

County Council of Dorchester County
Regular Meeting Minutes
May 13, 2014

The County Council of Dorchester County met in regular session on May 13, 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; 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

Councilman Newcomb announced that the personnel hearing scheduled for this evening was cancelled. There were no additions or deletions to the agenda.

APPROVAL OF DISBURSEMENTS

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

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$3,940,965.29.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on May 13, 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; 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 its May 6, 2014 decision to approve the request of Emergency Services Director to hire an individual to fill a vacant Advanced Life Support/Paramedic position and agreed to pay that individual at a salary above base due to his prior experience by a 5 to 0 vote; 2) discussed a personnel matter; 3) discussed a matter regarding a County appointed Board; 4) agreed to transfer a County employee from the Public Works Department to the Detention Center by a 5 to 0 vote; and 5) discussed two legal matters with legal counsel.

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

BUDGET PUBLIC HEARING

Dr. Barbara Viniar, President, asked the Council to support the FY15 budget request she submitted on behalf of the Chesapeake College, which includes a request for an increase in the operating budget of 2.5% or \$147,500 from the five support counties. She said this is the first increase that has been requested since 2009. She noted that by statute the operating budget is determined by enrollment, and due to reduced enrollment in Dorchester County, its share of that budget is 9.2% which represents a \$92,403 decrease. Dr. Viniar explained that she is also asking for an increase of the maintenance and repair budget of \$47,800 of which Dorchester County's share is \$9,082. She advised Council that \$250,000 was spent on improvements to the College's Cambridge Center, which included a roof repair and the installation of a new heat and air conditioning system. She explained through efficiencies and by conducting these improvements in phases funding was identified in the College's maintenance and repair budget to cover this cost. Dr. Viniar noted that two three-year plans for proposed future technology and maintenance and repair items were attached to the College's budget request. She asked the Council to support that request.

Dwayne Abt, Assistant Superintendent of Administration, Board of Education, thanked the Council for its support of the local school system and its working relationship with the Board of Education members and staff. He explained that Dr. Henry Wagner, Superintendent of Schools, was unable to attend this meeting due to a prior commitment. He noted that Dr. Wagner spoke at the May 6, 2014 budget hearing and expressed opposition to a suspension of the County's building excise tax (excise tax). Mr. Abt expressed his appreciation to the Council for including in the proposed FY15 budget the requested operating and capital funding for the local school system. He explained that the capital funding includes \$11,000 from the Excise Tax Fund and \$200,000 from the County's General Fund. Mr. Abt spoke in opposition to the suspension of the

Council's excise tax, noting that it is a dedicated funding source for local school improvements. He cited his concern that funding will not be available for the replacement of North Dorchester High School if the tax is suspended.

In response to a question from Councilman Newcomb, Mr. Abt recognized that the \$200,000 is for roof repair and said he is hopeful the Board of Education will be able to fund its share through its budget.

John Kahl, President of Dorchester Educators, echoed Mr. Abt's comments. He thanked the Council for fully funding Maintenance of Effort and for providing \$211,000 for capital improvements. He stressed the need to maintain local schools to ensure those facilities are structurally safe and environmentally friendly and to replace the aging North Dorchester High School. He thanked all of those who supported the Board of Education's efforts to obtain additional State funding to replace this school, noting that Councilman Price joined the Board of Education to advocate for those funds. Mr. Kahl expressed his understanding that there is \$2.2 million allocated in the proposed FY15 Economic Development budget for an incubator facility. He said he intends to gather more information regarding the proposed project and expressed his hope that the funds are being used wisely and the facility will benefit the community.

Len Pfeffer, resident, questioned whether the proposed budget includes a breakdown of the distributions provided to the local volunteer fire companies. He said it is his understanding that the three main distributions to those companies consists of State of Maryland Amoss 508 funds, an ambulance and a fire appropriation. Councilman Newcomb explained that, pursuant to Section 8-302 of the Public Safety Article of the Maryland Annotated Code, the Council is mandated to provide a minimum budget appropriation to each qualified volunteer fire company. He said some of those appropriations are in excess of that amount. He further explained that the Council provides the companies who house an ambulance at their stations an additional \$2,000. In response to an inquiry from Mr. Pfeffer, Councilman Newcomb explained that he cannot provide any information regarding the provision of funds to the Secretary Volunteer Fire Company because it is an executive matter, noting that the Council is working with legal counsel.

In response to questions from Mr. Pfeffer, Councilman Travers explained that although Rescue Fire Company (RFC) is an independent corporation and is not part of the City government, the City of Cambridge bills for service calls answered by the volunteer fire company. Mr. Pfeffer questioned whether RFC responds to hazmat, marine vessel or confined space calls. Councilman Travers advised Mr. Pfeffer that he should pose that question to City staff or RFC's fire chief. Mr. Pfeffer clarified that he asked Councilman Travers these questions since he is a member of that fire company. He asked the Council to equally fund the volunteer fire companies in the County.

Jacqueline Sorrells, Principal, North Dorchester High School, said she is present to speak on behalf of the school's students and parents. She asked the Council to not suspend the excise tax in light of her concerns that without this revenue source the school, which is 60 years old, will not be replaced. She recognized the need to collect taxes to fund the local

public school system, noting she is a County resident and taxpayer. Ms. Sorrells said the replacement of the school is endorsed at the State level.

Beth Ann Lynch, Dorchester Citizens for Planned Growth (DCPG), expressed her opposition to the suspension of the excise tax, citing concerns that the burden to offset the loss of these funds will fall on existing residents. She asked the Council not to suspend this tax which supports the local school system, public safety and the Sheriff's Office.

Fred Pomeroy, President, DCPG, reiterated his May 6th and May 13th requests for Council to allocate funding for the Watershed Implementation Plan line item, which currently has a zero balance. He applauded the Council members for supporting local watermen and opposing the State of Maryland's Oyster Restoration Plan for the Little Choptank River. He believes that only a small portion of the local waterways should be used for a pilot project and suggested a possible bagless dredging project. He noted local watermen firmly believe dredging restores the oyster population and it is his understanding there is scientific evidence that supports their belief. Mr. Pomeroy stressed that best management practices should be utilized. He expressed his opinion that pollution does not only flow from the Susquehanna River into local waterways, noting that during a recent fishing trip in the Choptank River he viewed floating plastic debris. He said one of the most polluted waterways in the United States is the Anacosta River which is near Washington, DC and that the local government in that area established a bag tax to garner funds to clean up the river. He noted that other county governments are taking similar actions as a clean water initiative. Mr. Pomeroy referenced the offer Drew Koslow, River Keeper, made on behalf of the Mid Shore River Keepers to provide a two to one match of any funds the Council sets aside for watershed improvement projects in the County. Mr. Koslow confirmed that the Mid Shore River Keepers are willing to obtain grant funding to utilize to provide that match. Mr. Pomeroy explained that DCPG members met with Victoria-Jackson Stanley, Mayor, City of Cambridge, to discuss possible designs for sustainable projects including the potential installation of green roofs on City owned buildings. He said a committee can be established to assist the County Council in identifying projects which will improve the Chesapeake Bay.

Roman Jeisen, resident, said he is opposed to a moratorium on the excise tax and expressed his understanding that for every \$1.20 the County spends to provide services to residents only \$1.00 is realized as a result of residential development.

Lorenzo Hughes, speaking as an alumnus of North Dorchester High School and as a resident, cited his opposition to the suspension of the excise tax, which funds local public school system projects. He stressed the need to replace this school. He commended the Council members for their hard work in preparing the proposed FY15 County Budget.

Councilman Newcomb said a legislative budget public hearing and the potential adoption of the proposed FY15 budget will be held on May 20, 2014.

The Council adjourned the public hearing.

PUBLIC COMMENTS

Donald Gray, resident, said based on a recent conversation he had with Michael Spears, Finance Director, regarding the proposed incubator facility, it is his understanding that grant funding will be used for this project. He questioned whether taxpayer funding will also be used. Councilman Newcomb explained that the Council was originally awarded grant funds; however, has since been advised by the funding agencies that those monies need to be repaid. Mr. Spears said there is a 25-year payback period. In response to an inquiry from Mr. Gray, Robert Willey, Assistant Finance Director, said there is a line item in the proposed FY15 Economic Development budget which represents an annual subsidy for operating expenses for the facility of \$100,000.

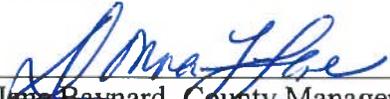
COUNCIL’S COMMENTS/ADJOURNMENT

Councilman Price advised that local watermen have asked him to express their appreciation to the remaining Council members for joining local watermen associations to file an injunction to halt the Little Choptank River Oyster Restoration project. He noted that the project consists of the placement of non-native fossilized oyster shell and other material in that waterway which may affect this year’s crab harvest.

Councilman Newcomb announced that the May 20, 2014 meeting is a regular session meeting which will include a legislative public hearing for the proposed FY15 budget.

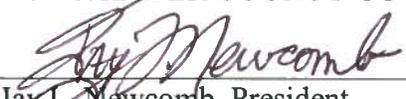
With no further business to discuss, the Council adjourned.

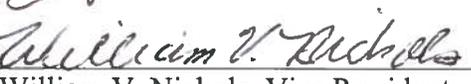
ATTEST:



Jane Baynard, County Manager
Donna Flane
Executive Administrative Specialist

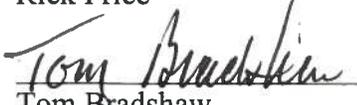
DORCHESTER COUNTY COUNCIL:



Jay L. Newcomb, President


William V. Nichols, Vice President


Ricky Travers


Rick Price


Tom Bradshaw

Approved the 27th day of May, 2014