

County Council of Dorchester County
Regular Meeting Minutes
June 17, 2014

The County Council of Dorchester County met in regular session on June 17, 2014 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)(7) to consult with counsel to obtain legal advice on a legal matter.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Price led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council agreed to remove from the agenda the New Beginnings Youth and Family Services Resolution of Support Request for its application for Maryland Tax Credits at the request of Mayra Maldonado, Executive Director. The Council also agreed to add the following items to the agenda: 1) requests to advertise a Custodian position in the Maintenance Division, a part time grass cutter position at the Airport, part time Scales Attendants in the Landfill Division, a Emergency Services Administrative Assistant position; 2) a request to increase an ambulance reimbursement rate; and 3) a discussion regarding poultry house permitting fees.

APPROVAL OF MINUTES- MAY 27, 2014, JUNE 3, 2014

The Council approved the minutes of May 27, 2014 and the minutes of June 3, 2014.

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 Newcomb reported total cash and investments as \$3,953,530.60.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 pm. on June 17, 2014 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)(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) confirmed the hiring of individuals as Dorchester County pool staff for the 2014 season and approved the request of the Recreation and Parks Director for salary increases for certain staff provided funded within budget by a 4 to 0 vote; 2) approved the request of the Public Works Director to fill a Custodian position in the Maintenance Division which will become vacant upon an employee retirement by a 4 to 0 vote-agreed to consider a request to advertise this position in open session; 3) approved the request of the Public Works Director to offer a part-time grass cutter position at the Airport to recent applicant(s) and if necessary, advertise the vacant position by a 4 to 0 vote; 4) approved the request of the Public Works Director to seek applicants for part time Scales Attendant positions by a 4 to 0 vote-agreed to consider a request to advertise these positions in open session; 5) approved the request of the Emergency Services Director to restructure a position, amend a job description and fill an Emergency Services Administrative Assistant position by a 4 to 0 vote; 6) held a personnel discussion with Sanitary District/Commission representative; 7) approved request of Emergency Services Director to advertise in-house to fill four 911 Shift Supervisor positions by a 4 to 0 vote; 8) discussed a request to utilize County property; 9) discussed the sale of two County owned properties; 10) discussed with legal counsel a plat for a road abandonment; 11) discussed a Special Legal Counsel opinion regarding emergency medical services funding; 12) discussed with legal counsel a matter relating to the reimbursement of a grant-requested clarification; 13) discussed a matter relating to a potential farm lease; 14) discussed a request for an increase for the reimbursement for emergency medical services-agreed to continue discussion in open session; and 15)

discussed permitting fee structure relating to poultry houses-agreed to continue discussion in open session.

Councilman Newcomb clarified that the votes he announced did not include Councilman Nichols, who was unable to attend the majority of the executive session meeting because he had to work.

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

JAMES B. RICHARDSON FOUNDATION UPDATE

Jane Devlin, Executive Director, Jay Corvan, Architect and Board of Directors Member, provided the Council with an update and information on the James B. Richardson Foundation including the development of a Boat Building School.

Martin Hardy, Owner, Composite Yacht, stressed the need for the youth in the community to learn the boat building trade.

Ginger Brannock, Board member, encouraged the Council to visit the museum and stressed the need to attract the youth of the community

The Council thanked Ms. Devlin, Mr. Corvan, Ms. Brannock and Mr. Hardy.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY MARYLAND TO AMEND CHAPTER 155, ENTITLED ZONING ORDINANCE, SECTION 155-50, MM, SUPPLEMENTARY USE REGULATIONS, SECTION 155-13, TERMS DEFINED, AND SECTION 155 ATTACHMENT 1, TABLE OF PERMITTED USES OF THE DORCHESTER COUNTY CODE TO ADD PRODUCE MARKET AS A PERMITTED PRINCIPAL USE IN THE AC, AGRICULTURAL CONSERVATION, RR-C, RURAL RESIDENTIAL-CONSERVATION, RR, RURAL RESIDENTIAL, AND V, VILLAGE DISTRICTS, ADD THE DEFINITION OF PRODUCE MARKET, AND INCLUDE SUPPLEMENTARY USE REGULATIONS FOR A PRODUCE MARKET.

E. Thomas Merryweather, County Attorney, said this proposed legislation is to amend the County's Zoning Ordinance to add Produce Market as a permitted principal use in the Agriculture Conservation, Rural Residential-Conservation, Rural Residential and Village Districts; to add the definition of Produce Market, and include supplementary use regulations for this use. He explained that currently the County's Zoning Ordinance only

defines and permits small roadside produce stands and that this text amendment will revise and clarify the produce stand definition and introduce a new expanded 'Produce Market' use.

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

REGULAR SESSION

The Council adjourned into Regular Session.

MANAGERS COMMENTS

REQUEST FOR AUTHORIZATION TO CONDUCT KIDS TRIATHLON-JULY 4, 2014-CAMBRIDGE MULTI SPORT

The Council approved the request of Robert J. Wood, Race Director for Cambridge Multi Sport, for authorization to conduct the third annual Firecracker Kids' Triathlon on the morning of July 4, 2014. The Council acknowledged that: 1) the event will begin and end at the YMCA with the following roads being used: Somerset Avenue, Glasgow Street and Hambrooks Boulevard; 2) no road closures are necessary; 3) the event has been approved by the State Highway Administration, the Sheriff's Office and the Cambridge Police Department; and 4) Officers will be present at key intersections to ensure public safety.

CAMBRIDGE POWER BOAT REGATTA-REQUEST TO WAIVE FEES FOR AMBULANCE SERVICES-ALLEN NELSON

The Council approved the written request of O. Allen Nelson, Vice-Commodore, to waive stand-by fees for County ambulance service for the two day "Cambridge Classic" event to be held by the Cambridge Power Boat Regatta Association on July 26 to July 27, 2014.

RESOLUTION OF SUPPORT REQUEST-MARYLAND TAX CREDITS-GIRL SCOUTS OF THE CHESAPEAKE BAY

The Council approved the written request of Denise Eberspaker, Director of Fund Development, Communications and Service Center, to execute a Resolution of Support for the Girl Scouts of The Chesapeake Bay's application for 2015 Maryland Tax Credits to the Department of Housing and Community Development for support under the Community Investment Tax Credit Program with Councilman Price abstaining. The Council acknowledged that the tax credits will encourage business and individual donors to contribute to Girl Scouts in Dorchester County and will ensure the continuation of programs that allow disadvantaged girls to participate in programs at no cost to their families. Additionally, the Council acknowledged that no County financial obligation is required.

MOTOROLA FY15 RADIO SERVICE AGREEMENT APPROVAL REQUEST-911 COMMUNICATIONS CENTER/EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, to execute a maintenance contract with Motorola Solutions for FY15 to maintain the radio equipment in the 911 Communications Center at the cost of \$169,357.68, which is budgeted for in the 911 Communications Center FY15 Budget.

GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION GRANT AWARD- MONITORING SUPPORT-SEX OFFENDER COMPLIANCE-SHERIFF'S OFFICE- GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, on behalf of the Sheriff's Office, to accept a Governor's Office of Crime Control & Prevention Grant Award under the Sex Offender Compliance and Enforcement in Maryland Program entitled "Monitoring Support" in the amount of \$7,130 to fund a portion of the salary for the Deputy assigned to sex offender monitoring. The Council acknowledged that there is no cash or in-kind match and that the grant period is July 1, 2014 to June 30, 2015.

REQUEST FOR LETTER TO U.S. ARMY CORPS OF ENGINEERS-PROPOSED "WATER OF THE U.S." DEFINITION CHANGE-PUBLIC WORKS

Councilman Bradshaw explained that it came to his attention through his involvement with the Clean Chesapeake Coalition, on behalf of the Council, that the U.S. Army Corps of Engineers is considering a proposed rule to change the definition of "Waters of the U.S." He further explained that this proposed rule will expand the range of waters that fall under federal jurisdiction to include County owned and maintained roadside and outlet ditches and result in increased costs to the local government, including costs to mitigate the disturbance of vegetation associated with cleaning a ditch. He said the National Association of Counties has testified against this proposed rule.

The Council agreed to send a letter to Senators Barbara Mikulski and Benjamin Cardin and Congressman Andy Harris expressing concern about the potential negative impact the proposed rule will have on Dorchester County and urging them to support any measure to delay or stop implementation of this rule until those concerns are addressed.

MARYLAND ASSOCIATION OF COUNTIES 2014 SUMMER CONFERENCE ATTENDANCE REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Keasha Haythe, Economic Development Director, for authorization for Susan Banks, Business Development Manager, and herself to attend the Maryland Association of Counties 2014 Summer Conference from August 13 to August 16, 2014 in Ocean City, Maryland at the cost of \$3,495, which includes lodging, mileage and meals, utilizing FY14 Economic Development budget funds.

REQUEST TO DECLARE COMPUTERS SURPLUS-DISPOSE OF EQUIPMENT- INFORMATION TECHNOLOGY

The Council approved the request of Don Keyes, Information Technology Director, to declare computers and other information technology equipment as surplus property. The Council recognized that Mr. Keyes has identified a business that will destroy the machines and provide a "Certificate of Demolition" at no charge. Based on its understanding that Midshore Recyclers, a scrap metal business located in Hurlock, may have the capability of stripping this equipment in order to salvage copper wiring and other components, the Council requested that Mr. Keyes contact this company to determine if this option is available.

SALE OF COUNTY OWNED PROPERTY-4859 OLD OCEAN GATEWAY VIENNA

The Council confirmed its decision to sell 4859 Old Ocean Gateway, Vienna Maryland, a property that was acquired by the County via tax sale, to Samuel A. Thompson and Tina Lavon Thompson at the cost of \$3,000. The Council authorized Jay L. Newcomb, Council President, to execute the deed and other appropriate documents relating to this sale. Additionally, the Council acknowledged that the deed will be without warranties and that Mr. and Mrs. Thompson will pay all expenses.

FY15 NOXIOUS WEED CONTROL COOPERATIVE AGREEMENT-MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Mary Ellen Setting, Deputy Secretary, Maryland Department of Agriculture, to execute a FY15 Noxious Weed Control Cooperative Agreement between the Maryland Department of Agriculture and Dorchester County with no funds being provided by the County or the Maryland Department of Agriculture for the control and eradication of specific noxious weeds (johnsongrass, shattercane, thistles, multiflora rose) for the period of July 1, 2014 through June 30, 2015.

CLEAN CHESAPEAKE COALITION PARTICIPATION-SCOPE OF WORK- BUDGET DISCUSSION

The Council agreed to continue its participation in the Clean Chesapeake Coalition and to contribute funding towards the coalition's FY15 budget in the amount of \$32,500 with \$25,000 to be remitted on or about July 1, 2014 and a supplemental statement being issued after July 1, 2015 in the amount of \$12,500. The Council acknowledged that as additional contributing members are added the supplemental amount due from each member will decrease accordingly.

MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT BOND ALLOCATION REQUEST

The Council approved the written request of Tonna Phelps, Director of Single Family Housing, Maryland Department of Housing and Community Development (DHCD), to transfer Dorchester County's tax-exempt housing bond allocation of \$1,147,852, as set

forth in the 2014 bond allocation of the Maryland State Department of Housing and Community Development, to DHCD's Community Development Association (CDA) for the CDA Maryland Mortgage Program.

BOARD APPOINTMENTS

Based on the recommendation of Jeremy Goldman, Emergency Services Director, the Council agreed to: 1) re-appoint Keith Adkins as the Volunteer Firemen's Association representative and acknowledged his term will expire on April 15, 2016; and 2) to appoint Ronnie Reynolds as the EMS Advisory Council representative to replace Bobbie Aaron and acknowledged that her term will expire on January 29, 2016.

REQUESTS TO ADVERTISE- CUSTODIAN-MAINTENANCE DIVISION; PART TIME GRASS CUTTER-AIRPORT; PART TIME SCALES ATTENDENT-LANDFILL DIVISION-PUBLIC WORKS

The Council agreed to advertise the following positions in-house and in a local news publication(s): Custodian in the Maintenance Division, a part-time grass cutter at the Airport and a part-time Scales Attendant in the Landfill Division.

REQUEST TO ADVERTISE- EMERGENCY SERVICES ADMINISTRATIVE ASSISTANT

The Council agreed to advertise an Emergency Services Administrative Assistant position in-house and in a local news publication(s) based on the amended job description.

PERMITTING FEES FOR POULTRY HOUSES

The Council agreed to amend the permitting fees for poultry houses by changing the zoning fee per poultry house to a \$250 flat fee and the building code fee from \$.03 per square foot to \$.01 per square foot. The Council recognized that the building code fee is paid to Middle Department Inspection Agency (MDIA) pursuant to the County's contract with this agency to enforce the County's Building Code. Therefore, the Council agreed that County staff should begin the process to change these fees while simultaneously working with MDIA staff to re-negotiate and amend this contract to reflect the lower fee.

INCREASE IN AMBULANCE REIMBURSEMENT RATE

The Council approved the request of Jeremy Goldman, Emergency Services Director, to adjust the Ambulance reimbursement rate for FY15, which is paid to volunteer fire companies who provide ambulance transport services, from \$100 per run to \$120 per run for basic life support transports and from \$180 per run to \$200 per run for advanced life support transports. The Council recognized the receipt of correspondence from Ronnie Reynolds, Chair, Dorchester County EMS Advisory Council dated May 21, 2014 encouraging the Council to increase these rates.

Mr. Goldman said this increase, based on current call volumes, will raise the County's contribution by approximately \$10,000 and that the line item for Basic Life Support Transport Fees should cover this cost.

PUBLIC COMMENTS

There were no public comments.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price said he attended the Coastal Flood Risk Open House on June 10, 2014 at the Dorchester County Public library at which residents had the opportunity to learn about the newly updated flood maps. He explained that as a result of these map updates approximately 21 properties in the County may be included in a high-risk flood zone and the affected property owners were invited to attend this meeting. He said Federal Emergency Management and Planning and Zoning staff were present at that event to answer citizens' questions regarding the updated maps, flood risk and flood insurance.

Councilman Price expressed concern that the Chesapeake Bay Watershed Agreement, which was signed by Governors and representatives of six states, including Maryland, and the District of Columbia on June 16, 2014, requires the submission of plans outlining how each jurisdiction will meet their Bay restoration goals within 90 days. He expressed concern on how this will impact those who live in areas near the water.

Councilman Price said it was announced at today's Social Services Board meeting that due to the publicized issues relating to the health care system in Maryland the State has chosen a new Medicaid vendor; and, therefore recipients will be required to re-submit applications in November 2014. He said it was also announced at that meeting that the Homeless Resource Day will be held on September 29, 2014 at the Dorchester Career and Technology Center.

Councilman Travers referenced a series of emails the Council received regarding residents concerns about the proposed Harriet Tubman National Historical Park. Based on his motion, the Council agreed to send correspondence to Senator Benjamin Cardin urging him to support amendments to the proposed legislation regarding this Park. Councilman Bradshaw said several property owners, at a landowner meeting regarding the Park, expressed their concern about the impact it may have on their adjacent properties.

Councilman Bradshaw also referenced the Chesapeake Bay Watershed Agreement and noted that the agricultural community in the State of Maryland has succeeded its goal for the Total Maximum Daily Load/Watershed Implementation strategy and at its two year milestone was at 130%.

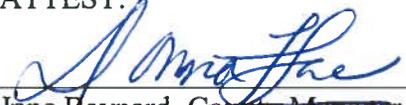
Councilman Bradshaw said Gene and Mary Spear expressed concern that due to a stretch of woods prior to their property it is difficult to view the land to their property, 4672 Steele Neck Road, Vienna. He noted that the trees in that wooded area cannot be cut back since it is private land and questioned whether a "hidden entrance" sign can be

installed in that area. He explained that Carson Windsor, who lives at the end of Cedar Grove Road, said he was concerned that individuals, mostly those from out of state, are camping at the end of this roadway despite the fact that the County's portion of the road ends before that area which is privately owned and questioned whether a "Dead End" or "Turn Around" sign can be installed. Councilman Bradshaw also advised that Rusty Eberspacher questioned whether the weight limit for the bridge over the Transquaking River (where the County boat ramp is located) can be raised so that farmers may cross it in order to access local roads to reach the east bound side of Route 50 and travel to the Perdue Grain Mill. Pursuant to a motion made by Councilman Bradshaw, the Council agreed to refer these concerns to the Traffic Safety Committee for its review and recommendation back to the Council.

Councilman Newcomb announced that Nichollette K Smith Bligen has been appointed as the new Social Services Director to replace William McDonnell who retired in December 2013 and will assume that role as of July 9, 2014. He also announced that the next County Council meeting is scheduled for July 1, 2014.

With no further business to discuss, the Council adjourned.

ATTEST:

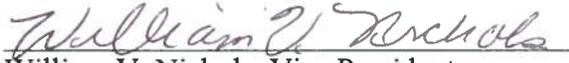


Jane Daynard, County Manager
Donna Flane
Executive Administrative Specialist

DORCHESTER COUNTY COUNCIL:



Jay L. Newcomb, President



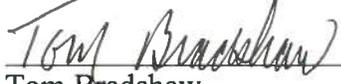
William V. Nichols, Vice President



Ricky Travers



Rick Price



Tom Bradshaw

Approved the 1st day of July, 2014.