

**County Council of Dorchester County  
Regular Meeting Minutes  
June 21, 2016**

The County Council of Dorchester County met in regular session on June 21, 2016 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; 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 Travers led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

The Council approved the following additions to the agenda: Request to Advertise-Office Manager position; Request to Advertise-Assessment and Taxation Supervisor; Tax Sale Property Offers.

**APPROVAL OF MINUTES- JUNE 7, 2016**

The Council approved the minutes of June 7, 2016 with Councilmen Nichols and Satterfield opposing.

**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 \$4,758,451.00.

## **CLOSED SESSION SUMMARY**

The County Council of Dorchester County convened in an Closed Session at 4:30 p.m. on June 21, 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) deferred consideration of a job description for the Economic Development Director position; 2) agreed to consider a request to advertise an Office Manager position in the County Council's Office in open session by a 4 to 1 vote; 3) agreed to hire individuals to fill 911 Dispatcher positions by a 5 to 0 vote; 4) discussed a request to advertise an Assessment and Taxation Supervisor position-agreed to consider in open session; 5) discussed offers to purchase County owned property acquired via tax sale-agreed to consider in open session; 6) received legal advice from Special Legal Counsel regarding a proposed development in the County; 7) Deferred consideration of a proposed agreement relating to an emergency plan for an existing facility in the County.

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-JEREMY SHOCKLEY**

The Council presented a Commendation to Jeremy Shockley and his crew for rescuing 23 people from a sinking boat in the Chesapeake Bay.

## **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

## **INTRODUCTION**

Introduced BILL NO. 2016-4 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY MARYLAND TO AMEND CHAPTER 155, ENTITLED ZONING, SECTION 155 ATTACHMENT 1, TABLE OF PERMITTED USES OF THE DORCHESTER COUNTY CODE TO ADD UNDER THE INSTITUTIONAL USE CATEGORY, CEMETERIES, COMMERCIAL HUMAN OR ANIMAL INCLUDING CHAPELS, MAUSOLEUMS, AND CREMATORIUMS AS A SPECIAL EXCEPTION USE IN THE RR-RCA, RURAL RESIDENTIAL - RESOURCE CONSERVATION AREA ZONING DISTRICT

E. Thomas Merryweather, County Attorney, said Bill No. 2016-4 is scheduled for introduction, and asked Ryan Showalter, Esquire, the applicant's attorney, to provide information regarding this legislation.

Mr. Showalter advised that before Council is a proposed text amendment to permit cemeteries and crematories as a special exception in a certain zoning district. He explained that the Greenlawn Cemetery located on Washington Street has a crematorium and was compliant with the County's Zoning Ordinance until the property was removed from the land use table. He said the owners are seeking this text amendment in order to remain compliant with the current ordinance. He noted that improvements will be made to the property.

The Council agreed to proceed with publication of a public hearing on this matter.

The Council convened into Regular Session.

## **REGULAR SESSION**

### **MANAGERS COMMENTS**

The Council approved the following FY16 Budget Transfers: 1) Elections - to transfer excess Data Processing budgeted funds of \$3,500 into Postage to cover unanticipated postage costs; 2) Economic Development- to transfer excess funding of \$ 6,000 from Printing & Publishing into Lodging & Meals and Other Expenses to cover unanticipated costs with Councilman Price opposing this transfer; 3) Eastern Shore Innovation Center- to transfer excess funding of \$10,820 from Electric to various other expenses to cover unanticipated costs, primarily in Other Expenses ( sundry start-up costs); 4) Recreation and Parks – to transfer excess funding of \$7,600 in various accounts (primarily overtime, electric and fuel) to various other accounts with overruns (primarily seasonal salaries, pool food and supplies).

### **FY17 CATEGORICAL BUDGET REQUEST-ANNUAL BUDGET CERTIFICATION STATEMENT-BOARD OF EDUCATION**

The Council approved the request of Dr. Henry Wagner, Superintendent of Schools, to approve the Board of Education's FY17 Categorical Budget totaling \$59,644,622 based on the County's FY17 allocation to the Board of Education of \$18,938,559 for operating expenses and

\$3,021,435 for capital expenses. The Council also approved Dr. Wagner's request to execute the Annual Budget Certification Statement for the fiscal year ending June 30, 2017.

#### **GYPSY MOTH SPRAYING COST ESTIMATES-LETTER OF ACCEPTANCE- PARTICIPATION-MARYLAND DEPARTMENT OF AGRICULTURE**

The Council approved the written request of Robert L. Tatman, Program Manager, Forest Pest Management, to participate in the Maryland Department of Agriculture's Forest Pest Management (FPM) Program for the identification and control of gypsy moth populations for Dorchester County and its citizens. The Council acknowledged that: 1) based on information relating to gypsy moth populations and trends in Dorchester County, up to 80 surveys will be conducted at an estimated County cost of \$1,200, which represents a 50% cost share on local costs to perform these surveys on non-State land; and 2) this amount does not include additional funds that may be needed for aerial spraying.

#### **REQUEST TO HOLD PUBLIC HEARING-WATER AND SEWER PLAN AMENDMENT- PLANNING AND ZONING**

The Council approved the request of Rodney Banks, Assistant Planning and Zoning Director, to hold a public hearing on a proposed Comprehensive Water and Sewer Plan Amendment to change the designation of an area of land located on the west side of Suicide Bridge Road, known as Suicide Bridge Restaurant, to include text, charts and map, to accommodate plans to connect the restaurant to a public wastewater collection and treatment system that can provide treatment of all wastewater generated by the subject property.

#### **REQUEST TO SOLE SOURCE-LANDFILL ROLLOFF TRUCK-PUBLIC WORKS**

The Council approved the request of Tom Moore, Public Works Director, to sole source and piggy back on a Delaware Department of Transportation (DELDOT) contract to purchase a roll off truck from Freightliner of Delmarva at the delivered price of \$159,584 for which funding is available in the FY15 Landfill Capital Budget.

#### **PLANET AID TEXTILE RECYCLING PROPOSAL-LANDFILL-PUBLIC WORKS**

The Council approved the request of Mr. Moore and John Cooney, Landfill Manager, to include textile collection at recycling facilities at no cost to the County by sole sourcing with Planet Aid. In response to a question from Councilman Price, Mr. Moore said: 1) Beulah and Chesapeake Drive will each received two bins; 2) pick up will occur once a week; and 3) if necessary the amount of pickups or bins will increase. Councilman Travers noted that a bin will not be placed in the Town of Hurlock until construction is complete.

#### **BID AWARD-PURCHASE OF RECYCLING CONTAINERS-LANDFILL-PUBLIC WORKS**

The Council approved the request of Mr. Moore to award a bid to Custom Container Solutions, the lowest bidder, for the purchase of three single compartment recycling containers and three two-compartment recycling containers at the total contract amount of \$31,413.

## 2017 LEGISLATIVE INITIATIVES SOLICITATION-MARYLAND ASSOCIATION OF COUNTIES

Jeremy Goldman, County Manager, said each year Maryland Association of Counties (MACO) advances as many as four items as legislative initiatives for the General Assembly Session and have submitted a request for suggestions from the Council for 2017 legislative initiatives. He suggested highway user revenue restoration. Councilman Price referenced the possible revision of the law regarding the MDOT ranking system, which was passed during the last session, so it is more suitable for rural areas. The Council acknowledged the deadline is July 1, 2016 and agree to consider proposed initiatives and provide them to staff.

## CHANGE ORDER REQUEST-AIRPORT PARKING APRON EXPANSION PROJECT-AIRPORT

The Council approved the request of Meighan Chisholm, Airport Manager, to approve a change order (Change Order No. 1) to the Airport Parking Apron Expansion project for an underdrain to divert water flow at a cost less than \$7,000. The Council acknowledged that the Federal Aviation Administration and Maryland Aviation Administration reviewed and approved the change order.

## LICENSE EXTENSION AGREEMENT-HOSPITAL-AMPHITHEATER-TOURISM

The Council agreed to enter into a License Extension Agreement to extend the existing agreement for a portion of land owned by Shore Health System, Inc., which is part of the Amphitheater, for a one year period expiring on June 30, 2017.

## DEPT. OF NATURAL RESOURCES FY16 WORKING WATERFRONT GRANT-ELLIOTT ISLAND MARINE FACILITY-PW-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, for retroactive authorization to apply for funding of \$45,000 for a long term strategic plan for the revitalization of the Elliott Island Marine Facility.

## TELEPHONE POLL CONFIRMATIONS

The Council confirmed its following decisions by means of a poll, in the interim between meetings: 1) to amend the County's existing contract with B&B Flooring at the same pricing to purchase and install carpet (carpet tiles) in the Planning and Zoning Office and the Council's Office utilizing approximately \$17,000 from the FY16 Maintenance Division Operating Budget and the FY16 Capital Budget by a 4 to 1 vote; and, 2) to confirm its decision to enter into Memorandums of Understandings with Percy Ransome and Marie Ransome for the overlay of Meekins Neck Road, to include two phases, for which payment was provided by the Ransomes by a 5 to 0 vote.

### REQUEST TO ADVERTISE-OFFICE MANAGER POSITION

The Council agreed to advertise an Office Manager position in Council's Office with Councilman Price opposing.

### REQUEST TO ADVERTISE -ASSESSMENT AND TAXATION SUPERVISOR

The Council agreed to advertise the Assessment and Taxation Supervisor position for Dorchester County contingent upon approval of advertisement by the State Assessment and Taxation Office.

### TAX SALE PROPERTY OFFERS

The Council accepted the following offers to purchase County owned property acquired by tax sale:

4938 Kraft Road, Vienna	Jeremy Trice	\$100
Moore Avenue, Cambridge	Troy Wongus	\$300
Toddville Rd	Jeremy Trice	\$200
Harris Ave, Vienna	Jeremy Trice	\$100

### PUBLIC COMMENTS

Arlo Corwin, Chief Development Officer, OneEnergy Renewables, introduced himself. He explained that the company is in the early stages of planning the construction of a utility scale solar project in Dorchester County. He noted that a community meeting has been held and that based on some of the residents' concerns, they are working on modifications. He encouraged the public to contact him with any questions and/or concerns.

In response to an inquiry from Bruce Coulson, resident, Mr. Goldman said dumpsters and portable toilets will be placed at various County marine facilities. He explained that there was a delay in this placement in order to identify a cost effective way to pay for them since State funding is no longer available.

### COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Bradshaw advised Council that a constituent on the other side of Finchville Road aired his concerns about a neighbor who discharges firearms during the day close to other residential homes. He explained that one individual approached the neighbor and asked them to cease to no avail. He asked the Council to provide their thoughts on how this matter can be addressed. Councilman Nichols referenced the County's Noise Control Ordinance. Mr. Goldman said he spoke to Sheriff Phillips who expressed concern that the Sheriff's Office does not have the equipment to measure decibel readings for enforcement purposes.

Councilmen Price and Satterfield wished everyone a safe and happy fourth of July. Councilman Satterfield commended law enforcement and emergency services personnel for their service as well as staff who performed grass cutting recently.

Councilman Satterfield asked Mr. Moore to view the area surrounding the County boat ramp on Back Street in Toddville which is overrun with trash. Mr. Moore said he will have someone view the area, noting only the boat ramp is owned by the County. Mr. Goldman suggested contacting the adjacent property owner about the possible placement of dumpsters and/or portable toilets. Councilman Bradshaw said there is also issues relating to trash at the Elliott's Island boat ramp.

Mr. Moore said he will obtain the timeline for the guardrail replacement on the causeway in response to a query from Councilman Travers.

Councilman Travers announced that the next Council meeting is scheduled for July 5, 2016 and the Council reserves the right to meet in closed session prior to regular session.

With no further business to discuss, the Council adjourned.

ATTEST:

  
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Jeremy Goldman  
County Manager

DORCHESTER COUNTY COUNCIL:

*absent*  
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Ricky C. Travers, President

*Tom C Bradshaw*  
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Tom C. Bradshaw, Vice President

*William V. Nichols*  
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William V. Nichols

*Rick M Price*  
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Rick M. Price

*Don B. Satterfield*  
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Don B. Satterfield

Approved the 5<sup>th</sup> day of July, 2016.