



Talbot County, Maryland



Easton, Maryland

MINUTES

September 24, 2013

Present – President Dirck K. Bartlett, Vice President Corey W. Pack, Thomas G. Duncan, R. Andrew Hollis, Laura E. Price, Assistant County Manager Jessica K. Morris, Assistant County Manager Clay B. Stamp, County Attorney Michael Pullen, Staff Attorney Tony Kupersmith. County Manager John C. Craig was absent.

- I. Agenda – Mr. Bartlett requested and received Council's unanimous consent for approval of the Agenda of Tuesday, September 24, 2013.
- II. Disbursements – Mr. Bartlett requested and received Council's unanimous consent for approval of the Disbursements of September 17, 2013 and September 24, 2013.
- III. Proclamation: Economic Development Week – September 30, 2013 – October 4, 2013 – The Clerk read a proclamation into the record in recognition of Economic Development Week. The proclamation recognized the role and importance of business development on a local and statewide basis. Paige Bethke, Director of the Talbot County Office of Economic Development, reiterated that one of the purposes of the Maryland Economic Development Association, of which her office is a member, is to bring recognition to the state's counties and towns, the function of, and importance of, economic development. Ms. Bethke stated that this year Economic Development Week coincides with Manufacturing Week; the Economic Development Commission and elected officials of the Town of Easton will be touring several businesses in Easton on Friday, October 4, 2013; she welcomed members of the County Council to join the tour. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved the proclamation by voting 5 – 0 as follows:

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

Mr. Bartlett presented the Proclamation to Ms. Bethke, who accepted on behalf of the Talbot County Office of Economic Development and the Economic Development Commission.

- IV. Presentation by Upper Shore Aging, Inc. – Gary Gunther, Executive Director, Upper Shore Aging; Judy Shuler, Manager, Brookletts Place, The Talbot County Senior Center – Mr. Gunther provided a brief update of Upper Shore Aging, Inc.'s Area Plan for 2014, the 3rd update for the Area Plan for 2010-2014. Mr. Gunther stated that Upper Shore Aging, Inc. is responsible for distribution of federal funding received under the 1965 Older Americans Act to senior citizens; senior citizens are defined under the Older American Act as those aged 60 and older; there are approximately 14,000 senior citizens in Talbot County. He then gave a brief synopsis of the programs offered by Upper Shore Aging, including the Senior Care Program which provides services for those aged 65 and older to help keep them in their home rather than entering a nursing home; Medicaid Waiver Program – assists seniors who need long-term care with receiving healthcare services in their own homes or in assisted living facilities rather than in a nursing home, thus allowing individuals to remain in their communities; Money Follows the Person Program - assists Medicaid eligible individuals who are in nursing homes with help in transitioning back to the community; Ombudsman Program – an advocacy program for residents of nursing homes and assisted

living facilities who are unable to act on their own behalf; Legal Assistance – provides legal advice to seniors on such matters as Social Security benefits, powers of attorney, etc.; Caregivers Program – provides caregivers with small monetary grants to be used for respite services, attending doctors' appointments, etc.; Guardianship Program – provides legal guardianship to senior citizens in those instances when there are no family members who can act on the individual's behalf; Maryland Access Point – provides senior citizens and disabled citizens with information on services available for assistance; Meals on Wheels – provides hand-delivered meals three times a week to homebound seniors; Mr. Gunther stated that the daily contact with the program volunteers is vital to helping the individual maintain a link to his or her community; the more than 110 volunteers delivered approximately 17,000 meals in FY 2013. Judy Shuler, Manager of Brookletts Place, the Talbot County Senior Center, later stated that volunteers at the Senior Center provided 3,940 congregate meals in FY 2013; the Talbot County Senior Center receives its funding through Upper Shore Aging. Ms. Shuler then provided the Council with statistical information related to services provided by the Talbot County Senior Center to senior citizens in Talbot County for FY 2013. She stated that membership at the Senior Center for FY 2013 totaled 3,225, a total which is anticipated to increase to 3,500 during FY 2014; when the Senior Center opened in 2009, there were approximately 740 members. She stated that each activity in which a senior citizen participates is counted by the Senior Center for statistical purposes as a "visit;" the Senior Center recorded 15,993 visits in FY 2013. She stated that the Talbot County Senior Center is a very active senior center, providing various members with a wide variety of programming at minimal cost; the programming budget for FY 2013 was \$2,000 which equates to \$.62 per member. Ms. Shuler concluded her comments by stating that her job is to make the Talbot County Senior Center the premier facility in the County for senior citizens. Council members expressed appreciation to Mr. Gunther and Ms. Shuler for their efforts on behalf of senior citizens in Talbot County. Upon motion by Mr. Pack, seconded by Mr. Hollis, the Council approved acceptance of Upper Shore Aging's Area Plan for FY 2014, as presented, by voting 5 – 0 as follows:

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

V. Request for Supplemental Funding by Upper Shore Aging, Inc. – Gary Gunther, Executive Director, Upper Shore Aging, Inc. – Mr. Gunther requested Council's consideration to provide supplemental funding to Upper Shore Aging, Inc. in the sum of \$21,992, some of which would be used to provide services at the Talbot County Senior Center. Mr. Gunther stated that Older Americans Act Fund allocations received for FY 2014 total \$21,992 less than received in FY 2013. Mr. Gunther stated that the funding reductions result in part from federal sequestration and in part to the formula used to calculate the distribution of funding which are more favorable to jurisdictions in Maryland which have larger, low income senior populations than Talbot County. Council discussion ensued with Mr. Gunther. Mr. Pack made a motion to approve the supplemental funding request from Upper Shore Aging in the amount of \$21,992, with said funding to come from the Contingency Fund which the Finance Director has certified is available; Mr. Hollis seconded the motion with the understanding that although the County is in a financial position to make up the deficit funding this fiscal year, that may not be the case in future years. Council discussion and comment ensued. The Council approved the request for supplemental funding by voting 4 – 1 as follows:

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

Mr. Pack left the meeting at 6:40 p.m.

- VI. Presentation by Blue Ribbon Commission on Critical Area Buffer Regulations – Gene Slear, Chairman, Blue Ribbon Commission on Critical Area Buffer Regulations; Members, Blue Ribbon Commission on Critical Area Buffer Regulations; Sandy Coyman, Planning Officer – Mr. Slear presented an update to the County Council on the Blue Ribbon Commission's recommendations for proposed modifications to Talbot County's Local Critical Area Program; the Blue Ribbon Commission on Critical Area Buffer Regulations was formed in November 2011 to make recommendations to the County Council to address concerns of County citizens that Local Critical Area Program regulations were overly burdensome on homeowners. Mr. Slear stated that the Blue Ribbon Commission had held a Work Session with the Council in November 2012, at which time Council had directed the Commission to meet with Critical Area Commission staff to gain their feedback on proposed changes to Talbot County's Local Critical Area Program; several meetings were held with Critical Area Commission staff to discuss the proposed recommendations for changes. Mr. Slear reiterated that State Critical Area Regulations state in part as follows: *that it is the intent of Maryland's Critical Area Program that each local jurisdiction shall have responsibility for developing and implementing a local program, subject to the review and approval by the Critical Area Commission.* He stated that recommendations for proposed changes (alternatives) to the Local Program must be at least as effective as the current regulations and that the proposed alternative(s) must be approved by vote of the Critical Area Commission. Mr. Slear then reviewed the policies and goals of the Local Program, as well as the proposed changes to the Local Program. He stated that the proposed changes are within the guidelines of the goals of the Local Program. Council discussion ensued with Mr. Slear and Mr. Coyman as each proposed change was brought forward. Mr. Coyman recommended that Planning and Zoning staff and the Planning Commission review the recommendations prior to forwarding their comments to the Council. The members of the Blue Ribbon Commission and Critical Area Commission in attendance were provided an opportunity to comment. Council thanked Mr. Slear and members of the Blue Ribbon Commission for their completion of work on the report to the Council. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council agreed that the report and recommendations prepared by the Blue Ribbon Commission had been submitted as requested by voting 4 – 0 as follows:

Mr. Bartlett – Aye

Mr. Hollis - Aye

Mr. Pack – Absent

Ms. Price – Aye

Mr. Duncan - Aye

- VII. Presentation on Hog Neck Golf Course – Andy Halverson, Head Golf Professional; Owen Sutherland, Golf Course Superintendent, Hog Neck Golf Course; Members, Talbot County Golf Board – Mr. Halverson briefed the Council on the following initiatives and upcoming projects at Hog Neck Golf Course, including: (1) Junior Golf – Mr. Halverson stated that participation in Junior Golf had expanded by 50% during FY 2013, with Hog Neck accommodating 300 individual players, including coordination with the YMCA on a youth golf camp and serving as a venue to local high schools for various matches; (2) Donated Golf to Area Charities – He stated that over the past two years, 800 rounds of golf having a value of \$36,000 have been donated to various local and statewide charities as a means of showing support to the Talbot County community and as an outreach to bring players to Hog Neck; (3) Course Improvements – Mr. Halverson outlined improvements made at the Golf Course over the past two years, including bunkers for both fairways and greens, and practice greens; he stated that as a result of the course improvements, return business to Hog Neck continues to increase; (4) Customer Service Improvements – Mr. Halverson stated that the Golf Course has made, and continues to make, improvements in customer service; (5) Equipment Needs – He outlined the need by the Golf Course for a new Point of Sale computer system, stating that the current system does not have the capability of generating detailed reports; the hours of operation for service personnel for the current system are also very limited. Mr. Halverson advised that he and his staff, and

members of the Golf Board are working on a budget for future capital projects including structural needs, paving, etc. which he and the Board will present to Council when complete. Council members congratulated Mr. Halverson, his staff and the Golf Board for their outstanding improvements to Hog Neck Golf Course.

VIII. County Manager's Report:

- A. Talbot County Commission on the Aging – Requested Council approval for the appointment of Lee Newcomb to the Talbot County Commission on the Aging as an Ex-Officio member; requested Council approval for the appointment of Edwin Miller to the Commission on the Aging; said term will complete the unexpired term of Ms. Judy Shuler and will expire April 1, 2016. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the appointment by voting 4 – 0 as follows:

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

- B. Upper Shore Workforce Investment Board – Requested Council approval for the appointment of Mary Ellen Carter to a three-year term on the Upper Shore Workforce Investment Board as a representative of the private sector; said term will expire June 30, 2016. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved the appointment by voting 4 – 0 as follows:

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

- C. Maryland Department of Housing and Community Development Emergency Shelter Grant - Requested Council approval for the Neighborhood Service Center, on behalf of Talbot County, to apply for an Emergency Shelter Grant from the Maryland Department of Housing and Community Development in the amount of \$40,000; said funding to be used, in large part, for a rental allowance program to provide short-term rental subsidies to families who are homeless or who otherwise need emergency housing; no County funding is required. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council approved submittal of the application by voting 4 - 0 as follows:

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

- D. Bid No. 13-19, FURNISHING AND DELIVERY OF PROPANE AND SERVICE OF PROPANE EQUIPMENT AT THE TALBOT COUNTY COMMUNITY CENTER, TALBOT COUNTY, MARYLAND - Requested Council approval to award Bid No. 13-19 to the sole bidder, Sharp Energy, Inc., at a fixed price of \$1.62 per gallon of propane for the period of one year (September 1, 2013 – August 31, 2014). Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the bid award by voting 4 – 0 as follows:

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

- E. Bid No. 13-20, REQUEST FOR FARM LAND RENTAL PROPOSALS – Requested Council approval to award the rental of four (4) tracts of farmland totaling approximately 83 acres at Easton Airport to the highest bidder, William A. Moore, Jr., in the sum of \$12,500 per season; said Lease will expire upon the harvesting of fall crops in 2016. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council approved the bid award by voting 4 – 0 as follows:

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

- F. Bid No. 13-21, ENGINEERING SERVICES, VEHICULAR ACCESS RAMP REPLACEMENT – BELLEVUE FERRY DOCK – Requested Council approval to award Bid No. 13-21 to the lowest bidder, Davis, Bowen & Friedel, Inc., in the sum of \$33,965. Upon motion by Mr. Duncan, seconded by Mr. Hollis, the Council approved the bid award by voting 4 – 0 as follows:

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

- G. Request for Abatement from County Real Property Taxes – Finance Director Angela Lane requested Council's consideration for an abatement from County Real Property Taxes totaling \$48.64 on a parcel of County owned property purchased in FY 2013 for future recreational use. Upon motion by Mr. Hollis, seconded by Mr. Duncan, the Council approved the abatement request by voting 4 – 0 as follows:

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

- H. Easton Airport Day – Ms. Morris stated that Easton Airport Day will be held on Saturday, September 28, 2013 beginning at 7:00 a.m. with a planned balloon launch; more information on the schedule of events can be found at www.eastonairportdays.com.

- I. Tire Drop-off Day – Ms. Morris stated that the County, in association with the Maryland Department of the Environment and Maryland Environmental Service, will be holding a Citizen Tire Drop-off Day on Saturday, October 12, 2013 from 8:00 a.m. to 2:00 p.m. at Mid-Shore Regional I Landfill on Barkers Landing Road near Easton; a maximum of ten tires per vehicle will be accepted for disposal. Additional information may be obtained by contacting the Talbot County Department of Public Works at 410-770-8170 or on the County website at www.talbotcountymd.gov.

- J. County Road Resurfacing Project – Mr. Stamp stated that the County road resurfacing project of 17 roads began on September 3, 2013 and is almost complete. Thus far, the County Roads Department has tarred and chipped approximately 40 of the 42 miles of roadway to be resurfaced; remaining roads planned for resurfacing this fiscal year include Claiborne Road and Old Claiborne Road. He stated that a decision was made to tar and chip the roads instead of using slurry due to the deterioration of the roadbeds making slurry inadequate. Mr. Stamp cautioned drivers to slow down until remaining loose gravel is embedded into the roadway by traffic; the County Roads Department staff will be utilizing its equipment to insure that the gravel is evenly distributed and will remove any remaining loose gravel in coming weeks; a map detailing the County roads paving project is posted on the County's website. Mr. Stamp stated that the residents of Claiborne will be notified when resurfacing is anticipated to occur in their area, and in the future, County citizens will receive notification when resurfacing of roads in their community is to take place.

IX. Council Comments:

Mr. Duncan – Mr. Duncan stated that through the perseverance of the County Council over the period of several years, the State of Maryland has finally removed the large digital message sign in Talbot County on U.S. Rt. 50 north of Easton. He stated that, in his opinion, if a government feels that something is an intrusion of their environment and continues to raise an issue about the matter, it can be taken care of. Mr. Duncan thanked the State for removing the sign.

Ms. Price - Ms. Price expressed her thanks to County employees for all their hard work, stating that she had been out of town and was unable to attend the County Employee Service Awards Picnic but wanted the employees to know that the Council appreciates all they do.

Mr. Hollis – Mr. Hollis apologized for not attending the County Employee Service Awards Picnic, stating that he had simply left it off his calendar. He stated that the County has a great group of people to which the Council wants to show its support. Mr. Hollis stated that he would be attending the Service Awards Picnic next year.

Mr. Bartlett - No comments.

- X. Upon motion by Mr. Duncan, seconded by Ms. Price, the Council voted to adjourn and to reconvene in Executive Session on Tuesday, October 8, 2013 at 12:30 p.m. for discussion of legal, personnel, and real estate matters, and at 1:30 p.m. for the regularly scheduled legislative session by voting 4 – 0 as follows:

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

The meeting adjourned at 8:26 p.m.

The transcript of the September 24, 2013 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XI. Meeting with Municipalities – The County Council met with the elected officials of the incorporated towns of Easton, Oxford, Queen Anne, St. Michaels and Trappe at 5:30 p.m. on Tuesday, September 17, 2013. John Craig, Talbot County Manager, provided an update on the proposed Regional Medical Center project. He noted that although Shore Regional Health and University Maryland Medical Systems have advised that the Regional Medical Center project is on a “rolling delay,” Talbot County and the Town of Easton have accepted the grant award from the U.S. Department of Commerce Economic Development Administration (EDA) in the amount of \$1,650,000 for the construction of a regional sewer force main system to the site of the future University of Maryland Shore Medical Center at Easton. Mr. Craig then outlined the terms of the grant which include the requirement that the project be started within 24 months after acceptance of the grant monies, with completion of the project in an additional 18 to 36 months; after the infrastructure project is complete, the County will be reimbursed for expenses up to 50% of the cost of one portion of the project, up to \$1.65 million, which the County has identified as a pump station at the site and approximately 3.9 miles of sewer line to the pump station. Paige Bethke, Director, Talbot County Economic Development provided an update on the Economic Development Strategic Plan as prepared by Sage Policy Group. The Economic Development Commission has identified three recommendations included in the Plan to begin with: revision and update of County tax incentives; creation of a marketing plan; and focus on business friendly environment. Ms. Bethke noted that the Economic Development Commission will be holding their meetings throughout the County over the next several months and encouraged local officials to attend. Len Wendowski, Easton Town Council member, provided an update on the Waterside Village development project. Kelley Malone, Easton Town Council member, provided an update on the Town of Easton’s newly formed Economic Development Corporation which will be run as a non-profit. Mary Kay Verdery, Assistant Planning Director provided an update of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, Flood Insurance Study and National Flood Insurance Program, as well as the Talbot County CoastSmart Scorecard Assessment and Community Rating System application. Each municipality will be able to participate in the Community Rating System which will allow for discounted flood insurance rates for citizens. Ms. Verdery offered her assistance to all towns regarding the maps. Mr. Craig noted that the Talbot County Council has recently appointed an interim committee to review the 86-acre parcel the County acquired on the Oxford Road from The Conservation Fund. The purpose of the interim committee is to provide recommendations for the parcel’s use as a passive park. Joyce Harrod, Town of St. Michaels Commissioner, noted that several banks have recently left downtown St. Michaels and this is a concern for the Town and local retailers. Mark Turner, Town of Queen Anne Commissioner, requested assistance to get additional police presence in the Town of Queen Anne. He has spoken with Sheriff Pope. Council suggested Mr. Turner also contact the Maryland State Police for assistance. Yvonne Bartolomeo and Norm Fegel, Town of Trappe Commissioners, requested assistance with roadside ditch clearing along Rumsey Drive and Route 50 as well as Barber Road and Marvel Court. Mr. Craig noted he will work with the Roads Department and Talbot County Department of Public Works. Mayor Robert Willey, Town of Easton, requested an update on the Dutchmans Lane project. Mr. Craig advised the County has not yet heard on the status of the TAP funding from State Highway Administration. The County is continuing with design work on the Dutchmans Lane project. The meeting adjourned at 6:50 p.m.
- XII. On Tuesday, September 17, 2013, an Executive Session of the Talbot County Council convened at 7:20 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Ms. Price, the Council met in Executive Session by voting 5 – 0 as follows:

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

In accordance with State Article § 10-508 (a)(3) the purpose of the Executive Session was for a legal/real estate matter to discuss a proposal to dispose of County property and acquire property for a County purpose and to consult with counsel to obtain legal advice. The Executive Session ended at 8:25 p.m.

- XIII. On Tuesday, September 24, 2013, an Executive Session of the Talbot County Council convened at 5:05 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Hollis, seconded by Ms. Price, the Council met in Executive Session by voting 4 – 0 as follows:

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

Mr. Duncan arrived at 5:10 p.m.

In accordance with State Article § 10-508 (a)(1)(i)(3)(7) the purpose of the Executive Session was for personnel matters to discuss appointments to various County boards and committees; and for a legal/real estate matter to discuss a proposal to dispose of County property and acquire property for a County purpose. The Executive Session ended at 6:00 p.m.

CASH STATEMENT 9/17/2013

BALANCE 9/10/2013	\$31,391,092.59
UHC CLAIMS THRU 9/10/2013	(58,699.35)
BANK CHARGES 8/2013	(3,074.81)
INTEREST ON ACCTS 8/2013	8,659.12
STATE REPORT 8/2013	(593,476.69)
 PAYROLL – FD/SS/MS WH 9/13/2013	 (124,579.77)
SECU DED	(6,529.57)
DEFERRED COMP DED	(9,920.99)
MD WH	(30,757.15)
PENSION DED	(29,950.27)
ACH TRANSFER	(10,281.75)
FLEX SPENDING ACCT	(2,806.21)
 DEPOSITS	 652,313.07
CHECKS	(991,552.23)
VOID CHECK NO. S 283623,285011,285193,285451,285525	4,602.06
 BALANCE 9/17/2013	 <u>30,195,038.05</u>

AIRPORT ACCOUNTS

AIP-RUNWAY 4-22 EXTENSION ANALYSIS	--
AIP34	49,341.83
AIP35	55,424.98
AIP36	35,902.04
AIP37	324.62
AIP38	3,257.70

AIRPORT ACCOUNTS TOTAL BALANCE			<u>144,251.17</u>
INVESTMENTS – CERTIFICATES OF DEPOSIT			
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$48,347,859.22</u>

<u>CASH STATEMENT 9/24/2013</u>	
BALANCE 9/17/2013	\$30,195,038.05
UHC CLAIMS THRU 9/17/2013	(19,625.08)
POSTAGE WIRE	(3,000.00)
OXFORD LAND ESCROW INT THRU 8/2013	131.68
DEPOSITS	1,487,159.76
CHECKS	(772,040.98)
BALANCE 9/24/2013	<u>30,887,663.43</u>

AIRPORT ACCOUNTS			
INVESTMENTS – CERTIFICATES OF DEPOSIT			<u>144,251.17</u>
<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
PNC-MLGIP INVESTMENTS TOTAL		0.06%	18,000,000.00
TOTAL INVESTED			<u>\$18,000,000.00</u>
PETTY CASH BALANCE			<u>\$8,570.00</u>
GRAND TOTAL ALL FUNDS			<u>\$49,040,484.60</u>