



TALBOT COUNTY, MARYLAND

County Council

MINUTES

April 9, 2019

Present – President Corey W. Pack, Vice President Chuck F. Callahan, Frank Divilio, Pete Leshner, County Manager R. Andrew Hollis, County Attorney Anthony Kupersmith, and Assistant County Attorney Mary O'Donnell. Councilwoman Laura E. Price was absent.

- I. Agenda – Mr. Pack requested and received Council's unanimous consent for approval of the Agenda of Tuesday, April 9, 2019.
- II. Minutes – Mr. Pack requested and received Council's unanimous consent for approval of the Minutes of Tuesday, February 26, 2019, Monday, March 4, 2019, and Tuesday, March 12, 2019.
- III. Disbursements – Mr. Pack requested and received Council's unanimous consent for approval of the Disbursements of Tuesday, April 2, 2019, and Tuesday, April 9, 2019.
- IV. Proclamation: Easton Classics Week – April 15 – 21, 2019 – Prior to presentation of the proclamation, Natasha Panduwawala, President of the Easton High School Latin Club, and National President of the National Junior Classical League, briefed the Council on the importance of emphasizing to students the study of the classics in order to broaden their horizons of the world and to make them aware of the role of the classics in many areas of modern society. Ms. Panduwawala outlined several projects conducted by the Latin Club for the benefit of the Talbot County community. Council discussion ensued with Ms. Panduwawala and Inna Kunz, Language Teacher, Easton High School. The Clerk read a proclamation into the record in recognition of the continuing legacy of the classics in our society in the fields of law, literature, language, etc. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved the proclamation by voting 4 – 0 as follows:

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

Mr. Leshner presented the Proclamation to Ms. Panduwawala, Ms. Kunz and Dr. Kelly Griffith, Superintendent, Talbot County Public Schools.

- V. Presentation on Maryland Community for LifeSM - Talbot – Lee Newcomb, President, Maryland Community for LifeSM – Talbot Board; Laverne Webb, Vice President, Maryland Community for LifeSM – Talbot Board – Ms. Newcomb briefed the Council on the services offered by Maryland Community for LifeSM – Talbot, formerly known as Talbot Village Connections when it was founded in 2014. She stated that the mission of the organization is to offer innovative options for safe and healthy aging for seniors who wish to live independently in their own homes. The organization receives public and private funding as well as monies from donations and paying members. Services are available to individuals aged 65 and older, through a fee-based multi-level membership program which provides services for referrals to community services, transportation, and handyman services as well as social and educational programs. Council discussion ensued with Ms. Newcomb regarding various aspects of the services needed for the

increasingly aging population in Talbot County, the state, and the nation. Ms. Webb briefed the Council on goals to be met by the organization with regard to several grants it has received, and the timeframe for meeting the goals.

- VI. Update on Easton Elementary School Project – Kevin Shafer, Plant Operations & Maintenance Manager, Talbot County Public Schools; Chuck Weber, Talbot County Public Schools Construction Management Team (Council Representative) – Mr. Shafer and Mr. Weber utilized a PowerPoint presentation to show progress on the new elementary school construction project over the past several months and the percentages to which several items related to the project had been completed. Mr. Shafer outlined funding for the project utilized to date as well as the anticipated monthly construction draw schedule through completion of the project in FY2021. Council discussion ensued with Mr. Shafer and Mr. Weber. The Council commended all those involved with the project for their excellent work to keep the project on schedule and on budget. As the project continues to move forward, updates will be provided.

VII. Eligible for Vote:

Bill No. 1408, A BILL TO AMEND CHAPTER 15 (ANIMALS), ARTICLE 1 (ANIMAL CONTROL) OF THE TALBOT COUNTY CODE TO CREATE A LICENSURE REQUIREMENT FOR BOARDING, BREEDING, TRAINING, ANIMAL RESCUE AND PET SALE FACILITIES, TO REQUIRE THAT SUITABLE SHELTERS BE PROVIDED TO DOMESTICATED ANIMALS IN TIMES OF EXTREME WEATHER CONDITIONS, AND TO REGULATE THE TETHERING OF DOGS AND CATS, was brought forward for vote. Mr. Pack stated that a public hearing had been held on the legislation on March 26, 2019 and written comments on the legislation were received through March 29, 2019. Prior to the vote, Joan Trudy Lee, Vice Chair, Talbot County Animal Control Board, stated that the Animal Control Board had held three public comment sessions and that comments received had been incorporated into the legislation now before the Council. Upon motion by Mr. Leshner, seconded by Mr. Callahan, Bill No. 1408 was brought to third reader and the legislation was read into the record by the Clerk. Council members commented on the proposed legislation. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved allowing Ms. Price to vote via absentee ballot by voting 4 – 0 as follows:

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

Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved Bill No. 1408 by voting 5 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio- Aye
Mr. Callahan – Aye
Mr. Leshner – Aye
Ms. Price – Aye (via Absentee Ballot)

Bill No. 1408 will become effective as provided for in the legislation.

- VIII. Update on Eastern Shore Climate Adaptation Partnership – Jim Bass, Coastal Resilience Specialist, Eastern Shore Land Conservancy – Mr. Bass stated that the Eastern Shore Climate Adaptation Partnership (ESCAP) is a regional workgroup comprised of local government staff from six counties and two municipalities, and State and academic partners from Cecil County through Dorchester County which plan and prepare for changes in climate. Mr. Bass stated that ESCAP provides education, technical assistance, and resources to help communities build resilience to the anticipated change in climate by the year 2100,

and provided statistical information on the projected rise in sea level, temperature and precipitation during that timeframe. Mr. Bass concluded his presentation by requesting Council’s support for staff participation in various projects, and letters of support for grant applications, as needed. The Eastern Shore Climate Adaptation Partnership will continue to update the Council on an as-needed basis.

- IX. Update by Talbot County Department of Permits and Inspections – Mary Kay Verdery, Planning Officer; Brent Garner, Permits Manager – Mr. Garner expressed his appreciation to Council and staff for their continuing support. He outlined the various responsibilities of the Office of Permits and Inspections staff from intake of permit applications and application review to interaction with customers, contractors and various other County departments and State agencies. Mr. Garner reviewed results of Customer Service Surveys for 2017 and 2018 as well as statistical information on the number and types of permits issued by year for the 2015 – 2018 timeframe. He stated that the overall number of permits has increased and that the overall average time from intake of an application to issuance of a permit, when all information needed has been provided, is 23.32 days, compared to 46.8 days when information is missing. Council discussion ensued with Mr. Garner as various information was brought forward.
- X. Quarterly Update by Easton Airport – Micah Risher, Manager, Easton Airport; Members Talbot County Airport Board – Mr. Risher briefed the Council on the following: (1) Capital Improvement Projects - Runway 4/22 Land Acquisition (Talbot Business Center Property) reimbursement; Obstacle Removal Program for aviation easements (on-going); Wetland Mitigation (in progress); and Request for Supplemental AIP Grant Funding; (2) Business Development – Mr. Risher stated that his office continues to work with several businesses at the Airport which are in process of expansion and outlined several specifics of the various businesses; the Airport is also in the process of making upgrades and improvements to Airport facilities, including parking lots, lighting, signage and Terminal building upgrades, to attract new businesses to the Airport; (3) Airport Operations – Mr. Risher stated within the next year, he will be bringing several recommendations to Council regarding an update to Minimum Standards, Rules and Regulations, and fee structure; the Airport is in the process of reviewing recommendations outlined in the 2018 Airport Business Plan update and once the review is complete, will be implementing those recommendations. He stated that the overall goal is to modernize, provide greater efficiency, and enhance safety at the Airport, including emergency operations plans; (4) Statistical Information – Mr. Risher stated that the total number of operations at Easton Airport for 2018 was 71,410, and total fuel sales (jet fuel and AV gas) were down 4.3% due to the slowdown during the winter; (5) Community Outreach - Mr. Risher stated that the Airport’s Aviation Career Education (ACE) Center is in place and thus far sessions have been held on air traffic control, piloting, drones, and runway safety. He stated that the Airport held a first responder training for aircraft emergencies and that approximately 80 firefighters and first responders from Talbot County and surrounding counties participated; airport tours for school children now take place at the ACE Center; the Airport is in the planning stages of collaborating with the Department of Parks and Recreation on a two-day drone camp for sometime in July, whereby children can learn to build a small drone and fly it. Mr. Risher concluded his comments by stating that the recent “Cruise In” event featuring historic automobiles at the Airport was a big success and that Airport Day 2019 is scheduled for Saturday, September 21, 2019. Council discussion ensued with Mr. Risher as various items were brought forward.
- XI. County Manager’s Report:
- A. Memorandum of Understanding (MOU) with YMCA of the Chesapeake, Inc. - Requested Council approval to enter into a Memorandum of Understanding with YMCA of the Chesapeake, Inc. for operation and maintenance of the Bay Hundred Community Pool in St. Michaels and the George Murphy Community Pool in Easton. Mr. Hollis stated that the initial agreement will be for a period of seven months, after which both parties will discuss the

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possibility of a future agreement for a longer period of time. Preston Peper, Director, Department of Parks and Recreation stated that the County will still handle the Sink or Swim (SOS) program registrations and will provide that information to the YMCA. The Clerk then read the title of the MOU into the record and Council discussion ensued with Mr. Peper and Robbie Gill, CEO, YMCA of the Chesapeake, Inc. Upon motion by Mr. Divilio, seconded by Mr. Callahan, the Council approved the MOU by voting 4 – 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan - Aye
Mr. Lesher - Aye

- B. Bid No. 17-09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND (Grace Street Pump Station Retrofit, St. Michaels) – Change Order #9 - Requested Council approval to award Change Order # 9 for Bid No. 17-09 to current contractor, Schummer, Inc., in the sum of \$716,924.37; said funding will be used for additional site, road and sewer repair and restoration work on Dobson Avenue, Perry Street, and Brooks Lane, contingent upon approval of additional loan/grant funding by the USDA. Council discussion ensued with Terry Martin, Senior Engineer, Talbot County Department of Public Works. Upon motion Mr. Callahan, seconded by Mr. Lesher, the Council approved Change Order #9 by voting 4 - 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Lesher – Aye

- C. Bid No. 17- 09, ST. MICHAELS PUMPING STATION #3 UPGRADE/REHABILITATION – TALBOT COUNTY, MARYLAND (Grace Street Pump Station Retrofit, St. Michaels) – Change Order # 11– Requested Council approval to award Change Order #11 for Bid No. 17-09 to the current contractor, Schummer, Inc., in the sum of \$83,945.00 for the installation of a low pressure sewer system on the west end of Grace Street to replace the gravity type system which is unsuitable for that location; funding is available from USDA funds allocated for the St. Michaels project; Council discussion ensued with Terry Martin, Senior Engineer, Talbot County Department of Public Works. Upon motion by Mr. Lesher, seconded by Mr. Divilio, the Council approved Change Order #11 by voting 4– 0 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Lesher – Aye

- D. Talbot County Buildings Space Needs Analysis – Requested Council approval to award Davis Bowen & Friedel, Inc. the contract for architectural and engineering services for a spatial needs analysis of Talbot County buildings through the County’s open-ended engineering contract with the firm in a sum not to exceed \$36,400. Upon motion by Mr. Lesher, seconded by Mr. Callahan, the Council approved the contract by voting 4 – 0 as follows:

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

- E. Request for Letter of Support - Chesapeake Bay Maritime Museum – Requested Council approval to forward a letter in support of Chesapeake Bay Maritime Museum’s grant applications to the Maryland Heritage Area Authority for a capital grant in the sum of \$100,000 and a program grant in the sum of \$50,000; if approved, funding from the grants will be used for construction of a new 8,000 sq. ft. exhibition building and for the development of a new waterfowl heritage exhibition utilizing multi-media technology, respectively. Upon motion by Mr. Callahan, seconded by Mr. Divilio, the Council approved the letter of support by voting 3 – 0 - 1 as follows:

Mr. Pack – Aye
Mr. Divilio – Aye
Mr. Callahan – Aye
Mr. Leshner – Abstain

Mr. Leshner abstained from voting as he is an employee of Chesapeake Bay Maritime Museum.

- F. Special Legislative Day – Mr. Hollis requested Council approval to declare Tuesday, April 16, 2019 a Special Legislative Day for introduction of the FY2019-2020 Budget. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council approved declaring Tuesday, April 16, 2019 as a Special Legislative Day by voting 4 – 0 as follows:

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

XII. Council Comments:

Mr. Leshner - Mr. Leshner stated that he had recently attended St. Michaels Police Chief, Tony Smith’s “Coffee with a Cop” program where he, Sheriff Gamble, and Delegate Mautz had answered questions from the approximately 45 individuals in attendance regarding the recent distribution of racist letters in neighborhoods in and around St. Michaels. Mr. Leshner stated that while the perpetrators were not caught or publicly identified and the literature and content information matched information distributed in Delaware and other locations, in his opinion, the perpetrator were probably not from our locality, the likelihood of the event being repeated is low and in this era of digital communication, the method of delivery was relatively ineffective as a recruiting tool and probably more intended to stir up a reaction. He stated that he was encouraged by local law enforcement who did not overreact, name the group or picture its literature, and expressed his appreciation to the St. Michaels Police Department and the Talbot County Sheriff’s Office.

Mr. Divilio - No comments.

Mr. Callahan - No comments.

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Mr. Pack- Mr. Pack commented on several upcoming events, including the YMCA annual dinner at the Tidewater Inn and the Talbot County Board of Education’s annual celebration of teachers and support staff at The Milestone on Thursday, April 11, 2019, and the volunteer reception at Brookletts Place, the Talbot County Senior Center on Thursday, April 18, 2019 at 5:00 p.m. Mr. Pack concluded his comments by stating that County Offices will be closed on Friday, April 19, 2019 for observance of Good Friday.

XIII. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council voted to adjourn and to reconvene on Tuesday, April 16, 2019 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 for the regularly scheduled meeting at 6:00 p.m. by voting 4 – 0 as follows:

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

The meeting adjourned at 8:28 p.m.

The transcript of the April 9, 2019 County Council meeting is available for review in the Office of the Talbot County Manager during regular office hours.

XIV. On Tuesday, April 9, 2019, a Closed Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room. Upon motion by Mr. Leshner, seconded by Mr. Callahan, the Council met in Closed Session by voting 5 – 0 as follows:

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

In accordance with General Provisions Article § 3-305(b)(1)(i)(4)(7)(8)(14) the purpose of the Closed Session was for Legal matters for legal advice regarding potential litigation involving expansion of broadband to underserved and unserved areas of the County; for legal advice regarding Memorandum of Understanding regarding operation of County pools; for legal advice regarding public information act request; for Personnel matters to discuss a personnel matter at the Department of Corrections; to discuss filling a vacancy for Supervisor of Assessments for Talbot County; for Business Retention and Pre-Bid Negotiations to discuss request from APG Real Properties, LLC for the transfer of revisionary interest in The Star Democrat facility located at 29088 Airpark Drive in Easton; for Pre-Bid Negotiations to discuss a competitive bidding strategy regarding the Easton Elementary School project and for Expansion of Business to discuss a matter that concerns the proposal for a business to expand in the State (broadband expansion). The Closed Session recessed at 6:00 p.m., reconvened at 8:30 p.m. and ended at 8:45 p.m.

XV. Work Session with Talbot County Emergency Services Advisory Board - The County Council met with members of the Talbot County Emergency Services Advisory Board on Tuesday, April 9, 2019 at 4:30 p.m. in the Bradley Meeting Room. Representatives of the Board expressed their appreciation to the Council for their continuing support of emergency services in Talbot County. Topics brought forward for discussion included the aging workforce of emergency services staff; the increasing number of times per year that all emergency crews are on calls (saturation rate); continuing efforts related to recruitment and retention; the Active911 system, a new digital real time notification and response system for first responders; and

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identification of, and assistance for, Priority 3 (non-acute) patients. Council discussion ensued with the representatives as various matters were brought forward. The Emergency Services Advisory Board will continue to update the Council on a regular or as needed basis.

CASH STATEMENT 4/02/2019

BALANCE 3/26/2019	\$ 14,733,118.93
ELECTION BOARD PPE 2/19, 2/26 & 3/5/2019	(10,610.34)
CIGNA CLAIMS THRU 3/25/19	(75,501.14)
USDA/RD QTRLY BOND PAYMENT LOAN #92-03	(9,478.60)
RETIREMENT GIFT CARD P. COHEY	(253.95)
RETURNED CHECK #1504	(4,925.48)
DEFERRED COMP PPE 3/8/2019 PLAN 401(A) CORRECTION	(5,087.21)
CORRECTED DEFERRED COMP PPE 3/8/2019 PLAN 401(A)	(5,052.21)
DEPOSITS	1,747,635.60
CHECKS	(1,443,614.09)
BALANCE 4/02/2019	<u>14,936,406.13</u>

AIRPORT ACCOUNTS

AIP42	0.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>0.00</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>YIELD</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.44%	23,000,000.00
1880 BANK			10,069,638.11
TOTAL INVESTED			<u>\$33,069,638.11</u>
PETTY CASH BALANCE			<u>\$15,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$ 48,021,614.24</u>

CASH STATEMENT 4/09/2019

BALANCE 4/02/2019	\$ 14,936,406.13
TOTAL ADP PAYROLL PPE 3/22/2019	(582,952.04)
TOTAL ADP PAYROLL PPE 3/31/2019	(16,190.76)
DEFERRED COMP DED PPE 3/22 & 3/31/2019	(17,554.47)
PENSION DED PPE 3/22 & 3/31/2019	(37,951.90)
SECU DED PPE 3/22 & 3/31/2019	(3,381.69)
DEFERRED COMP PPE 3/22/2019 PLAN 401 (A)	(5,147.21)

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FLEX SPENDING BENEFITS PPE 3/22/2019	(3,339.00)
DEFERRED COMP PLAN 4021(A) CORRECTION PPE 3/8/2019	(35.00)
APRIL 2019 RETIREE HEALTH INSURANCE PLAN #727	(28,441.44)
CIGNA CLAIMS THRU 4/1/2019	(38,404.00)
ELECTION BOARD PPE 3/12/2019	(3,196.48)
BOARD OF EDUCATION 3/2019	(3,319,812.00)
SDAT/FY19 LOCAL COST SHARING	(38,794.00)
STATE REPORT 3/2019	(68,860.47)

DEPOSITS	775,711.35
CHECKS	(587,777.27)
VOIDED CHECK(S) #286622, 298959, 310176, 310564, 317165, 318410, 318999	(3,830.26)

BALANCE 4/09/2019 **10,964,110.01**

AIRPORT ACCOUNTS

AIP42	0.00
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AIRPORT ACCOUNTS TOTAL BALANCE **0.00**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>YIELD</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		2.44%	23,000,000.00
1880 BANK			10,069,638.11

TOTAL INVESTED **\$33,069,638.11**

PETTY CASH BALANCE **\$15,570.00**

GRAND TOTAL ALL FUNDS **\$44,049,318.12**