

**County Council of Dorchester County
Regular Meeting Minutes
January 5, 2016**

The County Council of Dorchester County met in regular session on January 5, 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto and 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.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

APPROVAL OF MINUTES- DECEMBER 15, 2015

The Council approved the minutes of December 15, 2015.

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 \$8,336,330.05.

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in an Closed Session at 5:00 p.m. on January 5, 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto and 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.

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) received an update on a tax sale property; 2) discussed a proposal for the placement of a facility on County owned property; 3) discussed an offer to purchase County owned properties acquired via tax sale; and 4) approved the request of the Economic Development Director to hire an individual to fill a vacant Administrative Specialist position by a 5 to 0 vote.

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.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

REGULAR SESSION

MANAGERS COMMENTS

AGRICULTURE TIRE AMNESTY PROGRAM DATE REQUEST-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to schedule agriculture tire collection, free of charge, for the two week period of January 25, 2016 to February 6, 2016. The Council acknowledged that: 1) tires will be accepted during regular operating hours; 2) Maryland Environmental Service (MES) will reimburse the County for all costs associated with this event; and 3) if there is inclement weather Mr. Moore can seek approval from MES to change the dates.

COUNTY REPRESENTATIVE APPOINTMENT-DELMARVA WATER TRANSPORT COMMITTEE

The Council recognized its December 15, 2015 decision for Dorchester County to become a member of the Delmarva Water Transport Committee with the annual fee of \$600 being funded through the Council's Office budget. The Council agreed to appoint Councilman Satterfield as the County's representative on this Committee and Jeremy Goldman, County Manager, as the alternate representative.

PROPERTY TAX ASSESSMENT APPEALS BOARD NOMINATIONS

The Council acknowledged that Phyllis North, who served on the Property Tax Assessment Appeals Board, has moved to Talbot County and that Melanie Hampton, who served as alternative has resigned. The Council further acknowledged that: 1) appointments are made by the Governor; and 2) pursuant to State law three names need to be submitted for nomination for each vacancy. Councilman Satterfield said he has identified a person who is interested in serving on this Board. The Council, in order to allow members the opportunity to seek other interested parties, agreed to consider nominations for these vacancies at its January 19, 2016 meeting.

T-HANGAR SUBLEASE REQUEST-AIRPORT

The Council approved the request of Meighan “Chis” Chisholm, Airport Manager, to execute a Sub Lease Agreement authorizing Garret Livack to sublease T-Hangar #29 at the Cambridge Dorchester Regional Airport to Glenn Albrecht on a month to month basis. The Council acknowledged that Mr. Albrecht was identified as a sub lease candidate from the current Airport Hangar Waiting List.

TRAVEL REQUEST-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to travel to the Great American Outdoor Show in Harrisburg, Pennsylvania on February 11 and February 12, 2016. The Council acknowledged that there is no cost for a booth since she will utilize the Maryland Office of Tourism Development booth. The Council further acknowledged that costs include accommodations, \$250; food, \$110 and mileage, \$90, for total of \$450, which will be funded through the Tourism General Budget.

CORRESPONDENCE REQUEST-IRONMAN EVENTS-TOURISM

The Council approved the request of Ms. Fenstermaker for approval and execution of correspondence to the following: 1) Ironman Maryland athletes, thanking them for participating in the Ironman Maryland races in the County and welcoming those who are returning for this year’s event, which letter will be posted on the IronClub MD website and social media outlets; and, 2) to State elected officials, Secretary Mike Gill and Tourism Director, Liz Fitzsimmons, Maryland Department of Commerce, as well as Senator Adelaide Eckardt and Delegates Christopher Adams, Johnny Mautz and Sheree Sample-Hughes expressing appreciation for their support of the Ironman Maryland events in the County. The Council agreed that future requests for this type of correspondence are to be provided to the County Manager for his approval in lieu of placing on an agenda for Council’s review and consideration.

FY16 COMMUNITY PARTNERSHIP AGREEMENT-GOVERNOR’S OFFICE FOR CHILDREN-LOCAL MANAGEMENT BOARD

Based on the request of Nancy Shockley, Local Management Director, the Council agreed to accept funding of \$433,413 from the Children’s Cabinet under the Governor’s Office for

Children for board support, community engagement and needs assessment activities, effective July 1, 2015 and to execute a FY16 Community Partnership Agreement.

REQUEST TO HOST GRAND OPENING-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT

The Council approved the request of Keasha Haythe, Economic Development Director, for authorization for the Economic Development Office to host a grand opening for the Eastern Shore Innovation Center on Friday, March 4, 2016. Councilman Price opposed, citing the reason as his opposition to the entire project.

REQUEST TO ADVERTISE FOR PROPOSALS-ADA RAMPS-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to advertise for proposals for architectural and construction services to replace the Americans with Disabilities Act ramp at the rear of the County Office Building and to construct a ramp on the front of the building.

REPLACEMENT VEHICLE REQUEST-SHERIFF'S OFFICE

Mr. Goldman advised that Sheriff James Phillips is seeking Council's authorization to purchase one vehicle at the total cost of \$46,000. He stated that funds in the amount of \$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 and are available since the grant was not awarded to the County, can be utilized for the purchase of this vehicle. In response to a question from Councilman Nichols, Mr. Goldman said the grant match funds were in the operating budget and pursuant to Finance staff can be utilized for capital purposes. He clarified that capital funds, however, cannot be utilized to cover operating expenses.

The Council agreed to the purchase of one vehicle for the Sheriff's Office at the total cost of \$46,000 utilizing the above referenced funds. Councilmen Price and Nichols opposed. Councilman Price said his opposition is based on his belief the \$18,200 should remain with Emergency Medical Services. Councilman Nichols cited his concern about the use of operating funds for a capital purchase as the reason for his opposition.

SENATE BILL 57 COMMUNITY CLEANUP AND GREENING ACT OF 2016

The Council agreed to send a letter in opposition to Senate Bill 57 titled "Community Cleanup and Greening Act of 2016," which prohibits a store from distributing plastic disposable carryout bags free of charge to a customer at the point of sale and requires a store to charge and collect a certain fee for each disposable carryout bag provided to a customer. The Council also agreed to send a letter in opposition to the cross filed House Bill (HB31). Councilman Travers expressed concern that the passage of this legislation may place a burden on small retailers and customers and about the health hazards of reusing bags. Councilman Price cited concern that this charge will be in addition to sales tax.

MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT GRANT AWARD-HEARN BUILDING

The Council agreed to accept a Maryland Department of Housing and Community Development Grant Award under the Community Legacy Program in the amount of \$500,000 for the stabilization of the Hearn Building, located at 509-511 Race Street in Cambridge. Councilman Price opposed, based on ongoing concerns and questions from residents on the process, coupled with rising assessment values and the fact the total cost may exceed grant funds.

PUBLIC COMMENTS

Donald Gray, resident, expressed his belief that the Hearn Building should be demolished. In response to a question from Mr. Gray, Councilman Travers clarified that the grant, and not taxpayer monies, will be utilized to only stabilize the building. He explained that grant funds are not available to demolish the building. He said there is a possibility of the property being sold after stabilization. He explained that the goal is to eliminate the public safety hazard so the street can be re-opened.

Mr. Gray stated that at night there are lights on in the back portion of the Circuit Courthouse. Councilman Travers and Mr. Goldman said hallway lights must be kept at a certain illumination. Councilman Satterfield explained that due to storage of certain records, as mandated by the State, lights must remain on in the halls, which are considered part of the security system.

In response to an inquiry from Wendell Foxwell, resident, Councilman Travers clarified that the side of the Hearn building collapsed. Mr. Foxwell referenced two buildings on the 400 block of Race Street which are in disrepair, one of which was damaged by a fire that he believed the owner was going to renovate within two years. Councilman Travers noted that those are not County properties. He stressed that the grant funds will only be used to stabilize the Hearn building in order to re-open the road. He explained that plans include the stabilization of all four walls. He said three engineering companies viewed the building and provided feedback.

Gloria Dolan, resident, inquired about the excavation that is being conducted in front of the old composting building on Gravel Branch Road. Tom Moore, Public Works Director, explained that the County is using it to provide covering material for the capping of old Beulah. In response to another inquiry from Ms. Dolan, Mr. Moore advised that there is also an active pit, beyond the railroad tracks, which is being utilized to provide cover for new Beulah. He explained that plans are to install a berm so a pond can form which will provide habitat for wildlife.

Pete Macinta, resident, questioned why City officials were not seeking funds to stabilize the Hearn building. Councilman Travers explained that County staff have been working in conjunction with City staff since the day after the wall collapsed to identify grants. He noted that the County's highway staff provided barriers. Mr. Goldman said the City does not have the resources to identify grants, noting that the County has in house expertise available. He commended the three staff members from the County and two from the City for preparing the grant applications within only a two week time frame.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Nichols wished everyone a happy and prosperous New Year. Councilman Satterfield echoed his wish.

Councilman Satterfield stressed the need for County employees to dress appropriately and be cautious and safety minded during the winter months. He reminded citizens the importance of ensuring animals have proper shelter, including in-house shelter if possible, during cold/inclement weather.

Councilman Satterfield expressed his appreciation to the Council, Mr. Goldman and County staff who assisted him during the first year of his term.

Councilman Bradshaw said he is hopeful that the Hearn property will be sold after stabilization and is hopeful that the street will be open by the end of February 2016.

Councilman Bradshaw advised that he and Mr. Goldman recently met with Captain Rob Newberry, Delmarva Fisheries Association and Sarah D. Sheppard, the association's lobbyist, who is also employed with Funk and Bolton. He referenced articles in The Star Democrat regarding the request of Governor Lawrence "Larry" Hogan to the U.S. Army Corps of Engineers to delay the Tred Avon oyster restoration project based on his understanding that there is not sufficient factual material to justify the cost of the project. He said there are concerns that if this project is delayed additional oyster restoration will commence in the Little Choptank River. Based on a motion made by Councilman Bradshaw, the Council agreed to send correspondence to the Governor and Lieutenant Governor Boyd K. Rutherford in support of the delay of the Tred Avon River project until all data from the Harris Creek and Little Choptank River projects is received and reviewed and for a postponement of all future oyster restoration work until then. Mr. Goldman and Councilman Bradshaw noted that the "fossilized" shell used in these projects has been redesignated as stone since foreign shell is considered an invasive species.

Councilman Bradshaw referenced conversations he had with Ron Fithian, Rock Hall Town Manager, and a Kent County Commissioner, about seeking jurisdictions' local waterman's association thoughts on the possible benefits of that County joining the Delmarva Fisheries Association. He advised Council that he will ask Captain Newberry to meet with the Dorchester County Seaford Harvesters Association about this, prior to asking Council to join the Association.

Councilmen Bradshaw wished everyone a prosperous 2016. Councilman Price concurred.

Councilman Price said local waterman are pleased that discussions are now taking place about oysters and are hopeful that additional bottom in local rivers will be opened for the harvesting of this shellfish in the near future.

Councilman Price echoed Councilman Satterfield's statements regarding ensuring animals have proper shelter during the winter and inclement weather. He encouraged residents to look out for neighbors and, in particular, senior citizens.

Based on a motion made by Councilman Price, the Council agreed to reappoint Daniel Henry to the Council for Senior Citizens (Senior Council) as the District 4 representative.

Councilman Travers recognized Charlotte Hughes, a member of the Senior Council, who recently passed.

Pursuant to a motion by Councilman Bradshaw, the Council agreed to send correspondence to Senator Barbara Mikulski for her efforts in seeking amendments to the Congressional Appropriations bill regarding the H2-B worker program which will benefit local seafood processors and other businesses.

Councilman Travers said discussions should be undertaken by the Council on what constitutes a shelter for dogs.

He said the next County Council meeting is scheduled for January 19, 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:

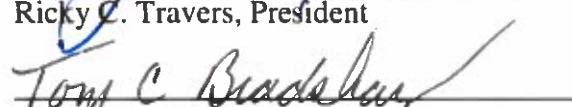


Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 19th day of January, 2016.