



TALBOT COUNTY, MARYLAND

County Council

MINUTES

July 26, 2022

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

- I. Agenda – Mr. Callahan requested and received unanimous consent for approval of the Agenda of Tuesday, July 26, 2022.
- II. Disbursements – Mr. Callahan requested and received unanimous consent for approval of the Disbursements of Tuesday, July 19, 2022 and Tuesday, July 26, 2022.
- III. Update by Maryland Environmental Service – Tim Ford, Managing Director, Environmental Operations, Maryland Environmental Service; Gary Lasako, Senior Project Manager, Maryland Environmental Service – Mr. Ford briefed the Council on the functions of Maryland Environmental Service (MES) throughout the state, including operation of wastewater treatment plants and management of solid waste facilities. He utilized a PowerPoint presentation to provide a brief history of the Mid-Shore Agreement, an 80-year agreement which began in 1991 between Caroline, Kent, Queen Anne’s and Talbot counties for management of solid waste, with each participating county obligated to host a landfill within their county for a period of 20 years. He stated that the current landfill, Mid-Shore II, is located in Ridgely, Caroline County; a homeowner drop-off and transfer station are located in Talbot County at the former location of Mid-Shore I for the convenience of Talbot County residents. Mr. Ford provided information on post closure activities for Mid-Shore I, tonnages of solid waste received at the Mid-Shore I transfer station, operations of and tonnages of solid waste received at Mid-Shore II, and the permitting and construction timeline for Mid-Shore III, scheduled to open in Queen Anne’s County when Mid-Shore II closes in 2030. He provided an update on the Mid-Shore Regional Recycling Program and stated that a one-year renewal agreement with Talbot County is in the process of being finalized. Council discussion ensued with Mr. Ford and Mr. Lasako as various matters were brought forward. Maryland Environmental Service will continue to update the Council on a regular or as-needed basis.
- IV. Council Consideration of Traffic Advisory Committee Recommendation of Request for Temporary Road Closure of Three Bridge Branch Road for Chesapeake Bay Balloon Festival (Friday, August 5, 2022, 4:00 p.m. to 11:00 p.m., Saturday, August 6, 2022 from 4:00 p.m. to 11:00 p.m. and on Sunday, August 7, 2022 from 4:00 p.m. to 11:00 p.m.) – Mike Mertaugh, Assistant County Engineer – Mr. Mertaugh, speaking on behalf of the Traffic Advisory Committee, presented the Committee’s recommendation for approval of a request for temporary closure of Three Bridge Branch Road during the 2022 Chesapeake Bay Balloon Festival event on Friday, August 5, 2022, Saturday, August 6, 2022, and Sunday, August 7, 2022 from 4:00 p.m. to 11:00 each day. Council discussion ensued with Mr. Mertaugh. Upon motion by Mr. Divilio, seconded by Mr. Pack, the Council approved the recommendation by voting 5 – 0 as follows:

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

V. Public Hearing:

Bill No. 1522, A BILL TO AUTHORIZE TALBOT COUNTY, MARYLAND (THE “COUNTY”) TO BORROW NOT MORE THAN TWENTY FOUR MILLION NINE HUNDRED THOUSAND DOLLARS (\$24,900,000) IN ORDER TO FINANCE AND REFINANCE (A) THE ACQUISITION, RENOVATION AND/OR CONSTRUCTION OF A TALBOT COUNTY PUBLIC SAFETY BUILDING AND (B) THE ACQUISITION, RENOVATION AND/OR CONSTRUCTION OF A TALBOT COUNTY HEALTH DEPARTMENT FACILITY AND TO EFFECT SUCH BORROWING BY THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF ITS GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES TO BE LEVIED BY THE COUNTY; EXEMPTING THE BONDS FROM THE PROVISIONS OF SECTIONS 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND; AUTHORIZING THE CONSOLIDATION OF SEPARATE SERIES OF BONDS INTO ONE OR MORE BONDS; AUTHORIZING THE REFUNDING OF SUCH BONDS AND RELATING GENERALLY TO THE ISSUANCE AND SALE OF SUCH BONDS FOR SUCH PURPOSES, was read into the record by the Clerk and brought forward for public hearing. Prior to the public hearing, former Finance Director, Angela Lane stated that the legislation will authorize the County to borrow funding to complete the projects outlined in the legislation. Members of the public were then afforded an opportunity to comment on the legislation. Upon motion by Ms. Price, seconded by Mr. Leshner, Bill No. 1522 was brought to third reader with the Council 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, and no objection by the Council, a full reading of the legislation was waived. The Council approved Bill No. 1522 by voting 5 – 0 as follows:

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

VI. Eligible for Vote:

Resolution No. 331, A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN FOR THE PURPOSE OF RECLASSIFYING AND REMAPPING TWO PARCELS OF REAL PROPERTY LOCATED AT 29659 MATTHEWSTOWN ROAD (MARYLAND ROUTE 328), EASTON, MARYLAND, SHOWN ON TAX MAP 26 AS PARCEL 45 AND LOCATED ON CAMAC STREET, EASTON, MARYLAND, SHOWN ON TAX MAP 26 AS PARCEL 186, FROM “W-2” AND “S-2”, PLANNED WATER AND SEWER SERVICE IN 3 TO 5 YEARS, TO “W-1” AND “S-1”, IMMEDIATE PRIORITY STATUS, was read into the record by the Clerk and brought forward for

vote. Mr. Divilio stated that he wished to offer an amendment to Resolution No. 331 as clarification of a typographical error to change Parcel 186 to read Parcel C, and to change the acreage referenced in the resolution from 2.16 acres to 1.7 acres throughout the resolution. The amendment was introduced by Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, and Ms. Price as Amendment No. 1. Ray Clarke, County Engineer, utilized a PowerPoint presentation to provide additional information in the amendment. He then briefed the Council on the history of the water and sewer classifications of the property from 2007 to present, which is located within the boundaries of the Town of Easton, and is the subject of the resolution. Mr. Clarke stated that should Resolution No. 331 be approved the County Council, it would then be forwarded to the Maryland Department of the Environment (MDE) for their review and consideration for approval. Council discussion ensued; representatives of the Town of Easton, attorney for the applicant, applicant, the property owner, and members of the public were provided an opportunity to comment on the proposed legislation. Council discussion again ensued. At Council's request, the vote on Resolution No. 331, and amendment, were postponed. Resolution No. 331, and amendment, will be eligible for vote on August 23, 2022.

VII. County Manager's Report:

- A. Talbot County Economic Development Commission - Requested Council approval for the appointment of Rob Straebel to a term on the Talbot County Economic Development Commission; said term will complete the unexpired term of Jeff Rhodes which will expire on June 30, 2023. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

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

- B. Talbot County Emergency Services Advisory Board – Requested Council approval for the appointment of Tim Cannon to a three-year term on the Emergency Services Advisory Board as a representative of the Cordova District; said term will expire on February 1, 2025. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

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

- C. Talbot County Emergency Services Advisory Board – Requested Council approval for the appointment of Terry Satchell to a term on the Talbot County Emergency Services Advisory Board as a representative from the Easton District; said term will complete the unexpired term of Wayne Dyott and will expire on February 1, 2023. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointment by voting 5 - 0 as follows:

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

- D. Request for Letter of Support for For All Season, Inc.’s Grant Application to Rural Maryland Council – Requested Council approval to forward a letter in support of For All Seasons, Inc.’s grant application to the Rural Maryland Council for FY23 Rural Maryland Prosperity Investment Fund (RMPIF) funding in the sum of \$242,060; if approved, said funding will be used to provide mental health crisis appointments and to implement For All Seasons, Inc.’s Same Day Access Program; no County funding is required. Upon motion by Ms. Price, seconded by Mr. Leshner, the Council approved forwarding a letter in support by voting 5 – 0 as follows:

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

- E. Request from Roads Department – Requested Council approval of the Roads Department’s request to purchase a 2022 Bomag Asphalt Roller from the lowest bidder, Midlantic Machinery, in the sum of \$55,233.00; funding for the purchase was included in the FY23 Budget. Upon motion by Mr. Pack, seconded by Ms. Price, 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

- F. Request from Department of Corrections – Requested Council approval of the Department of Corrections’ request to use FY23 Contingency Funds in the sum of \$125,000, which the Finance Director has certified are available, to complete the project for replacement of the hot water heaters at the Talbot County Detention Center; purchase of the water heaters will be from Electrical Automation Services, Inc. Mr. Stamp stated that \$225,000 for the project was included in the FY22 Budget, of which \$100,000 was spent; due to supply chain issues for delivery of the equipment, the project was unable to be completed before the conclusion of FY22. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved use of Contingency Funds as outlined by voting 5 – 0 as follows:

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

- G. Request from Department of Information Technology – Requested Council approval of the Department of Information Technology’s request to utilize an existing State of Maryland Consulting and Technical Services contract (CATS+) to provide enhanced security for core software services and to provide managed services in the amount of \$179,958.00; requested Council approval to piggyback on a State of Maryland contract with an approved vendor for associated software licensing in the amount of \$48,756.00. Mr. Stamp stated that Council allocated \$160,000 in American Rescue Plan Act (ARPA) funds for the project; the remainder of \$68,714.00 is included in the Department of Information Technology’s FY23 Budget. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the request as outlined by voting 5 – 0 as follows:

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

- H. Bid No. 22-05, TALBOT COUNTY SANITARY DISTRICT – SEWER EXTENSION, COVEY AVENUE- TILGHMAN – TALBOT COUNTY, MARYLAND – Mr. Stamp asked Ray Clarke, County Engineer to outline his request for Council’s consideration with regard to Bid No. 22-05. Mr. Clarke stated that the proposal received from the lowest responsive and responsible bidder for Bid No.22-05 exceeded the available funds for the project and he was requesting Council approval to negotiate the contract price with the low bidder, Retallack & Sons, Inc. through modifications in the scope of the project. Upon motion by Mr. Leshner, seconded by Ms. Price, the Council approved the request to negotiate the contract by voting 5 – 0 as follows:

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

VIII. Public Comments: There were no public comments.

IX. Council Comments:

Mr. Pack - No comments.

Ms. Price - No comments.

Mr. Divilio – No comments.

Mr. Leshner - Mr. Leshner stated that, in his opinion, the Council heard cause this evening that we need to move forward with a revision of our impact fees and to work with the contractor to do so. He stated that he knows that there has been some discussion of this but encouraged staff to lead the Council in the next steps for getting the new impact fee study in place.

Mr. Callahan - No comments.

- X. Upon motion by Ms. Price, seconded by Mr. Pack, the Council voted to adjourn and to reconvene on Tuesday, August 9, 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 5 - 0 as follows:

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

The meeting adjourned at 8:55 p.m.

The transcript of the July 26, 2022 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XI. Summary of Closed Session Held on July 18, 2022:

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

Time of closed session: 4:15 p.m. to 7:30 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, Leshner, Pack, Price
 Members opposed: None
 Abstaining: None
 Absent: None

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 |

XII. Summary of Closed Session Held on July 26, 2022:

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

Time of closed session: 5:00 p.m. to 5:58 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, Leshner, Pack, Price
 Members opposed: None
 Abstaining: None
 Absent: None

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, Patrick Thomas, Susan Moran | No action |
| To discuss personnel matter in Planning & Zoning | GP § 3-305(b)(1)(i) | Discussion involves specific individual | Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Patrick Thomas, Susan Moran | No action |
| To discuss personnel matter in Administrative Services | GP § 3-305(b)(1)(i) | Discussion involves specific individual | Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Patrick Thomas, Susan Moran | No action |
| To discuss possible acquisition of property for a public purpose in Easton | GP § 3-305(b)(3) | To protect the County's bargaining position regarding the potential acquisition of a specific parcel of | Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Patrick Thomas, Susan Moran | No action |

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|--|-------------------|--|---|-----------|
| | | real property for a public purpose | | |
| To discuss cybersecurity infrastructure upgrades | GP § 3-305(b)(10) | Public discussion would constitute risk to public security | Chuck Callahan, Frank Divilio, Pete Leshner, Corey Pack, Laura Price, Clay Stamp, Patrick Thomas, Susan Moran | No action |

CASH STATEMENT 7/19/2022

| | |
|--|----------------------|
| BALANCE 7/12/2022 | 42,964,138.08 |
| CIGNA CLAIMS PAID THRU 7/11/2022 | (74,616.08) |
| ELECTION BOARD PPE 6/28/2022 & 7/5/2022 | (10,163.31) |
| SIGNATURE PUBLIC FUNDING/RENT | (64,939.48) |
| RETURNED CHECK #1000 | (48,362.35) |
| COMMUNITY CENTER SALES & USE DUE 6/20/2022 | (9.06) |
| HOG NECK GOLF COURSE SALES & USE DUE 6/20/2022 | (2,616.76) |
| ROADS SALES & USE DUE 6/20/2022 | (1,812.52) |
| COMMUNITY CENTER SALES & USE DUE 7/20/2022 | (2.15) |
| HOG NECK GOLF COURSE SALES & USE DUE 7/20/2022 | (3,221.32) |
| ROADS SALES & USE DUE 7/20/2022 | (953.83) |
| INTEREST ON ACCOUNTS 6/2022 | 50,835.31 |
| BANK CHARGES 6/2022 | (6,901.60) |
| DEPOSITS | 14,884,271.57 |
| CHECKS | (1,228,289.14) |
| ACH DISBURSEMENT(S) | (77,013.11) |
| VOIDED CHECK(S) | 0.00 |
| BALANCE 7/19/2022 | 56,380,344.25 |

INVESTMENTS - CERTIFICATES OF DEPOSIT

| <u>Certificate Date</u> | <u>Maturity Date</u> | <u>Yield</u> | <u>Amount</u> |
|-----------------------------|----------------------|--------------|---------------|
| PNC-MLGIP INVESTMENTS TOTAL | | 1.41 % | 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>87,131,361.68</u> |

CASH STATEMENT 7/26/2022

| | |
|--|-----------------------------|
| BALANCE 7/19/2022 | 56,380,344.25 |
| TOTAL ADP PAYROLL PPE 7/08/2022 | (760,653.27) |
| DEFERRED COMP DED PPE 7/8/2022 | (20,396.80) |
| PENSION DED PPE 7/8/2022 | (43,950.06) |
| DEFERRED COMP PPE 7/8/2022 PLAN 401(A) | (8,176.61) |
| RETURNED PAYMENTUS PAYMENT | (258.75) |
| DEPOSIT ADJUSTMENT BATCH #54812 | (0.11) |
| RETURNED PAYMENTUS PAYMENT | (4,850.92) |
| RETURNED CHECK #4810 | (258.75) |
| RETURNED PAYMENTUS PAYMENT | (8,033.35) |
| ELECTION BRD PPE 7/12/2022 | (12,293.14) |
| CIGNA HEALTH CLAIMS PAID THROUGH 7/18/2022 | (47,846.43) |
| STATE REPORT 6/2022 | (2,685.61) |
| AGRICULTURAL TRANSFER TAX 6/2022 | (17,190.23) |
| BAY RESTORATION FEE RETURN APR-JUN 2022 | (50,060.04) |
| DEPOSITS | 6,308,839.26 |
| CHECKS | (985,541.79) |
| ACH DISBURSEMENT(S) | (6,591.42) |
| VOIDED CHECK(S) #359231, #359869 | 268.79 |
| BALANCE 7/26/2022 | <u>60,720,665.02</u> |

INVESTMENTS - CERTIFICATES OF DEPOSIT

| <u>Certificate Date</u> | <u>Maturity Date</u> | <u>Yield</u> | <u>Amount</u> |
|-------------------------------------|----------------------|--------------|-----------------------------|
| PNC-MLGIP INVESTMENTS TOTAL | | 1.52% | 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>91,471,682.45</u> |