



Talbot County, Maryland



Easton, Maryland

MINUTES

September 28, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, Acting County Manager Clay B. Stamp and County Attorney Michael Pullen.

- I. Agenda – Agenda of September 28, 2010 was approved upon motion by Mr. Bartlett, 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. Disbursements – Disbursements of September 28, 2010 were approved upon motion by Mr. Duncan, 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

- III. Council Welcome to New Talbot County Manager, John Craig – Mr. Harrison welcomed new County Manager, John Craig, who will assume his duties on Thursday, September 30, 2010. Mr. Harrison gave a brief biography of Mr. Craig, stating that he comes to Talbot County from Barre, Vermont where he served as the City Manager. Mr. Craig's previous employment experience includes having served as an international local government consultant to several countries, including Croatia, Sri Lanka, Albania, and Serbia and as a branch chief of strategic budgeting for the District of Columbia. Mr. Craig holds a Master's Degree in Public Policy and Administration from Columbia University and is a member of the International City/County Management Association (ICMA). Mr. Craig thanked the Council for their welcome.

- IV. Request for Approval of Intergovernmental Agreement For Solid Waste Services By and Between Talbot County, Maryland and Maryland Environmental Service – Ray Clarke, County Engineer – Mr. Clarke requested Council approval of an amended Intergovernmental Agreement between Talbot County and Maryland Environmental Service following Council's request at the Tuesday, September 21, 2010 meeting for inclusion of a provision for an annual renewal and/or opt out given a one-year prior notice. County Attorney Mike Pullen advised that the revised Agreement has been reviewed by the Assistant Attorney General's Office for Maryland Environmental Service and is acceptable to them. Upon motion by Mr. Foster, seconded by Mr. Bartlett, the Council approved the Intergovernmental Agreement with Maryland Environmental Service, as amended, by voting 5 – 0 as follows:

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

The Intergovernmental Agreement provides for the County's operation of a transfer station and homeowner drop-off site (HODO) at the present location of Mid-Shore Regional Landfill I, once other operations of the facility cease in January 2011. Talbot County's cost to operate the transfer station and HODO is \$270,000 for the first six (6) months of operation, January 2011 through June 2011, the remainder of FY 2010-2011; additional revenue in the sum of \$45,000 is anticipated from a \$3 increase in tipping charges at the scales. The County Manager requested use of contingency funds for operation of the site; the Finance Director certified contingency funds are available. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved an expenditure of up to \$270,000 from the Contingency Fund for operation of the transfer station and HODO for the remainder of FY2010-2011, beginning in January 2011, by voting 5 – 0 as follows:

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

The Council will address a permanent funding stream in the FY2011-2012 budget.

- V. Request for Abatement from County Real Property Taxes – Angela Lane, Finance Director – Ms. Lane briefed the Council on requests for abatement from County Real Property Taxes totaling \$22,715.88. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the abatement requests by voting 5 – 0 as follows:

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

- VI. Introduction of Administration Resolution:

AN ADMINISTRATIVE RESOLUTION DESIGNATING THE MARYLAND STATE POLICE AS THE PRIMARY LAW ENFORCEMENT UNIT TO RECEIVE REQUIRED RECORDS FROM JUNK DEALERS AND SCRAP METAL PROCESSORS FOR EACH PURCHASE OF CERTAIN JUNK OR SCRAP METAL IN THE STATE IN ACCORDANCE WITH HOUSE BILL 1174 AND SENATE BILL 99 was brought forward for introduction. Upon motion by Mr. Foster, and unanimous consent of the Council, a full reading of the administrative resolution was waived. Talbot County Sheriff Dallas Pope advised the Council that the purpose of the administrative resolution is to designate the Maryland State Police as the law enforcement unit responsible for maintaining a statewide database of the purchase and sale of various types of scrap metal with information provided to them by licensed junk and scrap metal dealers. The measure is an effort to reduce increased theft of junk and scrap metal and will be available to various police agencies. The Administrative Resolution was introduced by Mr. Foster. A motion was made by Mr. Foster and seconded by Mr. Duncan to approve the Administrative Resolution. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Administrative Resolution was brought to third reader, with the Council voting 5 – 0 as follows:

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

Council approved the Administrative Resolution by voting 5 – 0 as follows:

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

- VII. Presentation of FY2012 Talbot County Public Schools Capital Improvement Program (CIP) – Dan Capozzi, Assistant Superintendent for Support Services, Talbot County Public Schools – Mr. Capozzi outlined several items in the Talbot County Public Schools Capital Improvement Program (CIP) for FY2012, including the following projects: (1) \$344,000 in State funding for the Easton Elementary Head Start addition; remaining funding will be federal monies or monies solicited by Head Start; (2) the Easton Elementary School parking lot, now 100% complete; and (3) the reservation of \$300,000 of the \$600,000 in savings realized from the St. Michaels Renovation Project until the remaining 1% of work at the sites is completed. No additional funds are being requested in the FY2012 Program.

- VIII. Motion to Take From the Table and Amend:

Resolution No. 172, A RESOLUTION TO INTRODUCE, CONSIDER, AND DETERMINE WHETHER TO ADOPT A PROPOSED AMENDMENT TO THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN (THE “PLAN”) THAT WILL RE-CLASSIFY PROPERTY LOCATED AT 27748 ST. MICHAELS ROAD, MD. RT. 33, EASTON, MARYLAND, GENERALLY KNOWN AS “CARROLL’S MARKET,” TAX MAP 34, PARCEL 301, FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND, (THE “PROPERTY”) FROM THE CURRENT CLASSIFICATION OF “UNPROGRAMMED” TO “S-1” (IMMEDIATE PRIORITY STATUS), TO MAKE THE PROPERTY ELIGIBLE FOR SEWER SERVICE FROM THE REGION II WASTEWATER TREATMENT PLANT (THE “PLANT”), AND TO AUTHORIZE EXTENSION OF SEWER SERVICE FROM THE PLANT TO THE PROPERTY (*Carroll’s Market, Route 33*) was read into the record by the Clerk and brought forward for a motion to take from the table and amend. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved taking Resolution No. 172 from the table by voting 5 – 0 as follows:

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

County Attorney Mike Pullen reiterated Council’s direction at the Tuesday, August 24, 2010 meeting following the tabling of Resolution No. 172, to meet and to present to Council a proposed policy for connection to the Unionville, Tunis Mills, Copperville force main. He stated that amendments to Resolution No. 172 had been drafted to conform to the original resolution and the sewer policy before the Council for consideration of introduction. Mr. Pullen advised that the draft sewer service policy before

them for introduction is much more limited in scope than the policy proposed by the subcommittee charged with studying the matter. He stated that the subcommittee is of the opinion that the entire service areas of Royal Oak-Newcomb-Bellevue and Unionville-Tunis Mills-Copperville should be included in a draft sewer service policy. He stated that if the draft sewer service policy is introduced, a public hearing would be scheduled for Tuesday, October 12, 2010, the same date as the public hearing on the amendments to Resolution No. 172. Representatives of the Public Works Advisory Board and Planning Commission who were present advised that the full membership of their respective bodies had not yet reviewed the proposed sewer service policy. Council discussion ensued regarding the proposed sewer service policy and the proposed amendments to Resolution No. 172.

Mr. Pack introduced the amendments to Resolution No. 172 as drafted by the County Attorney and requested that they be forwarded to the Public Works Advisory Board and the Planning Commission for their review at their next meeting, scheduled for October 6, 2010. Mr. Pullen advised that Maryland State Law Environmental Article § 9-506(a)(2) requires that any amendments to the County's Comprehensive Water and Sewer Plan must be submitted to the County Planning Commission and be certified by the Commission as being consistent with the County's Comprehensive Plan.

Mr. Foster then offered an amendment to Mr. Pack's amendment, requesting the re-insertion of the following paragraph on page 2 of 5 of Resolution No. 172, with amendments:

WHEREAS, on November 13, 1993, the County Council adopted a Resolution concerning access to the low-pressure collection system from Unionville, Tunis Mills, and Copperville to the Plant, which remains in effect and is applicable to this application.

Mr. Pullen stated that the draft sewer service policy resolution had been drafted with the intention that it would supercede the 1993 Resolution and with a view toward creating a policy which would allow Carroll's Market to come in under more restrictive and specific criteria. He continued that, in his opinion, if introduced, the sewer service policy resolution should be discussed and enacted before Resolution No. 172 (Mr. Carroll's application) is considered.

A RESOLUTION TO ESTABLISH SEWER SERVICE CONNECTION POLICIES FROM THE UNIONVILLE, TUNIS MILLS AND COPPERVILLE SEWER SERVICE AREA LOW-PRESSURE FORCE MAIN COLLECTION SYSTEM TO THE ROYAL OAK PUMP STATION was introduced by Mr. Bartlett and Mr. Pack as Resolution No. 175. A public hearing was scheduled for Tuesday, October 12, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

Resolution Nos. 172 and 175 will be forwarded to both the Planning Commission and the Public Works Advisory Board for review at their meetings on October 6, 2010; their comments will be forwarded to the Council prior to the Council's meeting on Tuesday, October 12, 2010.

IX. Introduction of Legislation:

A BILL TO AMEND CHAPTER 190 ZONING, SUBDIVISION, AND LAND DEVELOPMENT, TO PROVIDE DEFINITIONS, PERMITTED LOCATIONS, AND SUPPLEMENTAL STANDARDS FOR SEXUALLY ORIENTED BUSINESSES was brought forward for introduction. Planning Officer Sandy Coyman briefed the Council on the proposed legislation, which includes non-substantive changes as recommended by the Planning Commission, and a study to identify and assess the potential impacts (secondary effects) of sexually oriented businesses (included as Exhibit A in the legislation). Mr. Coyman

advised that the current Talbot County Code does not differentiate between sexually oriented businesses and other businesses which specifically cater to adults, adding that the County had enacted moratoriums on said uses until such a time as the matter could be studied and appropriate legislation drafted. He stated that although localities may regulate to minimize the negative secondary effects of sexually oriented businesses, the content of those businesses are protected under the First Amendment to the U.S. Constitution. Council discussion ensued as to the specifics outlined in the proposed legislation. Mr. Foster requested that line 7 of item (1) on page 4 of the legislation be changed from: ... *and at least 500 feet from any parcel containing a school, house of worship, park or...* to: ...*at least 1,000 feet from any land parcel zoned residential and at least 1,000 feet from any parcel containing a school, house of worship, park or...*. The legislation was introduced by Mr. Duncan, Mr. Foster, and Mr. Harrison as Bill No. 1200. A public hearing was scheduled for Tuesday, October 26, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland 21601. County Attorney Mike Pullen advised that the proposed legislation only permits sexually oriented businesses within the Limited Industrial Zone (LI). Planning Officer Sandy Coyman stated that prior to the public hearing his department would confirm that no parcels would be excluded from availability in the LI zone with the extension of the distance from 500 to 1,000 feet.

X. Public Hearings:

Resolution No. 174, A RESOLUTION TO INTRODUCE, CONSIDER, AND DETERMINE WHETHER TO FORMALLY DECLINE TO ACCEPT THE OFFER OF DEDICATION FOR A PORTION OF THE PAPER STREET KNOWN AS *MILES HAVEN AVENUE* LOCATED BETWEEN 25848 AND 25840 ST. MICHAELS ROAD, EASTON, MARYLAND; AND 7488 BEACH AVENUE, EASTON, MARYLAND SHOWN ON A SUBDIVISION PLAT ENTITLED "*MILES HAVEN*" DATED JULY 12, 1923, RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND AT C.B.L. LIBER 195/FOLIO 433, LOCATED GENERALLY NEAR THE COMMUNITY OF NEWCOMB. THE PROPERTIES ON WHICH THIS PAPER STREET IS LOCATED ARE CURRENTLY OWNED BY JOHN D. JR. & LYNNE A. JARRELL, 25848 ST. MICHAELS ROAD; ROBERT T. MAY, 25840 ST. MICHAELS ROAD; AND JOHN J. & JUDY K. MISTRETTA, 7488 BEACH AVENUE, was brought forward for public hearing. Upon motion by Mr. Foster, and unanimous consent of the Council, a full reading of the Resolution was waived. County Attorney Mike Pullen stated that Resolution No. 174 is a request for formal action on the offer of dedication on the paper street known as Miles Haven Avenue, between 25848 and 25840 St. Michaels Road, Easton, Maryland. He stated that when subdivisions were recorded, they historically included a legal recordation of "paper streets," an offer of dedication to the County for improvement at a later date for use by the public. Mr. Pullen stated that even if no improvements are made by the County to the "paper street," the offer of dedication remains open and creates a cloud on the title of the abutting property owner. The public was afforded an opportunity to comment on the proposed legislation. Upon motion by Mr. Foster, and unanimous consent of the Council, Resolution No. 174 was brought to third reader. Upon motion by Mr. Bartlett, and unanimous consent of the Council, a full reading of the Resolution was waived. Council approved Resolution No. 174 by voting 5 – 0 as follows:

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

Resolution No. 174 will take effect immediately.

A public hearing was held on Bill No. 1198, A BILL TO MAKE IT UNLAWFUL TO POSSESS, ADMINISTER, MANUFACTURE, DISTRIBUTE, OR DISPENSE SALVIA, OR TO DISTRIBUTE OR ATTEMPT TO DISTRIBUTE ANY NON-CONTROLLED SUBSTANCE REPRESENTING IT TO BE SALVIA, INTENDING IT FOR USE OR DISTRIBUTION AS SALVIA, OR UNDER CIRCUMSTANCES WHERE ONE SHOULD REASONABLY KNOW IT WILL BE USED OR DISTRIBUTED AS SALVIA, OR TO MAINTAIN A COMMON NUISANCE WITH RESPECT TO SALVIA, OR TO USE OR POSSESS WITH INTENT TO USE SALVIA PARAPHERNALIA, OR TO OWN, RENT, OR OTHERWISE UTILIZE A STORE, DWELLING, BUILDING, OR OTHER FACILITY FOR THE PURPOSE OF ADMINISTERING, SELLING, DISPLAYING, DISTRIBUTING, POSSESSING, OR DISPENSING SALVIA, OR MANUFACTURING, DISTRIBUTING, DISPENSING, STORING, OR CONCEALING SALVIA PARAPHERNALIA, MAKING VIOLATIONS A MISDEMEANOR SUBJECT TO PENALTIES OF IMPRISONMENT FOR UP TO SIX (6) MONTHS, FINES OF UP TO \$1000, OR BOTH, and the public was afforded an opportunity to comment on the legislation. Upon motion by Mr. Foster, and unanimous consent of the Council, Bill No. 1198 was brought to third reader. Upon motion by Mr. Foster, and unanimous consent of the Council, a full reading of the legislation was waived. The Council approved Bill No. 1198 by voting 5 – 0 as follows:

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

Bill No. 1198 will become effective as provided for in the legislation.

XI. County Manager’s Report:

- A. Extension of Female Blue Crab Harvesting Season - Requested Council approval to forward a letter to the Maryland Department of Natural Resources (DNR) in support of Dorchester County’s request that DNR extend the female blue crab harvesting season by one week, from November 10, 2010 to November 17, 2010; said extension would benefit commercial watermen impacted by 2009 blue crab harvest regulations. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved forwarding a letter in support of the season extension by voting 4 – 1 as follows:

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

Mr. Bartlett voiced his opposition to the harvesting of female crabs.

- B. Community Traffic Safety Program –Requested Council approval of the annual submittal for a Community Traffic Safety Program grant in the sum of \$47,500; said funding will be used by the Talbot County Health Department and Talbot Partnership for programs which reduce crashes and injuries, target impaired and aggressive drivers; provide the Smart Drive program

for students and a senior citizen driver improvement program. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved submittal of the grant application by voting 5 – 0 as follows:

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

- C. Talbot County Roads Department Equipment – Requested Council approval to piggyback on a Montgomery County contract for the purchase of a new front-end loader Caterpillar 930H Wheel Loader in the sum of \$148,224; \$195,000 has been budgeted in FY11 for the purchase of said equipment. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council approved piggybacking on the Montgomery County contract by voting 5 – 0 as follows:

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

A request to purchase a bucket for the front-end loader will be forwarded to Council as a separate request and will not exceed the total amount budgeted in FY11.

- D. Talbot County Community Center Sewer System Design – The matter was brought forward for consideration following Council’s request for postponement of same on Tuesday, September 21, 2010. At that time, Acting County Manager Clay Stamp stated that it had been the County Engineer’s recommendation to award Wallace Montgomery & Associates, LLP the contract for engineering services for the design of a temporary sewer line to the Talbot County Community Center in the sum of \$25,620. County Engineer Ray Clarke stated that following Council’s vote on September 21, 2010 to not proceed with construction of the Athletic Complex addition to the Talbot County Community Center at the present time, he now recommends continuation of the pumping and hauling of wastewater from Talbot County Community Center property until such a time that sewer lines can be extended to the property as part of the water and sewer infrastructure to the site of the future relocation of the Memorial Hospital at Easton. He requested the purchase of additional tanks and an alarm control system (alarm, sump pump, hose and sewer plugs) for the north addition pump station in the sum of \$10,800; the alarm system will be immediately installed as a means of monitoring wastewater levels in the holding tanks; the extra tanks will be purchased on an as needed basis. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council approved an expenditure of up to \$10,800 for the tanks and alarm system by voting 5 – 0 as follows:

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

- E. Talbot County Historic Preservation Commission – Requested Council approval for the appointment of Alice-Marie Gravely to a three-year term on the Talbot County Historic Preservation Commission; said term will expire on July 1, 2013. Upon motion by Mr. Bartlett, seconded by Mr. Pack, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Harrison – Aye

Mr. Pack – Aye

Mr. Duncan – Aye

Mr. Foster – Aye

Mr. Bartlett - Aye

- F. Upper Shore Workforce Investment Board – Requested Council approval for the appointment of Timothy Jones to a three-year term on the Upper Shore Workforce Investment Board as a representative from the private sector; said term will expire on June 30, 2013. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the appointment by voting 5 – 0 as follows:

Mr. Harrison – Aye

Mr. Pack – Aye

Mr. Duncan – Aye

Mr. Foster – Aye

Mr. Bartlett – Aye

Mr. Stamp concluded the County Manager's Report by stating that as the County's Emergency Service Director it had been his pleasure to have served as the Acting County Manager for the past five months and that he was looking forward to turning the job over to the new County Manager, John Craig. He stated that as Emergency Services Director, he was advising that Tropical Storm 16 is anticipated to move into the area in the next 24 to 36 hours, bringing 2 to 4" of rain, as well as wind and tide issues. He further advised that his department would be sending out updates on a regular basis. Mr. Harrison commended Mr. Stamp for the job he had done as Acting County Manager and complimented County staff for an exemplary job prior to Mr. Craig's arrival.

XII. Council Comments:

Mr. Bartlett – Mr. Bartlett congratulated and welcomed John Craig to Talbot County. He thanked Clay Stamp for his role as Acting County Manager and for keeping Emergency Services growing and prospering. He stated that many elderly residents had commented how important the Department of Emergency Services' public service announcements are to planning their day. He echoed Mr. Harrison's compliments to County staff, especially in light of other vacancies, and thanked all those who had contributed toward making the Council's job easier to concentrate on the policy issues of the County by managing the daily activities of the County for the benefit of the public.

Mr. Pack- Mr. Pack echoed his colleagues' statements and thanked Clay Stamp for his job as Acting County Manager after coming on board following a time of budgetary flux, a major storm event in the County and the resignation of the Human Resources Director. He stated that Mr. Stamp had attended several board meetings on his behalf, had handled all

situations with dignity, and had kept the Council and the County focused on what needed to be done. Mr. Pack welcomed John Craig as the new County Manager and stated that he looked forward to working with him.

Mr. Duncan – Mr. Duncan thanked Mr. Stamp and County staff for their service. He stated that he, Mr. Foster and Mr. Bartlett had attended the 100th anniversary celebration of The Dixon House and congratulated them on the milestone. He thanked Chairman John Atwood for inviting the Council to the anniversary event and commented that one of Mr. Bartlett’s ancestors had been a founder of The Dixon House. Mr. Duncan reminded everyone that a flu shot clinic would be conducted by the Talbot County Health Department at the Talbot County Community Center on Wednesday, October 6, 2010 from 9:00 a.m. to 6:00 p.m.

Mr. Foster- Mr. Foster stated that he appreciated all that had been done, and thanked County staff, some of whom have been functioning without a department head, adding that the process of selecting a Human Resources Director continues. Mr. Foster wished the new County Manager well. He stated that he had attended The Dixon House celebration, and that he had first been associated with The Dixon House as a 12-year old delivering newspapers. He commented that there are a lot of organizations in Talbot County like The Dixon House, started independently as a result of people seeing a need. Mr. Foster concluded his comments by again commending Acting County Manager Clay Stamp and County staff.

Mr. Harrison - Mr. Harrison echoed his previous comments, and again commended County staff. He stated that he had attended the premier night of the Chesapeake Film Festival presented at the Avalon, adding that, in his opinion, it was well done. Mr. Harrison concluded his comments by stating that the Council would be holding a public hearing to discuss the Airport expansion at 6:00 p.m. in the Easton High School Cafeteria.

XIII. Upon motion by Mr. Pack, seconded by Mr. Foster, the Council voted to recess the meeting, reconvene in Executive Session for discussion of legal, personnel and real estate matters, and to reconvene at 6:00 p.m. in the Easton High School Cafeteria for a public hearing on the Easton Airport Runway Project by voting 5 – 0 as follows:

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

The meeting recessed at 4:12 p.m.

XIV. Public Hearing on Easton Airport Runway Project - Prior to comment by members of the public, Easton Airport Manager Mike Henry presented a brief history of Easton Airport, including its economic importance to Talbot County, and the project for runway relocation begun in 2003. He stated that the Federal Aviation Administration (FAA) does not own Easton Airport, it is owned by Talbot County, the FAA prescribes the policies, standards and regulations for the Airport; the County, the Airport’s sponsor, is responsible for complying with the regulations in a way which provides for addressing environmental concerns but still allows for the Airport to remain self-sufficient as it has been for the past 16 years. Mr. Henry stated that eight options were initially considered by the County in 2003 for runway relocation in order to comply with FAA runway safety area requirements. Mr. Henry stated that following a public

hearing on the options, Runway 15-33 was selected by the Council to be relocated but that during the Environmental Assessment process for Runway 15-33 in 2005, it was ascertained that a portion of the property for the proposed relocation of the runway had previously been placed in an Environmental Trust. Mr. Henry stated that six options for the relocation of Runway 4-22 were then taken into consideration beginning in 2008 with the Airport Advisory Board recommending three of the six options to the County Council: (1) Alternative 1 provided for a 5,600 foot runway by relocating Runway 4-22 approximately 1,200 feet to the southwest end of runway 4-22; (2) Alternative 2 provided for a 6,400 foot runway; (3) Alternative 5 provided for a 6,492 foot runway; the Airport Board had recommended Alternative 2. The Council had voted to proceed with Alternative 2 on September 9, 2008. Mr. Henry emphasized that the traffic patterns at the Airport will not change; however, should the Council elect to proceed with Alternative 2, there is a possibility that some residences and businesses will be displaced. Talbot County Airport Advisory Board Chairman Jack Pettit gave a detailed explanation of the reasons for the Airport Board's selection of Alternative 2, stating that if runway remains at its current length, the shortened runway will reduce jet fuel sales and limit the Airport's ability to remain self-sufficient. The public was afforded an opportunity to comment on the proposed relocation of Runway 4-22. At the conclusion of the public comments, Mr. Foster made a motion to have the Council instruct the Airport Manager and the Airport Board to discontinue the existing options for the extension of Runway 4-22; Mr. Harrison handed the gavel to Mr. Foster and seconded the motion. Council discussion ensued and each member expressed his viewpoint on the proposed project. The Council did not approve discontinuation of the existing options for the extension of Runway 4-22 by voting 2-3 as follows:

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

Mr. Bartlett then made a motion to initiate negotiations with Sage Policy Group for a study on the economic impact of Easton Airport on Talbot County, similar as had been done with Memorial Hospital; the motion was seconded by Mr. Duncan. The Council did not approve the motion by voting 2-3 as follows:

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

- XV. Upon motion by Mr. Bartlett, seconded by Mr. Foster, the Council voted to adjourn and to reconvene in Executive Session on Tuesday, October 12, 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 recessed at 11:10 p.m.

XVI. On Tuesday, September 28, 2010 an Executive Session of the Talbot County Council convened at 1:00 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council met in Executive Session by voting 5 - 0 as follows:

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

In accordance with State Article §10-508(a)(1)(i)(4)(7) the purpose of the Executive Session was for a discussion of personnel matters to discuss appointments to various County boards and committees and to discuss the hiring of a Director of Administrative Services; for a legal matter to obtain legal advice regarding retention of a business; and for a real estate matter to discuss a proposal for a business to relocate to Talbot County. The meeting recessed at 1:30 p.m. and reconvened at 4:20 p.m. The Executive Session ended at 5:00 p.m.

The transcript of the September 28, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

CASH STATEMENT 9/28/2010

BALANCE 9/21/2010	\$4,416,646.04
UHC CLAIMS THRU 9/21/2010	(32,461.80)
RETURNED CHECK	(65.00)
RONB QUARTERLY BOND PAYMENT	(9,478.60)
DEPOSITS	1,293,673.86
CHECKS	(416,880.43)
VOID CHECK NO.S 263553,263844	3,894.93
BALANCE 9/28/2010	<u>5,255,329.00</u>

AIRPORT ACCOUNTS

AIP29	25,122.13
AIP30	69,454.28
AIP33-DSA	2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	---
AIP34	9,246.37
AIP-35	15,420.41
AIP36	---
AIP37	---
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$121,748.19</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
11/24/2009	09/28/10	0.60%	6,000,000.00
07/27/2010	10/26/10	0.21%	3,000,000.00
06/29/2010	12/28/10	0.47%	3,000,000.00
07/27/2010	01/25/11	0.26%	3,000,000.00
05/11/2010	02/15/11	0.50%	3,000,000.00
08/11/2010	02/15/11	0.26%	4,000,000.00
06/15/2010	03/15/11	0.56%	3,000,000.00
06/29/2010	03/29/11	0.61%	3,000,000.00
07/13/2010	04/26/11	0.61%	5,000,000.00
07/13/2010	01/18/11	0.47%	3,000,000.00
07/27/2010	04/26/11	0.36%	3,000,000.00
08/31/2010	05/31/11	0.37%	4,000,000.00
09/14/2010	06/14/11	0.37%	3,000,000.00
07/27/2010	07/26/11	0.51%	6,000,000.00
08/11/2010	08/09/11	0.52%	4,000,000.00
08/31/2010	08/30/11	0.56%	4,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.20%	3,000,000.00
TOTAL INVESTED			<u>\$63,000,000.00</u>
PETTY CASH BALANCE			<u>\$6,800.00</u>
GRAND TOTAL ALL FUNDS			<u>\$68,383,877.19</u>