

County Council of Dorchester County
Regular Meeting Minutes
December 3, 2013

The County Council of Dorchester County met in regular session on December 3, 2013 with the following members present: Present were Jay L. Newcomb, President; William V. Nichols, Vice President; Ricky Travers; Rick Price and Tom Bradshaw. Also present were E. Thomas Merryweather, County Attorney, and Donna Lane, Executive Administrative Specialist.

REGULAR SESSION

EXECUTIVE SESSION

The Council adjourned from a Regular Session and convened in a closed Executive Session pursuant to State Government Article pursuant to §10-508(A)(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 §10-508(A)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §10-508(A)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and pursuant to §10-508(A)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Bradshaw led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: a request to advertise a part time grass cutter position; a bid award for repairs to Bestpitch Bridge and Elliott's Island Bridge; and a request from the Board of Education for correspondence from Council certifying that the Vienna Elementary School property meets the qualification for the designation of a priority funding area.

APPROVAL OF MINUTES- NOVEMBER 19, 2013

The Council approved the November 19, 2013 minutes.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$15,417,777.68.

CAPITAL PAYMENT AUTHORIZATION-DORCHESTER CAREER AND TECHNOLOGY CENTER-BOARD OF EDUCATION

The Council approved the Capital Payment Authorization request of Dr. Henry Wagner, Superintendent of Schools, in the amount of \$354,527.80 for construction costs relating to the Dorchester Career and Technology Center. In response to an inquiry from Councilman Price, Councilman Newcomb said it is his understanding that this is the final payment for this project. He explained that Dr. Wagner will have to seek Council's authorization to expend any remaining funds that have been designated for this project.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on December 3, 2013 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, pursuant to the State Government Article pursuant to §10-508(A)(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 §10-508(A)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §10-508(A)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and pursuant to §10-508(A)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

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 above.

Action taken at the closed session: 1) approved request of Emergency Services Director to restore three Emergency Medical Technician positions in the Emergency Medical Services Division and to hire individuals to fill those positions by a 5 to 0 vote; 2) approved request of Public Works Director to modify the job description for a part time grass cutter position by a 5 to 0 vote-agreed to consider a request to advertise in open session; 3) approved request of Circuit Court Judge to hire an individual to fill an Administrative Associate Advanced position by a 5 to 0 vote; 4) discussed an offer to purchase a County property obtained at tax sale; 5) discussed a matter relating to the use of a County owned facility; 6) discussed a matter relating to a proposed County economic development project-requested additional information; 7) discussed a matter relating to emergency medical services billing-agreed to send correspondence; and 8) confirmed

promotions made by Sheriff James Phillips as a result of an employee retirement by a 5 to 0 vote.

The above information is being provided to the public pursuant to and in compliance with Section 10-509(b) and (c) of the State Government Article.

REGULAR SESSION

PRESENTATION-FARMERS AND FRIENDS EVENT DVD/ REQUEST TO USE ELECTRONIC MESSAGE BOARD –NAGEL

Libby Handley-Nagel played Council a DVD recording of the November 16, 2013 Farmers and Friends Seed of Hope event.

The Council approved Ms. Nagel's request to use the County's electronic message board on Ravenwood Road for The National Open Springer Championship to be held the week of December 8, 2013 to caution travelers of vehicles parked alongside the road and to encourage them to drive carefully. The Council also approved Ms. Nagel's request to utilize Drawbridge Bridge on Thursday, December 5th for retriever trials.

MANAGERS COMMENTS

2014 MARYLAND ASSOCIATION OF COUNTIES LEGISLATIVE COMMITTEE APPOINTMENT

The Council, based on the written request of Michael Sanderson, Executive Director, Maryland Association of Counties (MACo), agreed to appoint Councilman Price as the representative for Dorchester County on the Maryland Association of Counties Legislative Committee and Councilman Nichols as the County's alternate member.

REQUEST TO RESERVE ROOM 110/LOBBY-ELECTIONS OFFICE

The Council approved the request of Gwendolyn Dales, Elections Director, to use the lobby and Room 110 of the County Office Building on April 23, 2014 from 6 p.m. to 9 p.m. and the lobby only on April 30, 2014 from 10 a.m. to 1 p.m. instead of the March 24, 2014 and March 26, 2014 dates the Council previously approved at its April 16, 2013 meeting. The Council also approved Ms. Dales' request to modify its April 16th approval for the Elections Office to use the lobby and Room 110 from 6 p.m. to 9 p.m. on April 16, 2014 instead of the previously approved hours of 10 a.m. to 1 p.m.

SIGN PLACEMENT REQUEST-COUNTY OFFICE BUILDING-UNIVERSITY OF MARYLAND EXTENSION

The Council approved the written request of Sara Rich, Mid Shore Area Extension Director for Caroline, Dorchester and Talbot counties, to place a sign for the University of Maryland Extension's Office in the rear of the County Office Building utilizing the frame which was previously used by the United States Department of Agriculture.

REQUEST TO USE MARYLAND BIOTERRORISM HOSPITAL PREPAREDNESS- HOMELAND SECURITY GRANT FUNDS-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, presented by Scott Wheatley, Emergency Medical Services Manager, on his behalf, to expend Maryland Bioterrorism Hospital Preparedness Program grant funding of \$10,000 and FY11 State Homeland Security funding of \$6,754 for a total of \$26,754 to purchase a motion technology system to be utilized in County ambulances and to cover data charges and computer aided design (CAD) integration for a one year period. The Council acknowledged that the system includes vehicle tracking with mapping features and will provide secure high speed internet access in County ambulances at Wi-Fi locations, which is a requirement of the State of Maryland patient tracking system. The Council further acknowledged that the County's current wireless data contract with Verizon can be utilized to control costs. Additionally, the Council acknowledged that after the first year of service there will be an ongoing contractual annual cost of \$6,536 (subscription cost, \$2,696 and data charges, \$3,840) which will need to be included in the contractual line item of the FY15 Emergency Medical Services Division budget.

FUEL BID AWARD-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to award bids to the lowest bidders for the purchase of the following fuels: 1) unleaded gasoline to Cato Gas & Oil, Inc. for the delivery and markup cost of \$0.0150 per gallon; 2) ultra low sulfur diesel to Cato Gas & Oil, Inc. for the delivery and markup cost of \$0.0180 per gallon; 3) propane to Peninsula Oil Co., Inc. for the delivery and markup cost of \$0.3500 per gallon; 4) #2 fuel oil (heating oil), delivered by tank wagon, to Mid-Atlantic Cooperative Solutions, Inc., doing business as AERO Energy, for the delivery and markup cost of \$0.1242 per gallon. The Council acknowledged that staff will forward to the Board of Education staff the lowest quote for #2 fuel oil by transport from Cato Gas & Oil, Inc. for the delivery and markup cost of \$0.0180 and that they will be responsible for deciding whether they wish to purchase the single transport delivery from Cato Gas & Oil or if it is more cost effective to continue to utilize AERO Energy.

BID AWARD-REPAIRS TO BESTPITCH BRIDGE AND ELLIOTT'S ISLAND BRIDGE

Tom Moore, Public Works Director, said requests for proposals were sent and/or contractors were contacted to obtain quotes for the repair of the Bestpitch Bridge and Elliott's Island Bridge. He explained that three quotes for labor only were received because salt treated lumber left over from another County project will be utilized for these repairs. In response to a question from Councilman Bradshaw, Mr. Moore confirmed that he verified with the bridge inspector that this lumber can be used for this purpose.

Based on questions posed by Councilmen Newcomb and Bradshaw, Mr. Moore said lowest bidder has confirmed that he is able to perform the required work at the price he submitted. Based on a question posed by Councilman Bradshaw, Mr. Moore said he is still seeking clarification on whether federal funds are available for these repairs.

The Council agreed to award the bid for the repair of both bridges to Whittington Construction, the company which submitted the lowest quotes, at the cost of \$10,144.15 for Bestpitch Bridge and \$4,880 for the Elliott's Island Bridge. The Council acknowledged that unused FY14 budgeted funds allocated for paving will cover the cost of this work. The Council also recognized its November 19, 2013 waiver of the advertising requirement for proposals in order to expedite repairs to these bridges.

In response to a question from Councilman Newcomb, Mr. Moore said Whittington Construction personnel can commence work on the Bestpitch Bridge next week. He expressed his belief that additional repairs to this bridge may be necessary, noting that the extent of the repairs will not be known until work commences.

REQUEST TO ADVERTISE-PART TIME GRASS CUTTER POSITION-PUBLIC WORKS

The Council approved Mr. Moore's request to advertise a part-time grass cutter position in the Public Works Department, which position is vacant due to an employee retirement.

FY14 MARYLAND TRANSIT ADMINISTRATION TRANSPORTATION GRANT AWARDS-DELMARVA COMMUNITY SERVICES

The Council approved the request of Santo Grande, President/CEO, to accept the FY 2014 Annual Transportation Plan for operating funding from the Maryland Transit Administration for transportation services of \$787,356 from the following programs: 1) Statewide Specialized Transportation Assistance Program in the amount of \$122,724 (State) with a \$56,448 local cash match for a total of \$179,172; 2) Section 5311 Operating Assistance in the amount of \$424,139 (State and Federal) with a \$127,725 local match for a total of \$551,864; and 3) Americans with Disabilities Act in the amount of \$50,000 (State) with a local match of \$6,320 for a total of \$56,320. The Council acknowledged that the total local match required under the operating grant is \$127,725 which is supported, in part, by the FY14 County budget appropriation to Delmarva Community Services with the remainder to be funded by that entity. The Council also approved Mr. Grande's request to accept the FY14 Annual Transportation Plan for capital funding from the Mass Transit Administration and the Federal Transit Administration in the amount of \$226,130 with a Federal share of \$180,902, a State share of \$22,614 and a \$22,614 local cash match to purchase two small replacement buses (\$137,030), a vehicle lift (\$7,600) and one tire changer (\$31,500) and for preventive maintenance (\$50,000).

PURCHASE OF COMPUTERS-COUNCIL'S OFFICE

The Council reviewed the information and quotes on the XPS 12 Convertible Ultrabook and the Inspiron 17 7000 Series computers that were provided by Don Keyes, Information Technology Director. Councilman Travers' withdrew a motion to purchase the Convertible Ultrabook and a motion made by Councilman Bradshaw to purchase the Inspiron was not completed, instead the Council requested clarification on whether a mixture of these machines can be purchased and if that action is taken, if there will be a change in price or warranty. The Council recognized that \$7,944 is in the adopted FY14

Capital Budget for the purchase of these computers. Councilman Bradshaw suggested that a spare computer also be purchased, noting that his County issued computer recently crashed.

PRIORITY FUNDING AREA REQUEST-VIENNA ELEMENTARY-BOARD OF EDUCATION

The Council approved a request from Chris Hauge, School Facilities Engineer, on behalf of the Board of Education, for the execution of a letter by Council President Jay L. Newcomb certifying that the Vienna Elementary School property building meets the qualifications for designation of a Priority Funding Area under the Smart Growth Areas Act of 1997 and as amended by House Bill 1141. The Council acknowledged that the Board of Education members/staff have no immediate plans to renovate or replace this school and are pursuing this designation in order to qualify for additional State funding for any future projects relating to this facility.

PUBLIC COMMENTS

There were no public comments.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price encouraged the public to attend the City of Cambridge Christmas Parade on December 7, 2013 and the Town of Hurlock Christmas Parade on December 14, 2013. He noted that following the parade in Hurlock a military Christmas themed tree lighting will be held at which veterans will be honored.

Councilman Bradshaw said it is his understanding that due to loss of revenue there is a proposed FY15 State of Maryland deficit of approximately \$400 million. He expressed trepidation about the possible pursuit by Governor Martin O'Malley of an increase in State taxes and or fees to address this shortfall. He referenced the fact that Maryland is the only state in the United States that subsidizes mass transit. He explained that members of the State Transportation Funding Task Force are charged with recommending whether there should be a partial or a total restoration of highway user revenues to counties and municipalities. Councilman Bradshaw stressed the need for the restoration of highway user funds to these local jurisdictions, particularly Dorchester County.

Councilman Bradshaw expressed his understanding that in some of the southern states local jurisdictions can retain revenue derived from the issuance of traffic citations by local Sheriff Deputies on county owned roads in lieu of submitting those funds to the State. He suggested that the Council discuss the possible pursuit of authorization to allow this revenue to be retained in Dorchester County with Sheriff James Phillips and legal counsel, noting that he has already had a discussion with the Sheriff regarding this matter. Councilman Bradshaw explained that any revenue collected can then be used to fund the Sheriff's Office and for the repair and maintenance of County roads. Councilman Nichols said approximately 14 years ago the Council discussed the possible pursuit of a State law amendment for this purpose; however, it was not well received by

legislators. He expressed support for the idea but said he believes the pursuit of such legislation will fail during the current political climate, particularly since the State is facing a budget deficit in FY15.

Councilman Newcomb said at last night's Dorchester County Volunteer Firemen's Association Senator Colburn stated that several State Delegates and Senators have chosen to either not run in the next election or are retiring and that Lieutenant Anthony Brown is running for Governor and Governor Martin O'Malley has expressed an interest in being the running mate for Hillary Clinton in 2016.

Based on an inquiry from Councilman Bradshaw, Councilman Newcomb verified that a discussion regarding coordination planning has been placed on the Council's December 17, 2013 regular session agenda. Councilman Bradshaw explained that Fred Grant, Esquire, will discuss with Council an effort called "coordination" which is a mediation process to improve coordination and effectiveness of land use decisions made by federal and state governments which may cause hardship to local farmers and watermen. He encouraged the public to attend this meeting for this item.

Based on a motion made by Councilman Newcomb, the Council agreed to send correspondence to Ms. Nagel expressing appreciation for her efforts in promoting Dorchester County by volunteering, hosting and participating in a variety of local events.

Councilman Newcomb announced that the last County Council meeting for 2013 will be held on December 17, 2013.

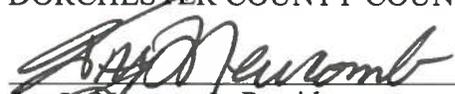
With no further business to discuss, the Council adjourned.

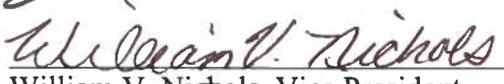
ATTEST:


Jane Baynard, County Manager

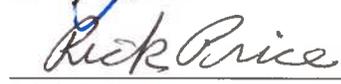
Donna F Lane
Executive Administrative Specialist

DORCHESTER COUNTY COUNCIL:


Jay L. Newcomb, President


William V. Nichols, Vice President


Ricky Travers


Rick Price


Tom Bradshaw

Approved the 17th day of December, 2013.