussion ensued with Mr. Tarleton. The legislation was introduced by Mr. Callahan, Mr. Leshner, Mr. Pack, and Ms. Price as Bill No. 1524. A public hearing was scheduled for Tuesday, September 13, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601. Mr. Leshner stated that it was his intention to introduce an amendment to Bill No. 1524 at the Council meeting on Tuesday, August 23, 2022.

- VII. Presentation of Talbot County Economic Development Commission Recommendations for Funding of Talbot County Projects Through the Maryland Rural Economic Development Fund – Cassandra Vanhooser, Director, Department of Economic Development and Tourism; Reza Jafari, Chairman, Talbot County Economic Development Commission – Ms. Vanhooser utilized a PowerPoint presentation to provide an overview of \$50 million in funding included in Governor Hogan’s February 2022 budget designated for economic development in Maryland’s rural counties; each of the five regional councils in the state is to receive \$10 million; the Mid-Shore Regional Council, comprised of Caroline, Dorchester, and Talbot counties, will each receive \$3,233,333. Ms. Vanhooser read the Maryland Department of Commerce definition of “economic development” as it relates to the funding into the record as follows: *“the Rural Maryland Economic Development funds are to be used for infrastructure projects that will support economic development activity, stimulate private investment and grow jobs in the state’s rural economy. Eligible uses include developing public infrastructure (such as utilities, transportation and broadband) to support attraction, retention or expansion of businesses as well as infrastructure projects related to specific industry sectors such as, but not limited to, manufacturing, clean energy, life sciences, cyber-security and agribusiness. Funding can also be used for workforce development and stimulating entrepreneurship and innovation.”* She stated that members of the Talbot County Economic Development Commission volunteered their time to review and rank the 23 grant applications received. Ms. Vanhooser then provided a brief outline of the eleven (11) projects proposed for funding:

- \$257,500 - Chesapeake College, Future Work Workforce Training Program
- \$240,000 – Maryland Broadband Cooperative, Mid-Shore Optical Broadband Network Upgrade
- \$500,000 – Avalon Foundation, Stoltz Pavilion
- \$501,700 – Town of Easton, Port Street Improvement Project
- \$400,000 – Eastern Shore Entrepreneurship Center, Ag Biotech Manufacturing Project
- \$22,000 – Talbot County Free Library, Digital Literacy and Employment Skills
- \$87,133 – Building African American Minds, Workforce Development Program

- \$50,000 – Talbot County Economic Development and Tourism, Inclusive Ventures Program
- \$300,000 – Talbot County Parks and Recreation, Frederick Douglass Park on the Tuckahoe Phase II Predevelopment Engineer, Architecture, and Interpretation
- \$125,000 – Talbot County Economic Development and Tourism, Strategic Plan
- \$750,000 – Talbot County Public Works, Goldsborough Neck Road Culvert Replacement Project

The County Council is responsible for reviewing the proposed recommendations and submitting a ranked list and letter of support to Mid-Shore Regional Council by Friday, August 12, 2022; Mid-Shore Regional Council will then review and submit their recommendations to the Maryland Department of Commerce by Friday, September 2, 2022. Council discussion ensued regarding the grant application evaluation process, flexibility of deadlines, inclusion of additional projects, etc. Council will meet again on Thursday, August 11, 2022 at 5:00 p.m. to finalize their review and recommendations for forwarding to Mid-Shore Regional Council by the August 12, 2022 deadline. The meeting will take place in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601.

VIII. County Manager's Report:

- A. Talbot County Historic Preservation Commission - Requested Council approval for the reappointment of Katherine Fones to a three-year term on the Talbot County Historic Preservation Commission; said term will expire on July 1, 2025. Upon motion by Mr. Pack, seconded by Mr. Leshner, the Council approved the reappointment by voting 4 – 0 as follows:

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

- B. Talbot County Local Emergency Planning Committee – Requested Council approval to forward the names of the following individuals to the Governor for consideration of appointment to three-year terms on the Talbot County Local Emergency Planning Committee: Ronald Lewis (University of Maryland Shore Regional Health) and Nick Greenhawk, Easton Utilities; requested approval to forward the names of the following individuals to the Governor for consideration of reappointment to three-year terms: Dana Meintzer (fuel oil); Matthew Spence (media – WCEI); Shannon Potter Dill (University of Maryland Extension); Joe Gamble (Sheriff); and Judy Bottorf (citizen representative); if approved, said terms will expire on August 1, 2025. Upon motion by Mr. Pack, seconded by Mr. Leshner, the Council approved forwarding the names to the Governor by voting 4 – 0 as follows:

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

- C. Talbot County Parks and Recreation Advisory Board – Requested Council approval for the appointment of Dr. Kristen Ann Lycett to a term on the Talbot County Parks and Recreation Advisory Board as the Town of St. Michaels representative; said term will expire on July 1, 2025. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointment by voting 4 - 0 as follows:

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

- D. Talbot County Police Accountability Board and Administrative Charging Committee – Requested Council approval for the appointment of the following individuals to the Talbot County Police Accountability Board: Mitchell Ettinger, Chairman; John Gilbert (Easton Area); Chris Rice (Easton Area); John Pepe (Oxford Area); Michael Bibb (St. Michaels area); Connie Webster (Sheriff Patrol Area 1); and Jo Ann Murray (Sheriff Patrol Area 3); and requested the appointment of the following individuals to the Administrative Charging Committee: Jennifer Williams and Constance Hope. Council members expressed their appreciation to those who had submitted applications for consideration for appointment to both the Police Accountability Board and the Administrative Charging Committee, stating that, in their opinion, all those who applied offered a wealth of knowledge and background experiences for Council’s consideration. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointments by voting 4 – 0 as follows:

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

- E. Bid No. 22-05, TALBOT COUNTY SANITARY DISTRICT - SEWER EXTENSION, COVEY AVENUE - TILGHMAN – TALBOT COUNTY, MARYLAND - Requested Council approval of the County Engineer’s recommendation to award Bid No. 22-05 to the lowest bidder, Retallack and Sons, Inc. in the sum of \$60,000. Mr. Stamp stated that, following Council’s approval of County Engineer, Ray Clarke’s request at the July 26, 2022 Council meeting, Mr. Clarke had negotiated the price submitted by the lowest bidder, Retallack and Sons, Inc., down to \$60,000 through a modification of the overall scope of work. Mr. Clarke assured the Council that the integrity of the project will not be compromised by the modification in the scope of work. Council discussion ensued with Mr. Clarke as to the modifications to the scope of work for the project. Upon motion by Ms. Price, seconded by Mr. Pack, the Council approved the request by voting 4 – 0 as follows:

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

- F. Bid No. 22-08, REQUEST FOR LETTERS OF INTEREST – ARCHITECTURAL/ENGINEERING SERVICES FOR TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS – Requested Council approval of the County Engineer’s recommendation to award Bid No. 22-08 to the following six (6) firms for open-ended architectural/engineering services: Century Engineering (Engineers); Davis, Bowen and Freidel (Engineers and Architects); Lane Engineering, LLC (Engineers); Bignell-Watkins (Architects); Rauch, Inc. (Engineers and Architects); and Wallace-Montgomery (Engineers and Architects). Council discussion ensued with Ray Clarke, County Engineer, who outlined the rationale for his request that Bid No. 22-08 be awarded to all the firms who submitted proposals. Upon motion by Ms. Price, seconded by Mr. Pack, the Council approved the award as outlined by voting 4 – 0 as follows:

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

- G. Request from Department of Public Works - Requested Council approval to have the Department of Public Works purchase a 2023 Chevrolet Silverado Heavy Duty Pickup Truck with utility body and towing package in the sum of \$52,890.00; said purchase will be made utilizing a State of Maryland vehicle contract from Sport Chevrolet Co, Inc. of Silver Spring, Maryland and will be used by the Talbot County Sanitary District. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the request as outlined by voting 4 – 0 as follows:

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

- H. Talbot County Public Works Advisory Board – Requested Council approval for the reappointment of William A. “Bill” Anderson, II to a four-year term on the Talbot County Public Works Advisory Board as the 5th Election District representative. Upon motion by Mr. Pack, seconded by Mr. Leshner, the Council approved the appointment by voting 4 – 0 as follows:

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

IX. Public Comments: There were no public comments.

X. Council Comments:

Mr. Pack - Mr. Pack stated that the Council would be attending the MACo (Maryland Association of Counties) Annual Conference next week in Ocean City. He stated that he looked forward to seeing staff and his colleagues at the event.

Ms. Price - Ms. Price stated that she too was looking forward to attending the MACo event. She stated that the Governor would be in attendance at the opening session and that

the Taste of Maryland reception had returned and would be held on Thursday. Ms. Price concluded her comments by stating that a candidate forum will be held on Saturday with the three major candidates for governor, comptroller and attorney general.

Mr. Leshner - No comments.

Mr. Callahan - Mr. Callahan noted that as stated in Mr. Leshner's opening prayer, several families in the community had recently suffered tragic losses and he encouraged everyone to say prayers for those affected and to give the families the support they need to get through this tough time.

- XI. Upon motion by Ms. Price, seconded by Mr. Pack, the Council voted to adjourn and to reconvene on Thursday, August 11, 2022 at 5:00 p.m. for a workshop/meeting on awarding the grants [through the Maryland Rural Economic Development Fund]; and to reconvene on Tuesday, August 23, 2022 at 4:30 p.m. in Open Session and to 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 4 - 0 as follows:

Mr. Callahan - Aye

Mr. Leshner - Aye

Ms. Price - Aye

Mr. Pack - Aye

The meeting adjourned at 7:51 p.m.

The transcript of the August 9, 2022 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XII. Summary of Closed Session Held on August 4, 2022:

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

Time of closed session: 4:30 p.m. to 6:00 p.m.

Place of closed session: County Council Office

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

Members opposed: None

Abstaining: None

Absent: Leshner (arrived at 4:32 p.m.), Price (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:

Topic Description	Statutory Authority	Reason for Closed Session Discussion	Persons Present	Action Taken
To discuss appointment to various County boards and committees	GP § 3-305(b)(1)(i)	Public discussion would discourage individuals from volunteering to serve	Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp	No action

XIII. Summary of Closed Session Held on August 9, 2022:

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

Time of closed session: 4:40 p.m. to 5:55 p.m.
 Place of closed session: County Council Office
 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, Leshner, Pack, Price
 Members opposed: None
 Abstaining: None
 Absent: Divilio

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

Topic Description	Statutory Authority	Reason for Closed Session Discussion	Persons Present	Action Taken
To discuss appointment to various County boards and committees	GP § 3-305(b)(1)(i)	Public discussion would discourage individuals from volunteering to serve	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action
To discuss pending litigation involving County employee	GP § 3-305(b)(1)(i)	Attorney-client discussion regarding potential dispute resolution	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action
To discuss possible acquisition of property for a	GP § 3-305(b)(3)	To protect the County’s bargaining position regarding the potential	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris,	Requested Parks and Recreation Advisory Board review proposal

public purpose in Easton		acquisition of a specific parcel of real property for a public purpose	Patrick Thomas, Preston Peper	and make recommendation
For legal advice regarding award of contract	GP § 3-305(b)(7)	Attorney-client discussion regarding legal advice on contract award	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action
To discuss legal matter regarding code enforcement issue in St. Michaels	GP § 3-305(b)(7)(8)	Attorney-client discussion regarding potential dispute resolution	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action
For legal advice on pending statewide litigation involving alleged voter fraud	GP § 3-305(b)(7)(8)	Attorney-client discussion regarding potential dispute resolution	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action
For legal advice regarding possible acquisition of property in Wye Mills	GP § 3-305(b)(3)(7)	To protect the County's bargaining position regarding the potential acquisition of a specific parcel of real property for a public purpose	Chuck Callahan, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Jessica Morris, Patrick Thomas	No action

CASH STATEMENT 8/02/2022

BALANCE 7/26/2022	60,720,665.02
CIGNA CLAIMS PAID THRU 7/25/2022	(89,482.28)
DEPOSITS	5,325,672.90
CHECKS	(1,960,623.64)
ACH DISBURSEMENT(S)	(120,431.27)
VOIDED CHECK(S) #	

BALANCE 8/02/2022			<u>63,875,800.73</u>
INVESTMENTS - CERTIFICATES OF DEPOSIT			
	<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>
			<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL			1.70%
BAYVANGUARD BANK			20,500,000.00
			10,238,412.43
TOTAL INVESTED			<u>30,738,412.43</u>
PETTY CASH BALANCE			<u>12,605.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>94,626,818.16</u>

CASH STATEMENT 8/09/2022

BALANCE 8/02/2022	63,875,800.73
TOTAL ADP PAYROLL PPE 7/22/2022	(752,745.31)
TOTAL ADP MONTHLY PAYROLL PPE 7/31/2022	(17,017.65)
PENSION DED PPE 7/22/2022 & 7/31/2022	(44,537.87)
DEFERRED COMP DED PPE 7/22/2022	(22,090.11)
DEFERRED COMP PPE 7/22/2022 PLAN 401(A)	(8,259.53)
CIGNA CLAIMS PAID THRU 8/1/2022	(116,869.89)
TALBOT COUNTY FREE LIBRARY 8/2022	(138,587.50)
TALBOT COUNTY HUMANE SOCIETY 8/2022	(36,900.00)
BOARD OF EDUCATION 8/2022	(3,904,316.00)
AUGUST 2022 RETIREE HEALTH PLAN #727	(35,555.82)
RETURNED CHECK #0000 , 8504 & 203	(2,372.98)

RETURNED PAYMENTUS PAYMENTS	(11,567.17)
USDA/RD QTRLY BOND PYMT #92-12	(16,408.00)
GOLF COURSE/COMMCTR DEPOSIT TICKET ORDER	(94.67)
POSTAGE WIRE	(3,000.00)
DEPOSITS	17,951,967.32
CHECKS	(709,590.79)
ACH DISBURSEMENT(S)	(3,391.78)
VOIDED CHECK(S) # 360895, 360897	175,487.50
BALANCE 8/09/2022	<u>76,179,950.48</u>

INVESTMENTS - CERTIFICATES OF DEPOSIT

<u>Certificate Date</u>	<u>Maturity Date</u>	<u>Yield</u>	<u>Amount</u>
PNC-MLGIP INVESTMENTS TOTAL		1.97%	20,500,000.00
BAYVANGUARD BANK			10,238,412.43
TOTAL INVESTED			<u>30,738,412.43</u>
PETTY CASH BALANCE			<u>12,605.00</u>
<u>GRAND TOTAL ALL FUNDS</u>			<u>106,930,967.91</u>