



# TALBOT COUNTY, MARYLAND

County Council

MINUTES

March 14, 2017

Present – President Jennifer L. Williams, Vice President Corey W. Pack, Dirck K. Bartlett, Chuck F. Callahan, Laura E. Price, County Manager R. Andrew Hollis, County Attorney Michael L. Pullen, and Assistant County Attorney Anthony Kupersmith.

- I. Agenda – Ms. Williams requested and received Council’s unanimous consent for approval of the Agenda of Tuesday, March 14, 2017.
- II. Minutes – Ms. Williams requested and received Council’s unanimous consent for approval of the Minutes of Tuesday, February 28, 2017.
- III. Disbursements – Ms. Williams requested and received Council’s unanimous consent for approval of the Disbursements of Tuesday, March 7, 2017, and Tuesday, March 14, 2017.
- IV. Presentation of Delmarva Community Transit’s FY2018 Annual Transportation Plan – Santo Grande, Executive Director, Delmarva Community Services, Inc.; Andrea Waters, CCTM, Grant Administrator, Delmarva Community Services, Inc. – Mr. Grande and Ms. Waters briefed the Council on Delmarva Community Transit’s Annual Transportation Grant application for FY2018 to the State of Maryland under the Federal Transit Act and the local matches for each of the categories for which grants are being requested. The grant application includes operating and capital funding requests as well as the sources of all funding received through the Maryland Transportation Administration, including federal funding, for the public transportation system for Caroline, Kent and Talbot counties; funding for the transportation system in Dorchester County is filed separately. Ms. Waters stated that federal and State funding being requested totals \$1,459,640; local funding requested from the participating counties totals \$488,604. Talbot County manages the paperwork for the grant funding.
- V. Introduction of Administrative Resolution:

A RESOLUTION AUTHORIZING TALBOT COUNTY TO FILE AN APPLICATION WITH THE MARYLAND TRANSIT ADMINISTRATION OF THE MARYLAND DEPARTMENT OF TRANSPORTATION FOR A SECTION 5303, 5304, 5307, 5309, 5310, AND 5311 GRANT UNDER THE FEDERAL TRANSIT ACT was read into the record by the Clerk and introduced by Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved moving the resolution to second reader by voting 5 – 0 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Aye  
Mr. Callahan – Aye

Upon motion by Mr. Bartlett, and no objection by the Council, a full reading of the resolution was waived. The Council approved the resolution by voting 5 – 0 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Aye  
Mr. Callahan – Aye

VI. Update on New Memorandum of Understanding with Upper Shore Workforce Investment Board – Dan McDermott, Executive Director, Upper Shore Workforce Investment Board; Melissa Mackey, Director, Title I Workforce Innovation and Opportunity Act (WIOA) Training Program Services, Upper Shore Workforce Investment Board – Mr. McDermott briefed the Council on the history of the Upper Shore Workforce Investment Board since its establishment in 1983. He outlined how the 501(c) 3 organization works with its partners to reduce unemployment and underemployment in its service area by helping citizens get and keep a job through the various services it offers. He stated that the new Memorandum of Understanding (MOU) details a larger and more important role for participating counties, including each county having a role as to how services in their respective counties are delivered; the new MOU also incorporates changes in federal legislation related to services provided by the Board. Mr. McDermott advised that both Caroline County and Dorchester County had requested changes in the language of the MOU and requested that Council defer action on the MOU until such time that the changes are incorporated. Mr. McDermott stated that he would be requesting Council approval for the Regional Plan later in the spring.

VII. Introduction of Legislation:

A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO ADOPT A DEFINITION OF “IN PLAY AREA” FOR NONCONFORMING GOLF COURSES IN THE RURAL CONSERVATION (RC) ZONING DISTRICT was brought forward for introduction. Prior to introduction, Assistant County Attorney, Anthony Kupersmith stated that the purpose of the legislation is to adopt a definition for “in-play area” for non-conforming golf courses in the Rural Conservation (RC) zoning district as outlined in Bill No. 1349, adopted by the Council in September 2016. Mr. Kupersmith stated that Bill No. 1349 limits the expansion of a non-conforming golf course in the Critical Area by no more than 20% of the in-play area. He stated that upon review of the legislation in December 2016 by Critical Area Commission staff, as is required, it was requested that the County adopt a definition of “in-play area” under the parameters established by the Commission as a condition of the Commission’s approval of Bill No. 1349. Mr. Kupersmith outlined the parameters set by the Critical Area Commission. He stated that the proposed legislation reflects the parameters set forth by the Critical Area Commission. Council discussion ensued with Mr. Kupersmith. The legislation was read into the record by the Clerk and introduced by Mr. Callahan, Mr. Pack, Ms. Price, and Ms. Williams. A public hearing was scheduled for Tuesday, April 11, 2017 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

VIII. Public Hearing:

Bill No. 1353, A BILL TO ADOPT A LOCAL AMENDMENT TO THE MARYLAND BUILDING PERFORMANCE STANDARDS (THE “STANDARDS”) EXEMPTING PARCELS OF LAND GREATER THAN ONE (1) ACRE IN SIZE FROM THE RESIDENTIAL POOL BARRIER REQUIREMENTS IN THE STANDARDS PURSUANT TO PUBLIC SAFETY ARTICLE § 12-504, MARYLAND CODE ANNOTATED was read into the record by the Clerk, brought forward for public hearing, and the public was provided an opportunity to comment on the legislation. Upon motion by Mr. Callahan, seconded by Ms. Price, the Council approved Bill No. 1353 by voting 5 – 0 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Aye  
Mr. Callahan – Aye

Bill No. 1353 will become effective as provided for in the legislation.

- IX. Quarterly Update by Talbot County Economic Development Commission – Cassandra Vanhooser, Director, Department of Economic Development and Tourism; Sam Shoge, Economic Development Coordinator, Department of Economic Development and Tourism; Members, Economic Development Commission – Ms. Vanhooser highlighted the importance of tourism to the economy of Talbot County and provided statistical information included in the report entitled *Economic Impact of Tourism in Maryland*, provided annually by Tourism Economics, an Oxford Economics Company. She stated that in 2015, Talbot County had an 8.5% increase in the number of visitors to the county, resulting in approximately \$3 million additional dollars; total tourism sales in Talbot County increased from \$192 to \$206 million, a 6.7% increase and 14.1% of individuals employed in Talbot County are either directly or indirectly employed in the tourism industry. Council discussion ensued with Ms. Vanhooser as to how the statistical information is determined. She concluded her presentation by stating that on a statewide basis, 143,000 individuals are employed in the \$17 billion tourism industry which generates \$2.3 billion in State and local taxes and supports a payroll of \$5.7 billion. Mr. Shoge briefed the Council on the efforts of Economic Development to meet with businesses, learn what challenges they face in growing and/or retaining their business in Talbot County, and how Economic Development can assist in those efforts. Mr. Shoge provided information on the number of businesses contacted from December 2016 through present and outlined various efforts to assist the County with the leasing of space at the former Black & Decker building. Mr. Shoge stated that his office is in the process of holding a series of listening sessions throughout the county to provide an opportunity for citizens to express their concerns; staff of Economic Development will follow-up with the respective town councils. Mr. Shoge concluded his presentation by noting several recently attended or upcoming events and stated that the annual Business Appreciation Breakfast will be held on Friday, April 21, 2017; Lt. Gov. Boyd Rutherford will be the guest speaker.

Presentation by Easton Economic Development Corporation – Tracy Ward, Executive Director, Easton Economic Development Corporation; Ted Bautz, Chairman, Easton Economic Development Corporation Ms. Ward and Mr. Bautz briefed the Council on the concept of the “Enterprise Zone Tax Credit Program” which provides economic incentives, including property and income tax credits, to businesses within the designated zone that renovate, expand or make capital improvements in return for job creation and investments. Ms. Ward also requested Council’s consideration to jointly apply with the Town of Easton for the designation of Port Street, Easton Point and the present location of the hospital as a State Enterprise Zone and provided a map of the proposed zone. She stated that the area referenced is the only eligible area in Easton and the State is highly encouraging the Town and the County to apply for the designation, the deadline for which is April 15<sup>th</sup>. Ms. Ward advised that the State is willing to extend the deadline to the Town and the County until May 31st. Council discussion ensued with Ms. Ward and Mr. Bautz regarding various specifics of the proposal. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved moving forward with the selection of individuals to be on a committee to delineate possible properties for redevelopment and to work with the Town of Easton on the application process by voting 4 – 0 – 1 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Abstain  
Mr. Callahan - Aye

- X. Quarterly Update by Talbot County Airport Board – Mike Henry, Manager, Easton Airport; Members Talbot County Airport Board - Mr. Henry briefed the Council that the following projects were underway or had been completed: (1) AIP-42 (Environmental Assessment Study) – Mr. Henry stated that the Federal Aviation Administration (FAA) is still reviewing the draft Environmental Assessment Study submitted on December 1, 2016 and has indicated that their review and comments should be completed by April 1, 2017. He stated that since Airport consultant, AECOM, has submitted additional information several times since December 2016 as requested, AECOM is of the opinion that a more realistic date for completion of review by the FAA is August 2017. Mr. Henry stated that AECOM is developing a Statement of Work for a grant which includes the recently purchased former Black and Decker facility as well as easements for 84 additional properties; the easements relate to obstruction removal (trees) in the Part 77 airspace. Mr. Henry stated that letters will be forwarded to the affected property owners in the near future; (2) AIP-T/B/D (Pavement Management Plan and Aircraft Classification Number) – Mr. Henry stated that the FAA approved the Statement of Work for the project on February 2, 2017; a grant application will be submitted in April for FY17 federal funding; (3) Lower Level T-Hangar Taxilane Rehabilitation Project – Mr. Henry stated that the project, including the punch list, is anticipated to be completed within the next month; (4) Fuel Sales – Mr. Henry stated that the Airport’s two fixed-base fuel operators are exhibiting growth between four and ten percent; however fuel sales show a slight decline since Hangar Associates is out of operation; the hangar is advertised for sale; (5) Gateway Airport Application – Mr. Henry stated the Airport’s application for designation as a “gateway airport” was approved on March 3, 2017 by the Transportation Security Administration (TSA); the designation as a “gateway airport,” is a designation specific to general aviation traffic desiring to land at Reagan National Airport which must have first cleared security through a gateway airport; (6) Unmanned Aerial Systems (UAS) Operations – Mr. Henry stated that the Airport is seeing more UAS or drone activity and outlined the criteria by which drones must operate when within five miles of an airport, including being licensed by the FAA; (7) Airport Ditch – Mr. Henry stated that his office is working with the Department of Public Works and Environmental Quality Resources, LLC regarding the rehabilitation of the ditch on Airport property at the corner of Airport Road and Goldsborough Neck; he outlined several challenges with the project; (8) Vehicles – Mr. Henry stated that the Airport had recently sold a 1984 Chevrolet Blazer and that Frederick Airport had expressed an interest in purchasing a 1986 fire truck; (9) Zoning Overlay – Mr. Henry stated that his office is working with the Office of Planning and Zoning to include an Airport Overlay Zone in the update of the Zoning Ordinance, currently underway. Jack Pettit, President, Talbot County Airport Board, stated that, in his opinion, fuel sales will continue to increase as the economy improves and citizens will continue to hear about increased drone operations. He stated that the Aircraft Owners and Pilots Association has established a specific category of membership for drone operators. Council discussion ensued with Mr. Henry as the various matters were brought forward. The next Airport Board meeting will take place on Wednesday, April 19, 2017 at 8:00 a.m. in the Easton Airport Conference Room.
- XI. Presentation on County’s Priority Listing for the Maryland Department of Transportation – Ray Clarke, County Engineer; Mike Mertaugh; Assistant County Engineer; Warren Edwards, Roads Superintendent – Mr. Clarke and Mr. Mertaugh presented a draft Priority Listing of Talbot County roads projects which is due at the State by April 1, 2017. The draft listing included an additional item (Item 4) entitled: *Feasibility Study for integrating a bike trail along Maryland Rt. 33*, which had not been included at the time the Council met with SHA representatives in November 2016. Mr. Clarke stated that inclusion of the item had

been requested during a presentation by Bike Talbot to the Council in December 2016. Mr. Clarke stated that it was his understanding that in order for Bike Talbot to secure grant funding for a Feasibility Study on the project it must be included on the County's Priority Listing. Council discussion ensued with Mr. Clarke and Mr. Mertaugh. At Mr. Callahan's request, Cassandra Vanhooser, Director of the Department of Economic Development and Tourism was asked to provide her perspective of Bike Talbot's proposal. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved removing Item No. 4 from the Priority Listing by voting 4 – 1 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Aye  
Mr. Callahan - Nay

XII. County Manager's Report:

- A. Request from Department of Public Works – Requested Council approval of the County Engineer's recommendation to award an open-ended engineering services contract to several local engineering firms for tasks related to various Capital Improvement Projects. County Engineer, Ray Clarke, cited the current workload of his department, possible sewer extension projects in the near future and the proposed culvert replacement project as the reason for the request. Specifically, the request would initially appropriate \$25,000 per firm selected for specific projects as requested, with the provision that the contract can be renewed up to three (3) additional times, for a total award per firm of \$100,000. Mr. Hollis stated that, if approved, the award will need to be made through competitive bid as required by the current procurement process. Council discussion ensued with Mr. Clarke. At Council's direction, Mr. Clarke will develop a Request for Proposals (RFP) for open-ended engineering services.
- B. Talbot County Adult Public Guardianship Review Board – Requested Council appointment of Julie Crocker to a three-year term on the Talbot County Adult Public Guardianship Review Board as a representative of the Commission on the Aging. Upon motion by Mr. Pack, seconded by Ms. Price, the Council approved the appointment by voting 5 – 0 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack – Aye  
Mr. Callahan – Aye

XIII. Council Comments:

Mr. Callahan - No comments.

Mr. Pack - Mr. Pack congratulated Dorchester County and the City of Cambridge on their wonderful job, in his opinion, for the grand opening of the Harriet Tubman Underground Railroad Visitor's Center which was attended by about 5,000 people. He stated that the remarks of both the Governor and Senator Cardin were, in his opinion, right on point. He stated that he highly recommends seeing the Visitor's Center and the wonderful job done to acknowledge Harriet Tubman and what she meant to the citizens of Dorchester and Talbot counties.

Ms. Price - Ms. Price stated that the ribbon-cutting ceremony for the 9-1-1 expansion will be held on Friday, March 17, 2017 after lunchtime. She stated that, in her opinion, it is really exciting that we have merged the departments with Easton and have finished the expansion.

Mr. Bartlett - No comments.

Ms. Williams - No comments.

XIV. Upon motion by Mr. Pack, seconded by Mr. Callahan, the Council voted to adjourn into Closed Session for discussion of legal, personnel and real estate matters and to reconvene on Tuesday, March 21, 2017 for Budget Deliberations; and to reconvene on Tuesday, March 28, 2017 in Open Session at 5:00 p.m. 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 at 6:00 p.m. for the regularly scheduled Council meeting by voting 5 – 0 as follows:

Ms. Williams – Aye  
Ms. Price – Aye  
Mr. Bartlett – Aye  
Mr. Pack - Aye  
Mr. Callahan – Aye

The meeting adjourned at 8:06 p.m.

The transcript of the March 14, 2017 County Council meeting is available for review in the Office of the County Manager during regular office hours.

XV. On Tuesday, March 14, 2017 a Closed Session of the Talbot County Council convened at 3:00 p.m. in the County Council Conference Room. Upon motion by Mr. Pack seconded by Mr. Callahan, the Council met in Closed Session by voting 5 – 0 as follows:

Mr. Bartlett – Aye  
Mr. Callahan – Aye  
Mr. Pack – Aye  
Ms. Price – Aye  
Ms. Williams – Aye

In accordance with General Provisions Article § 3-305(b)(1)(i)(7) the purpose of the Closed Session was for personnel matters to discuss appointments to various County boards and committees; to discuss a personnel matter in the Sheriff's Office; and to discuss a personnel matter in the Office of Law; and for legal matters to discuss a legal matter at the Department of Corrections; and for legal advice concerning a Memorandum of Understanding between the County and YMCA of the Chesapeake. The Closed Session recessed at 3:10 p.m., reconvened at 5:15 p.m., recessed at 6:00 p.m. and reconvened at 8:10 p.m. The Closed Session ended at 8:50 p.m.

XVI. Work Session with Language and Cultural Competency Workgroup – The Council held a work session with members of the Language and Cultural Competency Workgroup on Tuesday, March 14, 2017 at 2:45 p.m. in the Bradley Meeting Room. The purpose of the work session was to discuss collaborative ways by which agencies in Talbot County can best support non-native English speaking members of the community with navigating the various agencies in the community, including the school system, Health Department,

Department of Social Services, emergency services, law enforcement, legal services, the Motor Vehicle Administration, etc. Linda Webb, Director, Talbot County Department of Social Services, stated that the Workgroup just completed a Strategic Plan, developed over a year-long process, which outlines how best to move forward to assist all citizens of Talbot County so that they can become productive and contributing members of the community. Representatives of the various agencies in attendance emphasized the need for the recruitment of certified bi-lingual interpreters. Council discussion ensued with the representatives. The Language and Cultural Competency Workgroup will continue to update the Council as the Strategic Plan is implemented.

- XVII. Work Session with Emergency Services Advisory Board – Wayne Dyott, Chairman, Emergency Services Advisory Board; Members, Emergency Services Advisory Board – The Council met with members of the Emergency Services Advisory Board on Tuesday, March 14, 2017 at 3:15 p.m. in the Bradley Meeting Room. Mr. Dyott expressed his appreciation to the Council for its support of various initiatives in support of Talbot County emergency services providers. Members of the Board brought forward several matters for Council’s consideration, including establishment of EMS station in the northern end of the county; movement of the Tilghman station to the Wittman area; replacement of an ambulance with 152,000 miles with one which has a Stryker Power Load System which locks the patient in place in the event of an accident. Other matters discussed included the success of the volunteer fire department initiative which resulted in the net recruitment of 50 new members over the past year; significance of the Hazard Mitigation Plan for the county; and grant funding for an integrated health and para-medicine program which targets those patients who live alone and call for an ambulance on a regular basis. Council discussion ensued with the Board members as various issues were brought forward.

**CASH STATEMENT 3/07/2017**

BALANCE 2/28/2017	\$24,401,242.58
FD WH PPE 2/28/2017	(2,820.97)
DEFERRED COMP DED PPE 2/28/2017	(1,240.00)
MD WH PPE 2/28/2017	(520.51)
PENSION DED PPE 2/28/2017	(796.74)
FLEX SPENDING PPE 2/28/2017	(193.33)
FD WH PPE 1/27/2017 – SPECIAL RUN	(44.49)
MD WH PPE 1/27/2017 – SPECIAL RUN	(12.11)
INTEGRA CLAIMS THRU 2/27/2017	(65,821.83)
PENSION DED PPE 2/10/2017 – ADDITIONAL AMT	(32.53)
BOARD OF EDUCATION 2/2017	(3,057,519.00)
DEPOSITS	7,984,277.42
CHECKS	(1,045,200.79)
VOIDED CHECK #(S) 3116756, # 314222	220.72
<b>BALANCE 3/07/2017</b>	<b><u>28,211,538.42</u></b>
<b><u>AIRPORT ACCOUNTS</u></b>	
AIP42	0.00
<b>AIRPORT ACCOUNTS TOTAL BALANCE</b>	<b><u>0.00</u></b>

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.60%	18,000,000.00
<b>TOTAL INVESTED</b>			<b><u>\$18,000,000.00</u></b>
<b>PETTY CASH BALANCE</b>			<b><u>\$15,570.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>			<b><u>\$46,227,108.42</u></b>

**CASH STATEMENT 3/14/2017**

BALANCE 3/07/2017			\$28,211,536.42
FD WH PPE 2/24/2017			(142,141.00)
DEFERRED COMP DED PPE 2/24/2017			(13,201.48)
MD WH PPE 2/24/2017			(35,115.06)
PENSION DED PPE 2/24/2017			(34,200.80)
SECU DED PPE 2/24/2017			(4,487.71)
FLEX SPENDING PPE 2/24/2017			(3,023.71)
ACH TRANSFERS			(14,550.75)
STATE REPORT 2/2017			(86,337.73)
ELECTION BOARD PPE 2/14/2017			(3,713.96)
ELECTION BOARD PPE 2/21/2017			(1,448.51)
INTEGRA CLAIMS PD THRU 3/6/2017			(152,790.35)
WF/GF EQUIP LEASE 2/2017			(4,222.00)
USDA/RD MTHLY SEWER BOND PYMT MAR 2017			(1,304.00)
RET CHK STUBS 554 & 555 COMMCTR			(114.00)
DEPOSITS			293,019.31
CHECKS			(765,364.09)
<b>BALANCE 3/14/2017</b>			<b><u>27,242,542.58</u></b>

**AIRPORT ACCOUNTS**

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

**INVESTMENTS – CERTIFICATES OF DEPOSIT**

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.63%	18,000,000.00
<b>TOTAL INVESTED</b>			<b><u>\$18,000,000.00</u></b>



**PETTY CASH BALANCE**

**\$15,570.00**

**GRAND TOTAL ALL FUNDS**

**\$45,258,112.58**