



Talbot County, Maryland



Easton, Maryland

MINUTES - AS AMENDED

January 12, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, County Manager R. Andrew Hollis, Assistant County Manager James Urbanczyk and County Attorney Michael Pullen.

- I. Agenda – Agenda of January 12, 2010 was approved upon motion by Mr. Foster, seconded by Mr. Pack with the Council voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- II. Minutes – Minutes of December 15, 2009 and December 22, 2009 were approved upon motion by Mr. Pack, seconded by Mr. Duncan, with the Council voting 5 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- III. Disbursements – Disbursements of December 29, 2009, January 5, 2010, and January 12, 2010 were approved upon motion by Mr. Foster, seconded by Mr. Duncan, with the Council voting 5 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- IV. Presentation of Proclamation: January as National Mentoring Month – The Clerk read a proclamation into the record recognizing January as National Mentoring Month and the importance of mentoring programs as an effective strategy to guide youth toward making positive choices, thereby increasing student attendance and academic performance, and reducing the use of alcohol, tobacco, and drugs. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the Proclamation by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

Diana Trams, Executive Director of Talbot Mentors, accepted the Proclamation on behalf of her organization.

- V. Recognition of Talbot County Office of Tourism’s Talbot County Bicycle Trails Map; Recipient of Best New or Improved Product Award by the Maryland Office of Tourism – Debbi Dodson, Director, Talbot County Office of Tourism – Ms. Dodson presented Council with a copy of the Talbot County Bicycle Trails Map which had recently been awarded the Maryland Office of Tourism’s “2009 Best New Product Award,” for demonstrating creativity and innovation in a product which brings visitors to Maryland. Mr. Bartlett presented Ms. Dodson with the Award from the Maryland Office of Tourism. She then gave a brief outline of the information contained in the Bicycle Trails Map, adding that the product was a collaborative effort between the Talbot County Office of Tourism, the Talbot County Department of Public Works and the Talbot County Department of Parks & Recreation. Ms. Dodson credited Mark Cohoon of the Department of Public Works with the mapping of the bicycle trails and Laura Ambler for design and layout of the map.

VI. Introduction of Legislation:

Prior to the introduction of legislation, Planning Officer, Sandy Coyman, and Long Range Planner, Martin Sokolich, gave a brief synopsis of the purpose of the proposed legislation, to incorporate new elements into Chapter 6 of the Talbot County Code as required by Maryland State Law. A BILL TO REPEAL AND REENACT CHAPTER 6 OF THE TALBOT COUNTY COMPREHENSIVE PLAN TO ADOPT A PRIORITY PRESERVATION AREA PLAN, ENTITLED “TALBOT COUNTY PRIORITY PRESERVATION AREA PLAN”, AS REQUIRED BY ARTICLE 66B § 3.05 (a)(6)(ii)(8), AND AGRICULTURE ARTICLE § 2-518, MD. ANN. CODE was then introduced by Mr. Bartlett, Mr. Duncan, Mr. Foster, Mr. Harrison, and Mr. Pack as Bill No. 1178. A public hearing was scheduled for Tuesday, February 9, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

- VII. Council Recognition of Talbot County Planning Officer, Sandy Coyman – The Council recognized Talbot County Planning Officer, Sandy Coyman, for his recent award from the Maryland Association of Counties (MACo) for his service on the State’s Smart Growth Task Force. Mr. Coyman had been appointed to the Task Force while serving in his previous position as Director of the Worcester County Department of Comprehensive Planning and was one of only two MACo representatives to serve on the Task Force.

VIII. County Manager’s Report:

- A. Bid No. 09-10, REPLACEMENT OF TIMBER BULKHEAD WITH STONE REVETMENT – BLACK WALNUT POINT, TILGHMAN ISLAND, MARYLAND - Requested Council approval of the Assistant County Engineer’s recommendation to award Bid No. 09-10 to the low bidder, Rehak Contracting, LLC, in the sum of \$138,498.00; said project will be funded through a no-interest loan with the State at payments of \$9,115.46 per year for a term of 15 years. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- B. Bid No. 09-27, CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE RENEWABLE ENERGY DEMONSTRATION PROJECT AT THE TALBOT COUNTY BIO-SOLIDS UTILIZATION FACILITY, EASTON, MARYLAND – Requested Council approval of the County Engineer’s recommendation to award Bid No. 09-27 to the low bidder, DFI, in the sum of \$85,600; the award is contingent upon future funding from the Maryland Department of the Environment (MDE) Water Quality Infrastructure Grant Program. County Engineer, Ray Clarke advised that DFI has agreed to hold their price until MDE has advised Talbot County whether funding is available. Mr. Clarke further advised that the project is solely dependent upon funding by MDE, and should funding not materialize, he recommends that Council reject all bids. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the reappointments by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

IX. Public Hearing:

Prior to the public hearing on Bill No. 1177, County Attorney Mike Pullen stated that the purpose of the proposed legislation is to reverse current provisions which prohibit the County from prosecuting violations to the County Code, should the law be changed after the violation, to allow for continuation of prosecution of the Code violation under the law as it existed when the violation occurred. The public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Duncan, Bill No. 1177 was brought to third reader. Upon motion by Mr. Foster, and unanimous consent of the Council, a full reading of the legislation was waived. Council discussion ensued. Council approved Bill No. 1177 by voting 3 – 2 as follows:

Mr. Harrison – Nay
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Nay
Mr. Bartlett – Aye

Bill No. 1177 will take effect as provided for in the legislation.

X. County Manager’s Report Continued:

- C. Maryland Department of the Environment (MDE) Grant Applications – Requested Council approval of the County Engineer’s recommendation to submit an application to the MDE Bay Restoration Fund for an Enhanced Nutrient Removal (ENR) Operation and Maintenance Grant in the sum of \$11,880; said grant will be used to offset a portion of the operational costs at the Region II Wastewater Treatment Plant. Mr. Hollis also requested Council approval of the County Engineer’s recommendation to submit pre-applications to MDE for Green Energy Program grants. County Engineer, Ray Clarke, explained that the grant funding would be used at the Region II Wastewater Treatment Plant in St. Michaels, Region V Wastewater Treatment Plant in Tilghman, and the Region II Pump Stations in Royal Oak, Newcomb and Bellevue for construction of solar panels and vertical wind turbines to help offset electricity usage at the facilities; said grants are in the sums of \$325,000, \$600,000, and \$100,000 to \$200,000, respectively. Upon motion by Mr. Duncan, seconded by Mr. Pack, Council approved submittal of the four grant applications by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- D. United States Department of Agriculture (USDA) Rural Development Grants and Loans – Requested Council approval of the County Engineer’s recommendation to submit seven (7) pre-applications to the USDA Rural Utility Service Program (Rural Development) for grants and low interest loans for wastewater treatment projects; no general County funds are required to be obligated; any funds requiring obligation will come from the Sanitary District operating funds. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved submittal of the seven (7) pre-applications by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- E. Change Order with Easton Utilities for Design of the Water and Sewer Extension to the Proposed Medical Center and Talbot County Community Center – Requested Council approval of the County Engineer’s recommendation for a Change Order in the sum of \$63,746.64 with Easton Utilities to increase the existing design contract for design of the water and sewer extension to the proposed medical center and the Talbot County Community Center; said contract to include moving from a design specifically along the east side of U.S. Route 50 to a design using the most cost effective method. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved the Change Order by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- F. Reconsideration of United States Department of Agriculture (USDA) Rural Development Grants and Loans – Following Mr. Bartlett’s request for clarification of Item 7, *Proposals to Extend Wastewater Service to Various Villages and Lots of Record Northwest of the Town of St. Michaels*, of the County Engineer’s recommendation to submit seven (7) pre-applications for grants and low interest loans for wastewater treatment projects, Mr. Foster made a motion to reconsider the vote on approval of the submittal of pre-applications to the USDA Rural Development Program; Mr. Duncan seconded the motion. Council voted to reconsider the vote on approval by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

Mr. Duncan withdrew his motion on the original question for approval of the seven (7) pre-applications and made a motion to approve Items 1-6 of the USDA Rural Development Program as recommended by Mr. Clarke; Mr. Foster seconded the motion. Council approved submittal of pre-applications of Items 1-6 by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

XI. Council Comments:

Mr. Duncan - No comments.

Mr. Foster - No comments.

Mr. Pack- Mr. Pack invited the community to join him on Monday, January 18, 2010 at Easton Middle School and the Talbot County YMCA for the 4th Annual Dr. Martin Luther King, Jr. Basketball Classic. He stated that events would begin at 8:00 a.m. for the 300 youth anticipated to participate in 13 games. He stated that several non-profit organizations, including Talbot Mentors, will have information tables set up, as will several State and County departments. He added that an essay contest, sponsored by the Basketball Classic, and spearheaded by Megan Cook of the Easton Town Council, has been included in this year's event. Mr. Pack concluded his comments by challenging each of his colleagues to join him for the event.

Mr. Bartlett - No comments.

Mr. Harrison - Mr. Harrison stated that he and his colleagues had recently attended the Maryland Association of Counties Winter Conference in Cambridge. He continued that while the Council had anticipated receiving severe budget news from the State, in his opinion, it was not as severe as had been expected. Mr. Harrison stated that the Governor had indicated that he anticipated level funding from the State; however, the State is facing between 1 – 3 billion dollar deficit.

XII. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council voted to adjourn to Administrative Function and Executive Session for discussion of legal, personnel, and real estate matters, to reconvene at 3:30 p.m. for a work session with the Board of Education on the 2011 budget process and related issues, and to reconvene in Executive Session on Tuesday, January 26, 2010 at 12:30 p.m. for discussion of legal, personnel, and real estate matters by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack - Aye
Mr. Duncan - Aye
Mr. Foster - Aye
Mr. Bartlett- Aye

The meeting adjourned at 2:52 p.m.

The transcript of the January 12, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIII. Prior to the meeting on January 12, 2010 an Executive Session of the Talbot County Council convened at 12:45 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council met in Executive Session by voting 3 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Not present
Mr. Duncan – Aye
Mr. Foster – Not present
Mr. Bartlett – Aye

Mr. Pack arrived at 12:46 p.m.
Mr. Foster arrived at 12:55 p.m.

In accordance with State Article §10-508(a)(1)(i)(4)(7)(8) the purpose of the Executive Session was for a legal matter to obtain legal advice regarding the permitting of the Trappe Wastewater Treatment Plant by the Maryland Department of the Environment; for legal/real estate matters to discuss a legal and real estate matter involving Villa Landing, and to discuss a legal and real estate matter involving Lowe's Wharf and potential litigation; for a personnel matter to discuss appointments to various County boards and committees; and for a real estate matter to discuss a matter regarding a company's ability to expand in Talbot County. The meeting recessed at 1:30 p.m., reconvened at 3:00 p.m., recessed at 3:30 p.m., reconvened at 5:00 p.m. and ended at 6:35 p.m.

- XIV. Work Session with Talbot County Board of Education to Discuss the FY2011 Board of Education Budget Process and Related Issues – Sandra Kleppinger, President, Talbot County Board of Education; Members, Talbot County Board of Education – Ms. Kleppinger stated that any additional cuts to the Board of Education's budget will affect the schools' instructional programs. Ms. Kleppinger also stated that because Talbot County Public School teachers are unionized, the Board of Education is obligated to request a 3.5% raise on the teachers' behalf. Council President, Levin F. Harrison, IV, advised the Board members that the County's audit for FY2008 – 2009 had not yet been completed, but County department heads will be asked to reduce their approved budget from last year by five percent (5%). Discussion ensued regarding several items of concern to each of the groups, with the Board of Education emphasizing their mission to educate the students and the Council emphasizing the continuing decline in County revenue from recordation, withholding taxes, and transfer taxes. The meeting concluded with the understanding by the Board of Education that their budget for the FY2011 year should reflect a 5% reduction of non-salary line items from last fiscal year. Once the County's audit is complete, the information will be forwarded to the Board of Education for their review and another meeting will be tentatively scheduled.
- XV. Work Session: Adoption of Water Resources Plan Element to the Talbot County Comprehensive Plan as required by Article 66B § 3.05(a)(4)(vi) MD. ANN. CODE – Sandy Coyman, Planning Officer; Martin Sokolich, Long Range Planner; Ben Sussman, Environmental Resources Management (ERM). A work session was held on Tuesday, January 5, 2010 at 4:00 p.m. The purpose of the work session was to review the Draft Water Resources Plan for Talbot County, intended to create a policy framework for managing existing water supplies in order to sustain a safe public drinking water supply and to provide adequate amounts of wastewater treatment capacity to serve projected growth while protecting the environment. The Council was advised that every jurisdiction in the State is compiling a Water Resources Plan which will provide a baseline for each jurisdiction, by watershed. Council discussion ensued regarding the various charts, graphs, and maps included in the Draft Plan and same will be forwarded to the Public Works Advisory Board for their review and comment. The Plan will be scheduled for introduced as legislation at a later date.

CASH STATEMENT 12/29/2009

BALANCE 12/22/2009	\$8,127,740.58
UHC CLAIMS 12/22/2009	(8,944.07)
ST BRD OF ELECTIONS PPE 11/3, 11/17, & 12/1/2009	(18,965.52)
BANK CHARGES 11/2009	(2,143.70)
INTEREST ON ACCT 11/2009	1,563.84
PAYROLL-FD/SS/MS WH 12/23/2009	(115,219.98)
SECU DED	(10,782.77)
DEFERRED COMP DED	(8,418.45)
MD WH	(30,310.68)
PENSION DED	(23,584.75)
ACH TRANSFER	(10,900.00)
FLEX SPENDING ACCT	(2,255.29)
DEPOSITS	547,558.33
CHECKS	(527,359.33)
BALANCE 12/29/2009	<u>7,917,978.21</u>

AIRPORT ACCOUNTS

AIP29	21,616.63
AIP30	45,714.61
AIP-32	597.01
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIP-34-NEW	-
AIP-35-NEW	4,200.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$74,633.25</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/28/2009	12/29/10	0.97%	6,000,000.00
08/04/2009	01/26/10	0.66%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00
03/31/2009	03/31/10	2.11%	6,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.15%	3,000,000.00

TOTAL INVESTED	<u>\$63,000,000.00</u>
PETTY CASH BALANCE	<u>\$6,500.00</u>
GRAND TOTAL ALL FUNDS	<u>\$70,999,111.46</u>

CASH STATEMENT 1/5/2010
BALANCE 12/29/2009

	\$7,917,978.21
UHC CLAIMS 12/29/2009	(26,074.43)
SALE&INTEREST ON CD@TALBOT BANK	6,024,478.52
BOARD OF EDUCATION 12/2009	(2,851,500.00)
PAYROLL – FD/SS/MS WH 1/1/2010	(2,769.90)
MD WH	(585.13)
PENSION DED	(184.17)
FLEX SPENDING ACCT	(205.00)
DEPOSITS	808,184.70
CHECKS	(740,035.62)
VOID CHECK NO.S 258315, 258383	2,091.67
BALANCE 1/5/2010	<u>11,131,378.85</u>

AIRPORT ACCOUNTS

AIP29	21,616.63
AIP30	45,714.61
AIP-32	597.01
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIP34-NEW	-
AIP-35-NEW	4,200.00
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$74,633.25</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
08/04/2009	01/26/10	0.66%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00
03/31/2009	03/31/10	2.11%	6,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00

11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.13%	3,000,000.00
TOTAL INVESTED			<u>\$57,000,000.00</u>
PETTY CASH BALANCE			<u>\$6,500.00</u>
GRAND TOTAL ALL FUNDS			<u>\$68,212,512.10</u>

CASH STATEMENT 1/12/2010

BALANCE 1/5/2010		\$11,131,378.85
RONB QTRLY BOND PYMT		(9,478.60)
GOLF COURSE EQUIPMENT LEASE 1/2010		(1,309.20)
INTEGRA 1/2010		(11,037.11)
UHC CLAIMS 1/5/2010		(31,457.00)
POSTAGE WIRE		(3,000.00)
PAYROLL-FD/SS/MS WH 1/8/2010		(126,806.93)
SECUR DED		(10,787.77)
DEFERRED COMP DED		(9,418.45)
MD WH		(31,869.22)
PENSION DED		(22,492.91)
ACH TRANSFER		(11,650.00)
FLEX SPENDING ACCT		(2,255.29)
DEPOSITS		1,113,203.80
CHECKS		(902,083.43)
BALANCE 1/12/2010		<u>11,070,936.74</u>

AIRPORT ACCOUNTS

AIP29		21,616.63
AIP30		45,714.61
AIP-32		597.01
AIP33-DSA		2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS		-
AIP-34-NEW		-
AIP-35-NEW		4,200.00
AIRPORT ACCOUNTS TOTAL BALANCE		<u>\$74,633.25</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
08/04/2009	01/26/10	0.66%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00
03/31/2009	03/31/10	2.11%	6,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00

08/04/2009	05/25/10	1.03%	6,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.11%	3,000,000.00
TOTAL INVESTED			<u>\$57,000,000.00</u>
PETTY CASH BALANCE			<u>\$6,500.00</u>
GRAND TOTAL ALL FUNDS			<u>\$68,152,069.99</u>