



# Talbot County, Maryland



Easton, Maryland

MINUTES

April 9, 2013

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

- I. Agenda – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, April 9, 2013.
- II. Minutes – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Minutes of March 26, 2013, with corrections as noted prior to the meeting to be included.
- III. Disbursements – Mr. Bartlett requested and received Council’s unanimous consent for approval of the Disbursements of April 2, 2013 and April 9, 2013.
- IV. Presentation of Proclamation: April as Month of the Young Child - The Clerk read a proclamation into the record in recognition of April as Month of the Young Child. The proclamation encouraged individuals and communities to focus on the needs of young children and to support the organizations which meet those needs. Caron Pons, Executive Director, Critchlow Adkins Children’s Center, expressed appreciation to the Council for the recognition of the various organizations and agencies which provide services and programming to children in Talbot and surrounding counties. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved the Proclamation by voting 4 – 0 as follows:

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

Mr. Bartlett presented the Proclamation to Ms. Pons, who accepted on behalf of the agencies and organizations represented.

Presentation of Proclamation: National Crime Victims’ Rights Week – April 21- 27, 2013 – The Clerk read a proclamation into the record in recognition of National Crime Victims’ Rights Week, April 21-27, 2013. The proclamation spoke of the large number of Americans who are harmed by crime, the impacts of crime on its victims and their families, and the efforts of various public and private groups, law enforcement, and the justice system to raise awareness of the rights of victims. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved the Proclamation by voting 4 – 0 as follows:

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

Mr. Pack presented the Proclamation to Caroline George, Field Supervisor I, Maryland Department of Public Safety and Correctional Services, Community Supervision – Southern Region; Lt. John Bollinger, Talbot County Sheriff’s Department; and Lt. Mark Hrobar of the Easton Police Department.

Presentation of Proclamation: April 2013 as Junior Achievement Financial Literacy Month – The Clerk read a proclamation into the record in recognition of April as Junior Achievement Financial Literacy Month. The proclamation spoke of the importance of becoming financially literate at an early age in order to make better informed financial decisions throughout life, and of the efforts of Junior Achievement of the Eastern Shore to help youth become more financially literate. Geoff Oxnam, Chairman, Junior Achievement of Talbot County Advisory Board, stated that the organization strives to give students the tools they need to manage their personal finances, teaches them how to be able to start their own business should they choose to do so, and how to be financially successful in the future. Mr. Oxnam stated that volunteers with Junior Achievement partner with Talbot County Public Schools and members of the business and professional community to provide free financial literacy programming to all public school seventh graders in Talbot County. He stated that once completed, a portion of the space in Achievement Park on Dutchmans Lane will provide an experiential learning facility for students where lessons learned in the classroom can be applied to real life situations. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved the Proclamation by voting 4 – 0 as follows:

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

Ms. Price presented the Proclamation to Mr. Oxnam, Laura Heikes, and Ron McDonald, members of the Junior Achievement of Talbot County Advisory Board, who accepted on behalf of the organization.

V. Continuation of Public Hearing:

Bill No. 1232, A BILL TO AMEND EXISTING PROCEDURES FOR APPLICATIONS TO THE COUNTY COUNCIL TO AMEND THE TEXT OF CHAPTER 190, TO AMEND THE OFFICIAL ZONING MAPS, AND PROCESS APPLICATIONS FOR GROWTH ALLOCATION AND APPLICATIONS FOR ESTABLISHMENT OR ENLARGEMENT OF SOLID WASTE DISPOSAL SITES was read into the record by the Clerk and brought forward for a continuation of the public hearing of Tuesday, March 26, 2013. Prior to the continuation of the public hearing, County Attorney Mike Pullen gave a brief outline of the purpose of proposed amendment to the legislation. Mr. Pullen stated that the amendment to Bill No. 1232 specifies three (3) categories by which proposed text or map amendments to the County's Zoning Ordinance could be sponsored by an individual: (1) a proposed text or map amendment which would have comprehensive impacts to the general welfare of the County; in which case, at Council's direction, staff would draft a proposed amendment to the zoning ordinance to come before the Council for consideration; (2) a proposed text or map amendment which is focused on a specific land use, zoning, or other topic, which does not have a comprehensive impact to the general welfare of the County, but which may not be inconsistent with the current Zoning Ordinance or the Comprehensive Plan. Mr. Pullen stated that in those instances, Council has the prerogative to direct staff to assist the applicant with processing the application for text amendment, but the applicant assumes responsibility for drafting the amendment and presenting same to staff for review; staff time would be conserved as they would not actively sponsor the application which Council may or may not support; and (3) the proposed amendment to the Zoning Ordinance is inconsistent with the Zoning Ordinance and the Comprehensive Plan; Council may direct staff to not process the application if no members of the Council have indicated a willingness to sponsor the text or map amendment; staff time and the time of the Planning Commission and other boards and commissions which would be involved in review of the application would also be conserved since the text or map amendment would not have Council support and may not be introduced. The purpose of the amendment to Bill No. 1232 is to further clarify the language in the proposed legislation to make it clearer that applications to amend the zoning ordinance or zoning maps are applications to the County Council. The public hearing was then continued on Bill No. 1232, and amendment, and the public was provided an

opportunity to comment on the legislation. Bill No. 1232, and amendment, were brought to third reader. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the amendment by voting 4 – 0 as follows:

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

Bill No. 1232, as amended, was then brought forward for vote. The Council approved Bill No. 1232, as amended by voting 4 – 0 as follows:

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

Bill No. 1232, as amended, will become effective sixty (60) days from the date of its passage.

VI. Reconciliation of Tier Designations Between Talbot County and the Town of St. Michaels Growth Tier Maps: Map 23, Parcels 60 and 98 (Miles Point) and Map 32, Parcel 75 (Heatherington Harbor) – Sandy Coyman, Planning Officer – Mr. Coyman stated that the Maryland Department of Planning (MDP) had notified Talbot County that tier designations adopted by the County and submitted to MDP have been reviewed and accepted, with one exception. He then briefed the Council on the exception, stating that three parcels adjacent to the Town of St. Michaels, Map 23, Parcels 60 and 98 - the Miles Point property at the northern end of the Town, and Map 32, Parcel 75 - the Heatherington Harbor property at the southern end of the Town, had been designated by the Town under the guidelines of Maryland SB 236, *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012*, as Tier 2A (existing sewer but permanently preserved land) and Tier 2 (planned sewer, municipal or growth area), respectively. He stated that the County had submitted designations for the properties as Tier 4 (resource protection areas) and Tier 3A (rural communities not planned for sewer), respectively. Mr. Coyman stated that SB 236 only permits areas within a town's municipal growth area to be designated as Tier 1 or Tier 2. He advised that since the Town of St. Michaels is currently in the process of updating its Comprehensive Plan, and may consider removing the properties from the Town's municipal growth areas. He stated that the Talbot County Planning Commission, following their review of the matter on March 6, 2013, has recommended that the Council request that the State defer any action on the conflicting designations until the Town completes its Comprehensive Plan update. Should the Town remove the properties from its municipal growth areas, there will no longer be a conflict. In the alternative, should the Town choose to keep the designations as submitted to MDP, MDP will make a recommendation to the Maryland Department of the Environment which has final authority to assign tier designations. Council discussion with Mr. Coyman ensued. Upon consensus of the Council, Mr. Coyman will notify the State to request a delay in any action by the State on the matter until the Town of St. Michaels completes the update of its Comprehensive Plan and will advise the State that the County recommends that the Town remove the parcels from its municipal growth areas.

VII. County Manger's Report:

A. Talbot County Local Early Childhood Advisory Council – Requested Council approval for the appointment of the following individuals to the Talbot County Local Early Childhood Advisory Council; Beth Clark, SHORE UP! Head Start; Susan Patterson, Coordinator, Project Right Steps, Chesapeake College; Mary Beth Johnson, EXCELS Coordinator, Maryland State

Department of Education; and Xaviera Davis, Food Supplement Nutrition Educator, University of Maryland Extension Office. Upon motion by Ms. Price, seconded by Mr. Duncan, the Council approved the appointments by voting 4 – 0 as follows:

Mr. Bartlett – Aye

Mr. Pack – Aye

Ms. Price – Aye

Mr. Duncan – Aye

- B. Public Meetings for Village Center Residents – Mr. Craig announced that Planning and Zoning staff will be holding public meetings with the residents of the various Village Centers in Talbot County; the purpose of the meetings is to review and discuss proposed changes to the County's plans and regulations to protect the character of each of the villages, to gain a better understanding of County and State policy proposals affecting Village land use, and to gain input from Village Center residents as to their vision for their particular Village. Mr. Craig stated that all Village Center residents have been notified of the series of meetings, the first of which had been held on Saturday, April 6, 2013 in Tilghman for the residents of the Villages of Tilghman, Bar Neck, Fairbank, Sherwood, and Wittman. The meeting for the residents of the Villages of Cordova, Skipton, Wye Mills, Longwoods, Copperville, Tunis Mills, Unionville, Bruceville, Ivytown, and Williamsburg will take place on Saturday, April 13, 2013 from 12:00 Noon to 2:00 p.m. at the Talbot County Free Library in Easton; the meeting for the residents of the Villages of Bozman, Neavitt, Claiborne, McDaniel, Bellevue, Newcomb, and Royal Oak will take place on Saturday, April 27, 2013 from 12:00 Noon to 2:00 p.m. at the Bozman United Methodist Church. The project is being coordinated by Martin Sokolich, Long Range Planner, and Sandy Coyman, Planning Officer, both of whom may be reached at 410-770-8030.

VIII. Council Comments:

Mr. Duncan - No comments.

Ms. Price - No comments.

Mr. Pack - No comments.

Mr. Bartlett - No comments.

- IX. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council voted to adjourn to Executive Session for discussion of legal, personnel and real estate matters and to reconvene in legislative session on Tuesday, April 16, 2013 at 4:30 p.m. by voting 4 – 0 as follows:

Mr. Bartlett – Aye

Mr. Hollis – Aye

Mr. Pack – Aye

Ms. Price – Aye

The meeting adjourned at 2:34 p.m.

The transcript of the April 9, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

X. On Tuesday, April 9, 2013, an Executive Session of the Talbot County Council convened at 12:40 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Hollis, seconded by Mr. Pack, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508 (a)(1)(i)(4)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; to discuss candidates for Director of Parks and Recreation; to discuss a personnel matter in Department of Emergency Services; to discuss a personnel matter in Department of Corrections; for a legal/real estate matter for legal advice concerning relocation of Memorial Hospital at Easton to County owned property and the timetable for same; and for a legal matter to discuss update on litigation involving Talbot County. The Executive Session recessed at 1:30 p.m. and reconvened at 2:45 p.m. The Executive Session ended at 3:30 p.m.

**CASH STATEMENT 4/2/2013**

<b>BALANCE 3/26/2013</b>		\$21,614,757.63
SUMMONS ACCOUNT CHECKS		(400.00)
RONB QTRLY BOND PAYMENT		(9,478.60)
UHC CLAIMS THRU 3/26/2013		(22,569.32)
AIP36 LOCAL SHARE TRANSFER		(2,392.60)
BOARD OF EDUCATION 3/2013		(2,860,960.00)
PAYROLL-FD/SS/MS WH 3/28/2013		(114,991.37)
SECU DED		(7,782.60)
DEFERRED COMP DED		(9,390.60)
MD WH		(28,587.57)
PENSION DED		(28,013.99)
ACH TRANSFER		(10,181.75)
DEPOSITS		723,706.51
CHECKS		(1,081,691.58)
<b>BALANCE 4/2/2013</b>		<b><u>\$18,162,024.16</u></b>

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP-34	BALANCE 3/26/2013	49,902.15	
	CHECK	(6,379.68)	43,522.47
AIP-35			36,284.23
AIP36	BALANCE 3/26/2013	19,272.58	
	LOCAL SHARE<GEN FUND	2,392.60	
	CHECKS	(2,392.60)	19,272.58
AIP37	BALANCE 3/26/2013	1,409.19	
	CHECK	(1,125.57)	283.62

AIP38			14,013.26
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>			<b><u>\$113,376.16</u></b>
<b>INVESTMENTS – CERTIFICATES OF DEPOSIT</b>			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.10%	18,000,000.00
<b>TOTAL INVESTED</b>			<b><u>\$18,000,000.00</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>\$8,320.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>			<b><u>\$36,283,720.32</u></b>

**CASH STATEMENT 4/9/2013**  
**BALANCE 4/2/2013**

			\$18,162,024.16
INTEGRA 4/2013			(16,360.64)
POSTAGE WIRES			(4,000.00)
UHC CLAIMS THRU 4/2/2013			(26,313.47)
PAYROLL – FD/SS/MS/WH 4/5/2013			(3,163.01)
MD WH			(558.87)
PENSION DED			(257.83)
FLEX SPENDING BENEFITS			(150.00)
DEPOSITS			754,381.03
CHECKS			(387,482.57)
VOID CHECK NO.S 282459, 2826632			39,766.24
<b>BALANCE 4/9/2013</b>			<b><u>\$18,517,885.04</u></b>

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS			--
AIP-34			43,522.47
AIP-35			36,284.23
AIP36			19,272.58
AIP37			283.62
AIP38			14,013.26
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>			<b><u>\$113,376.16</u></b>

**INVESTMENTS – CERTIFICATES OF DEPOSIT**  
CERTIFICATE DATE                      MATURITY DATE

		<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.10%	18,000,000.00

<b>TOTAL INVESTED</b>	<b><u>\$18,000,000.00</u></b>
<b>PETTY CASH BALANCE</b>	<b><u>\$8,320.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>	<b><u>\$36,639,581.20</u></b>