



# Talbot County, Maryland



Easton, Maryland

MINUTES

June 26, 2012

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

- I. Agenda – Mr. Pack requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, June 26, 2012.
- II. Minutes – Mr. Pack requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, June 12, 2012.
- III. Disbursements – Mr. Pack requested and received Council’s unanimous consent for approval of the disbursements of June 19, 2012 and June 26, 2012.
- IV. Introduction of Legislation:

Prior to introduction of the legislation, County Attorney Michael Pullen provided a brief explanation of the purpose of the proposed legislation. He stated that the legislation is the result of the enactment of legislation by the State in November 2010 which requires local jurisdictions to adopt revisions to their local ethics ordinances which more closely resemble the State ordinance; the State approved Talbot County’s draft ordinance in May 2012.

A BILL TO REPEAL AND REENACT CHAPTER 60 OF THE TALBOT COUNTY CODE, *CODE OF ETHICS*, TO INCORPORATE REQUIREMENTS ESTABLISHED BY SB 315, CHAPTER 277, 2010 ACTS OF MARYLAND GENERAL ASSEMBLY was read into the record by the Clerk; the Clerk then called the roll and the legislation was introduced as Bill No. 1219 by the following Council members:

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

A public hearing on Bill 1219 was scheduled for Tuesday, July 24, 2012 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

- V. Council Consideration of Proposed Tipping Fee Increase at Mid-Shore Regional Landfill – Ray Clarke, County Engineer – Mr. Clarke briefed the Council on the proposed increase in tipping fees at the Mid-Shore Regional Landfill Transfer Station from \$63 per ton to \$65 per ton; the transfer station is on target to receive 40,000 tons of trash this fiscal year versus the originally projected 30,000 tons. Mr. Clarke stated that the purpose of the increase is to help offset a portion of Talbot County’s cost to move trash from the transfer station to the Mid-Shore Regional Landfill facility (Mid-Shore II) near Ridgely in Caroline County; Talbot County subsidizes operational costs of the transfer station. At Mr. Hollis’ request, Mr. Clarke had contacted the municipalities to apprise them of the proposed increase in fees so that they could make adjustments to their budgets if necessary. Mr. Clarke stated that the proposed increase in fees is

anticipated to cost the Town of Easton an additional \$18,000, and the Towns of Oxford, St. Michaels, and Trappe less than \$1,000 each in additional costs. Mr. Clarke further stated that the Towns are not opposed to the increase as it remains more cost effective to travel to the transfer station versus than to Mid-Shore II in Ridgely. Mr. Craig stated that the cost to operate the transfer station is approximately \$800,000 per year, raising the tipping fee from \$5.00 to \$7.00 would generate revenue of approximately \$280,000; sale of punch cards generates approximately \$70,000; the County currently subsidizes the remaining cost of approximately \$450,000. Council discussion ensued. Upon motion by Ms. Price, seconded by Mr. Bartlett, the Council approved the increase in tipping fees by voting 5 – 0 as follows:

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

The increase in tipping fees will take effect on August 1, 2012 in order to provide 30 days advance notice to commercial haulers as is required.

- VI. Phase II Watershed Implementation Plan Submittal to the State to Address Total Maximum Daily Loads – Sandy Coyman, Planning Officer – Prior to presentation of the staff's recommendation for an alternative plan to meet Talbot County's Total Maximum Daily Load (TMDL) goals for the Urban sector, as requested by the State, Mr. Coyman stated that Talbot County's original submission to the State had included those best management practices which, in the County's opinion, could be accomplished through already existing programs, at little or no cost to the County, or for which grant funding would be available. He stated that the State had then modified Talbot County's submission by adding a set of four generic best management practices which achieved the TMDL target loads; the State also assigned a cost per acre for implementation of the best management practices based upon the State's King and Hogan Report. Mr. Coyman stated that the best management practices added by the State presented information on Nitrogen Load by Sector for 2009, the anticipated reduction in each sector by the State's target date of 2025, and the huge costs associated with attempting to reach the goals for nitrogen reduction as set forth by the State. He stated that 2009 data indicates that 60% of the County's nitrogen load is generated by the agricultural sector while the load reduction anticipated by the agricultural sector by the target date of 2025 will produce 75% of the County's total targeted load reduction. Mr. Coyman then presented staff's recommendations for an alternative proposal to achieve the TMDL nitrogen reduction target and the anticipated costs for same. He stated that the additions by the State to the County's original submission are far beyond the financial and staff resources of the County; some of the best management practices set by the State are more expensive and less effective than those best management practices which have already been implemented by Talbot County. The alternatives include: (1) Bio-retention/rain gardens treating 1,000 acres; (2) Urban nutrient management treating 20,000 acres; (3) Urban filtering (bag filters) treating 1,800 acres; and (4) Vegetated swales treating 7,000 acres; cost estimate for the proposed alternative plan is approximately \$10.7 million, phased-in over the 12 years of the plan through federal, state and local funding sources; the cost assumes that no purchase of property is required. Council discussion ensued. Mr. Coyman stated that, in his opinion, the State has set up the process in such a way that Talbot County can make changes to its plan in the future as new best management practices evolve. At Council's request, Mr. Coyman will include in Talbot County's Phase II submission a request to the State that local jurisdictions be allowed to implement local fertilizer regulations and a request that amendments to the State's fertilizer law should be made to allow jurisdictions the ability to regulate lawn fertilizer application as required by local conditions. Upon consensus of the County, the Phase II Watershed Implementation Plan submitted to the State will include the recommended alternative proposals, and the deletion of several of the State's additions to the County's Draft Plan, including: (1) Impervious surface reduction of 990 acres at an estimated cost of \$146,250 per

acre; (2) Urban filtering of 8,161 acres (reduced to 1,800 acres by alternative proposal); and (3) Urban forest buffers 900 acres. Talbot County's submission is due at the State by July 2, 2012.

VII. County Manger's Report:

- A. Talbot County Animal Control Board – Requested Council approval for the reappointment of Sonja Rusche to a three-year term on the Talbot County Animal Control Board; said term will expire on July 1, 2015. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the reappointment by voting 5- 0 as follows:

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

- B. Talbot County Commission on the Aging – Requested Council approval for the appointment of Jennifer Marchi to the Talbot County Commission on the Aging; Ms. Marchi will complete the unexpired term of Mr. Claude Lewis which will expire on April 1, 2014. Upon motion by Mr. Hollis, seconded by Mr. Bartlett, the Council approved the appointment by voting 5 – 0 as follows:

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

- C. Talbot County Local Emergency Planning Committee - Requested Council approval to forward the names of Shannon Dill, Owen Wormser, and Sheriff Dallas Pope to the Governor for consideration of reappointment to three-year terms on the Talbot County Local Emergency Planning Committee as Talbot County Extension Service, citizen and law enforcement representatives, respectively; if reappointed, said terms will expire August 1, 2015. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved forwarding the recommendations to the Governor for consideration by voting 5 – 0 as follows:

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

- D. Talbot County Drug and Alcohol Abuse Council – Requested Council approval for the reappointment of Gloria Dill, Paula Lowry, Neil Edwards, Doug Devenyns, Dr. Mark Langfitt and Holly Ireland to four-year terms on the Talbot County Drug and Alcohol Abuse Council; said terms will expire July 1, 2016. Upon motion by Mr. Bartlett, seconded by Mr. Hollis, the Council approved the reappointments by voting 5 – 0 as follows:

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

- E. National Fish and Wildlife Federation Walk-up Grant – Requested Council approval to have the Talbot County Department of Public Works, on behalf of the incorporated municipalities of Easton, Oxford, St. Michaels and Trappe, apply for a National Fish and Wildlife Federation Walk-up Grant in the sum of \$40,000; said funding will be used by the municipalities to develop mini-Watershed Implementation Plans to address water quality issues of the Chesapeake Bay and its tributary rivers and streams; no County funding is required; in-kind staff support will be provided. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved submission of the grant application by voting 5 – 0 as follows:

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

- F. Easton Airport Contract Extension with URS - Requested Council approval for a one-year extension of the contract with Airport consultant, URS, to allow them to complete work on the Airport Capital Improvement Program Environmental Assessment and obstruction removal project; URS is the engineer of record for the Environmental Assessment and obstruction removal projects; the contract will be extended from August 31, 2012 to August 31, 2013. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved the extension of the contract by voting 5 – 0 as follows:

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

- G. July 4<sup>th</sup> Holiday– Mr. Craig stated that County offices would be closed on Wednesday, July 4, 2012 for observance of Independence Day.

VIII. Council Comments:

Mr. Bartlett – No comments.  
Mr. Hollis – No comments.  
Mr. Duncan – No comments.  
Ms. Price - No comments.  
Mr. Pack - Mr. Pack wished everyone a Happy July 4<sup>th</sup> holiday.

IX. Upon motion by Mr. Bartlett, 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 Executive Session on Tuesday, July 10, 2012 at 12:30 p.m. for discussion of legal, personnel, and real estate matters, and for the regularly scheduled legislative session at 1:30 p.m. by voting 5 – 0 as follows:

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

The meeting adjourned at 7:11 p.m.

The transcript of the June 26, 2012 County Council meeting is available for review in the Office of the County Manager during regular office hours.

X. On Tuesday, June 26, 2012, an Executive Session of the Talbot County Council convened at 5:25 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council met in Executive Session by voting 5 – 0 as follows:

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

Mr. Pack arrived at 5:45 p.m.

In accordance with State Article § 10-508 (a)(i)(4)(7) the purpose of the Executive Session was for discussion of a legal/real estate matter for legal advice concerning the possible relocation of Memorial Hospital at Easton to County owned property and the timetable for same; for a real estate matter for legal advice on pending contract negotiations and for legal advice on a matter involving the County’s public landings; and for a personnel matter to discuss appointments to various County boards and committees and to discuss a personnel matter in Parks & Recreation. The Executive Session recessed at 6:00 p.m. and reconvened at 7:20 p.m. The Executive Session ended at 8:55 p.m.

**CASH STATEMENT 6/19/2012**

<b>BALANCE 6/12/2012</b>	\$5,716,557.24
PNC/MLGIP INTEREST ON ACCT 5/2012	1,253.10
BANK CHARGES 5/2012	(2,438.49)
INTEREST ON ACCT 5/2012	1,055.40
BOARD OF EDUCATION 6/2012 1/2	(1,350,125.00)
POSTAGE WIRE	(3,000.00)
PUBLIC IMPROVEMENT BOND SERIES 2008	(423,675.00)
UHC CLAIMS THRU 6/12/2012	(27,375.88)
TRANS LOCAL SHARE TO AIP36/AIP38	(14,349.91)
DEPOSITS	440,701.16
CHECKS	(793,428.28)

VOID CHECK NO. S 276167 50.00

**BALANCE 6/19/2012 \$3,545,224.34**

**AIRPORT ACCOUNTS**

AIP-RUNWAY 4-22 EXTENSION ANALYSIS --  
 AIP-34 15,622.99

AIP-35 37,082.09

AIP36 BALANCE 6/12/2012 8,535.74  
 TRANS<GEN FUND 7,124.91  
 CHECKS (7,124.91) 8,535.74

AIP37 532.80

AIP38 BALANCE 6/12/2012 --  
 DEPOSITS 137,275.00  
 TRANS < GEN FUND 7,225.00  
 CHECKS (144,500.00) --

**AIRPORT ACCOUNTS TOTAL BALANCE \$61,773.62**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/19/2011	07/17/12	0.61%	4,000,000.00
10/18/2011	07/18/12	0.26%	3,000,000.00
10/18/2011	07/18/12	0.26%	5,000,000.00
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00

PNC-MLGIP INVESTMENTS TOTAL 0.15% 6,000,000.00

**TOTAL INVESTED \$25,000,000.00**

**PETTY CASH BALANCE \$6,800.00**

**GRAND TOTAL ALL FUNDS \$28,613,797.96**

**CASH STATEMENT 6/26/2012**

**BALANCE 6/19/2012 \$3,545,224.34**

UHC CLAIMS THRU 6/19/2012 (37,191.19)

POSTAGE WIRE – TOURISM (1,000.00)

EMPLOYEE APPRECIATION (253.75)

STATE BOARD OF ELECTIONS PPE 5/29/2012 4,545.66

DEPOSIT TICKETS ORDER (218.04)

PAYROLL-FD/SS/MS WH 6/22/2012 (103,462.97)

SECU DED	(9,255.93)
DEFERRED COMP DED	(10,222.72)
MD WH	(27,321.45)
PENSION DED	(28,016.92)
ACH TRANSFER	(10,631.75)
FLEX SPENDING ACCT	(2,281.45)
DEPOSITS	406,300.06
CHECKS	(919,778.71)
<b>BALANCE 6/26/2012</b>	<b><u>\$2,797,343.86</u></b>

**AIRPORT ACCOUNTS**

NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP-34	15,622.99
AIP-35	37,082.09
AIP36	8,535.74
AIP37	532.80
AIP38	--

**AIRPORT ACCOUNTS TOTAL BALANCE** **\$61,773.62**

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
07/19/2011	07/17/12	0.61%	4,000,000.00
10/18/2011	07/18/12	0.26%	3,000,000.00
10/18/2011	07/18/12	0.26%	5,000,000.00
10/18/2011	10/18/12	0.41%	4,000,000.00
12/20/2011	12/20/12	0.37%	3,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.13%	6,000,000.00

**TOTAL INVESTED** **\$25,000,000.00**

**PETTY CASH BALANCE** **\$6,800.00**

**GRAND TOTAL ALL FUNDS** **\$27,865,917.48**