

**County Council of Dorchester County  
Regular Meeting Minutes  
February 16, 2016**

The County Council of Dorchester County met in regular session on February 16, 2016 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; and Donna Lane, Executive Administrative Specialist.

**REGULAR SESSION**

**CLOSED SESSION**

The Council adjourned from a Regular Session and convened in a Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

Voting in favor of the closed Closed Session were all Council members.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Price led the invocation and the pledge of allegiance.

**OTHER**

Councilman Travers advised that Councilman Nichols, who is under the weather, and Jeremy Goldman, County Manager, who had surgery yesterday are not present.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

The Council agreed to remove a discussion regarding Evacuation Agreements between the Eastern Shore Hospital Center and the Detention Center and to add a request to advertise an Administrative Associate position at the Detention Center.

**APPROVAL OF MINUTES- FEBRUARY 2, 2016**

The Council approved the minutes of February 2, 2016.

## **APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented with Councilman Travers abstaining for payments made to Simmons Center Market.

## **FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Travers reported total cash and investments as \$3,086,823.76.

## **CLOSED SESSION SUMMARY**

The County Council of Dorchester County convened in an Closed Session at 5:30 p.m. on February 16, 2016 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

Motion made, seconded and carried to conduct a closed session pursuant to the above. All members of the Council voted in the affirmative to conduct the closed session for the purposes stated above and to discuss the topics listed below.

Action taken at the closed session: 1) agreed to consider advertising a vacant Administrative Associate position at the Detention Center in open session by a 4 to 0 vote; 2) deferred the request of Scott Eberspacher for salary adjustments for seasonal Recreation and Parks staff and to fill vacancies by a 4 to 0 vote; 3) discussed a matter relating to the potential disposition of a tax sale property; and 4) discussed a proposed tower lease-requested additional information.

The above information is being provided to the public pursuant to and in compliance with Section §3-306(b) and (c) of Title 3 of the General Provisions Article.

## **REGULAR SESSION**

### **COMMENDATION-RETIREMENT-ELSIE ENNALS**

The Council presented a Commendation to Elsie Ennals on her retirement and recognizing her 27 years of service to Dorchester County.

### **PROCLAMATION-CHILDREN'S ORAL HEALTH MONTH**

The Council presented a Proclamation declaring February 2016 as Children's Oral Health Month which Shelley Andrews, Director of Community-Based Programs and Marketing for Choptank Community Health Systems, Inc., accepted.

## **MANAGERS COMMENT**

### **REVISION OF MILL POND AT CABIN CREEK-SECTION TWO-PLANNING AND ZONING**

E. Thomas Merryweather, County Attorney, stated that phase one of the Mill Pond at Cabin Creek subdivision has been completed and that due to a downturn in the economy phase two stalled and was delayed. He said Perry Otwell was the developer for both phases and Russell Stevens, has agreed to develop four lots and complete the infrastructure to those lots. He explained that Mr. Stevens needs to obtain a deed for the property and construction.

The Council approved the request of Steve Dodd, Planning and Zoning Director, to approve and execute the following documents: 1) a Third Amendment to Public Road Construction between the Council and Cabin Creek, LLC, which releases three revised lots from a current recorded Public Road Agreement and documents of record to change the name of "Sandy Point Road" to "Oak Creek Landing;" 2) a Public Road Construction agreement between the Council and Russell E. Stevens, Jr., Trustee of the Russell E. Stevens, Jr. Revocable Trust Agreement dated September 27, 1995, as amended, relating solely and only to three revised lots shown on the revised plat.

Mr. Merryweather advised that no documents will be released until a revised plat is recorded. Mr. Dodd said the Planning Commission has approved this plat which is being circulated to various agencies for signature, with the final signature to be obtained from the Planning Commission Chair. He stated that he will let Mr. Merryweather know when it has been executed. Mr. Merryweather explained that the agreements the Council agreed to execute and the plat will be recorded at the same time.

### **TRAFFIC SAFETY COMMITTEE RECOMMENDATION-BUTTONS NECK ROAD**

Councilman Travers explained that the Council deferred the Traffic Safety Committee's recommendation regarding speed limit and Children at Play signs at its February 2, 2016 meeting until Councilman Satterfield could be present.

Councilman Satterfield made a motion to approve the Traffic Committee member's recommendation to post two 35 mph speed limit signs on Buttons Neck Road, traveling south midway on the long stretch before the approaching curve, and going north in the area of the group of residences. Councilman Bradshaw seconded the motion. He questioned whether Councilman Bradshaw has spoken to the requestors. Councilman Satterfield said residents who live on the corner of this road and have a child with special needs contacted him and requested this signage. Councilman Satterfield explained that they asked for speed limit signs to slow down those motorists who utilize the hunting lodges on the road and may not be aware that children are in the area. He advised that, at his request, a resident will contact Mr. Moore about the Children at Play signs, noting he is aware that there is a 50/50 cost share.

The Council approved the Traffic Safety Committee's recommendation for the posting of speed limit signs with Councilman Price opposing. He cited his belief that only two signs should be posted instead of four.

#### GRANT LETTER OF SUPPORT REQUESTS-MARYLAND RURAL DEVELOPMENT CORPORATION

The Council approved the written request of Christopher Benzing, Executive Director, Maryland Rural Development Corporation, for the entity's grant application for:

1) a H-1B TechHire Partnership Grant which will be used to serve out-of-secondary school youth and young adults with barriers to training and employment in various counties, including Dorchester; and, 2) a Strengthening Working Families Initiative Grant to be used to address education and training barriers for low to middle skilled partners to various counties, including Dorchester. No County commitment is required.

#### BUDGET TRANSFER REQUEST-EMERGENCY SERVICES-SHERIFF'S OFFICE

The Council acknowledged its January 5, 2016 approval of the purchase of one vehicle for the Sheriff's Office at the total cost of \$46,000 utilizing \$28,285 from Local Government Insurance for the loss of three vehicles and \$18,200 in funds set aside in the FY15 budget, which were for an Emergency Medical Services grant match for the purchase of equipment. The Council further acknowledged that when the final figures for the loss of vehicles were calculated it was discovered that an additional \$7,000 was to be provided by LGIT to the County, which increased the total insurance proceeds to \$35,286. The Council approved a budget transfer request to transfer the \$7,000 from the Sheriff's Office budget back to the EMS budget.

#### REQUEST TO PURCHASE CARDIAC MONITOR-EMERGENCY MEDICAL SERVICES

The Council approved the request of Jeremy Goldman, as Emergency Services Director, to sole source and purchase one life pack cardiac monitor from Physio Control, the only vendor the County currently utilizes, at a cost not to exceed \$15,186. The Council acknowledged that: 1) a trade-in of an antiquated life pack for partial credit and funds in the FY16 capital budget marked for a grant match for Emergency Medical Services (EMS) equipment for the remainder of the County match to a State Grant will be used to cover this cost; 2) no additional funds will be required beyond the EMS capital budget line item; and, 3) the funds must be utilized to purchase a cardiac monitor before March 1, 2016. The Council also agreed to execute a Matching Fund Agreement between the Maryland Institute for Emergency Medical Services Systems to the Dorchester County Department of Emergency Services for the funds to purchase the cardiac monitor.

#### GRANT ACCEPTANCE-FY16 MARYLAND OFFICE OF TOURISM GRANT-MARKETING-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to accept a FY16 Maryland Office of Tourism Marketing Grant in the amount of \$45,404 with a local match which

is in the Tourism Departments' FY16 Operating Budget. The Council acknowledged that the grant period is January 1, 2016 to December 31, 2016.

#### GYPSY MOTH AERIAL SUPPRESSION PROJECT PARTICIPATION INQUIRY- MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Heather Harmon Disque, Regional Entomologist, Maryland Department of Agriculture Office of Plant Industries and Pest Management, for the County's participation in a gypsy moth aerial suppression project in the spring of 2016 to address two areas of gypsy moth populations. The Council acknowledged that: 1) the County will only cost share on non-state owned lands; 2) the County's cost share will be 25% (estimated cost share of \$1,290) if the Maryland Department of Agriculture receives a federal grant and if not the share will be 50% (estimated cost share of \$2,150); and, 3) this does not include the cost of surveys.

#### MOSQUITO CONTROL BUDGET REQUEST-MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Daniel J. Schamberger, Acting Program Manager, Maryland Department of Agriculture, for a commitment of \$435,391 for mosquito spraying for the 2016 season from the County's FY17 budget.

#### MARYLAND HERITAGE AREA AUTHORITY GRANT BUDGET AMENDMENT- WATER MOVES US VISITOR CENTER EXHIBIT-TOURISM

The Council approved the request of Ms. Fenstermaker to accept an amendment to the FY16 Maryland Heritage Area Authority (MHAA) "Water Moves Us" Visitor Center Exhibit Installation Grant to reallocate budget line items to account for actual expenditures required to complete the project and to execute a letter of concurrence. The Council acknowledged that there is no change to the total grant or matches.

#### LETTER OF SUPPORT REQUEST-BOARD OF TRUSTEES APPOINTMENT- CHESAPEAKE COLLEGE

The Council approved the request of Dr. Barbara Viniar for a letter of support for the appointment of Victoria Jackson-Stanley, Mayor, City of Cambridge, to the Chesapeake College Board of Trustees to replace Vaughn Evans, whose term expired in June 2014.

#### VIENNA FIRE COMPANY CORRESPONDENCE REQUEST

Pursuant to a request from Jamie McFarlane, Chief, Vienna Fire Company, the Council agreed to send a letter stating that the County cannot assist the fire company financially in purchasing a new ambulance. The Council acknowledged that the fire company members are seeking State funds to assist in this purchase.

## PROPERTY TAX ASSESSMENT APPEALS BOARD NOMINATIONS

Councilman Travers noted that replacements for the Property Tax Assessment Appeals Board are needed for two members, one who moved to another jurisdiction and another who resigned. Based on a motion made by Councilman Price, the Council agreed to nominate Donna Bradshaw to serve on this Board in addition to Lin Spicer and Edwin Kinnamon, whom they agreed to nominate at the February 2, 2016 meeting. Councilman Bradshaw abstained from the vote. The Council recognized that names of these three individuals will be forwarded to the Governor to fill the member position, who makes the appointments. The Council acknowledged that three additional individuals still need to be nominated to fill the alternate member.

## REQUEST FOR LETTER OF SUPPORT-SENATE BILL 729-SENATOR STEPHEN S. HERSHEY, JR.

The Council approved the request of Senator Stephen S. Hershey, Jr., for a letter of support for Senate Bill 729 "Maryland Income Tax Refunds-Eastern Shore Counties-Warrant Intercept Program" which alters the requirement for the Comptroller to withhold Maryland income tax refunds of specified individuals with outstanding warrants to include residents of Eastern Shore counties or individuals who have outstanding warrants from an Eastern Shore County.

## CRITICAL AREA COMMISSION-NOMINATION OF COUNTY REPRESENTATIVE

The Council nominated Councilman Satterfield to represent Dorchester County on the Critical Area Commission to replace Donald Sydnor whose term will expire on June 30, 2016. The Council acknowledged that Governor Hogan will make the appointment. In response to a question from Councilman Price, Councilman Travers explained that there is a two term limit and Mr. Sydnor is on his second term.

## LETTER OF SUPPORT REQUEST-BOND BILL-DORCHESTER COUNTY YMCA

The Council approved the request of JoAnn Hansen, Dorchester County YMCA, for a letter of support for Senate Bill 183 "Creation of a State Debt-Dorchester County-Dorchester County Family YMCA for the creation of a State Debt not to exceed \$250,000 for the acquisition, planning, design, construction, repair, renovation, reconstruction and capital equipment of the YMCA facility, including repairs to the roof.

## TELEPHONE POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, at the request of Ward Higgins, Hurlock Volunteer Fire Company agreed to revise the date on a previously executed letter expressing its support of the fire company's request for a State loan to purchase a new ladder truck and that due to funding constraints the Council is unable to provide any monies for the acquisition of this equipment. The Council acknowledged that Mr. Higgins' request for a letter with a current date is so the fire company can comply with State settlement/closing requirements

## REQUEST TO ADVERTISE AN ADMINISTRATIVE ASSOCIATE POSITION AT DETENTION CENTER

The Council agreed to advertise an Administrative Associate position at the Detention Center in-house and in local news publication(s).

### **PUBLIC COMMENTS**

Donald Gray, resident, asked for an update on the Hearn building. Councilman Travers said the engineering/design has been completed and the Council is in negotiations with a contractor. Mr. Merryweather and Councilman Travers stressed that stabilization of the building is the work that will be done to the building. Councilman Travers said the goal is to stabilize the front of the building.

Mr. Gray questioned the status of plans for an organization to utilize the old Maces Lane school facility and property. Councilman Travers said Bond Servants representatives are working with their lawyers to set up a corporation and an operational structure and are researching fundraising efforts. He said they have advised him they will come before the Council shortly to secure a lease for the building to move forward with their plans for a community center.

Mr. Gray referenced the resignation of Keasha Haythe, Economic Development Director, as of March 4, 2016. In response to a question from Mr. Gray, Councilman Travers said the Council has not made any decision regarding that upcoming vacancy.

### **COUNCIL'S COMMENTS/ADJOURNMENT**

Based on a motion made by Councilman Bradshaw, the Council agreed to send letters of opposition for House Bill 599 entitled "Poultry Litter Management Act" and the cross-filed Senate Bill.

Councilman Bradshaw explained that the Clean Chesapeake Coalition and Delmarva Fisheries Association are opposed to Senate Bill 937 entitled "Sustainable Oyster Harvest Act of 2016" which will prohibit the Department of Natural Resources from taking any action to increase oyster harvest rates, lift restrictions on oyster harvesting or expand the area open to oyster harvesting until after the University of Maryland Center for Environmental Science conducts a study and provides the results to the Governor DNR and the Oyster Advisory Commission, which is to occur on or before October 1, 2017. The Council agreed to send a letter in opposition to this bill.

Councilman Price said at the last Town of Hurlock meeting it was announced that the Dorchester Family YMCA will locate within the municipality and offer some programs, mostly after school and in the evening. He expressed his understanding that there may also be programs for senior citizens and adults. He noted that the YMCA has sent a survey to area residents for input and will incorporate the results into their decision regarding programs. Pursuant to a motion made by Councilman Price, the Council agreed to send a letter of support to provide programs at the YMCA. He said the survey is online.

Councilman Price said some of the items being discussed at Rural Coalition meetings regarding legislative issues are also being discussed at Maryland Association of Counties Legislative Committee (MACo) meeting. He provided on update on the items discussed at these meetings.

Councilman Satterfield thanked the Public Works staff and law enforcement personnel for their hard work during Monday's snow event. He noted that Councilman Bradshaw has advised that dredging will be undertaken in the County shortly. He said he is hopeful that all of the County's dredging needs will be addressed in the near future. Councilman Satterfield noted that the Council has begun the FY17 budget process.

Councilman Travers announced that: 1) the Council will sit as Board of Estimates for the purpose of conducting a Budget Worksession on Thursday, February 25, 2016 at 5 p.m. in the Conference Room at the Cambridge-Dorchester Regional Airport; 2) the next Council meeting will be held on March 1, 2016 at 6 p.m.; and 3) the Council reserves the right to meet in closed session prior to its regular session on these dates.

With no further business to discuss, the Council adjourned.

ATTEST:

  
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Jeremy Goldman  
County Manager

DORCHESTER COUNTY COUNCIL:

  
\_\_\_\_\_  
Ricky C. Travers, President

  
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Tom C. Bradshaw, Vice President

  
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Absent  
William V. Nichols

  
\_\_\_\_\_  
Rick M. Price

  
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Don B. Satterfield

Approved the 1st day of March, 2016.