

County Council of Dorchester County
Regular Meeting Minutes
May 6, 2014

The County Council of Dorchester County met in regular session on May 6, 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 Travers referenced the United States Supreme Court May 7, 2014 decision that prayer before a Council meeting is allowable under the United States Constitution. He led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: 1) a request to advertise a Mechanic position in the Highway Division; 2) the submission of applications for a United States Department of Agriculture grant and loan for the closing of the Old Beulah Landfill; and 3) the re-advertising of a Recreation and Parks Maintenance position as well as a Motor Equipment Operator II position in the Highway Division.

APPROVAL OF MINUTES- APRIL 15, 2014

The Council approved the minutes of April 15, 2014.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$4,299,214.23.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on May 6, 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) discussed personnel matters with Sheriff; 2) received information from staff regarding an County economic development project; 3) received an Airport Capital Improvement Program update from staff; 4) discussed with legal counsel a matter relating to emergency medical services billing; 5) discussed with legal counsel a proposed legal agreement; 6) approved the request of the Public Works Director to fill a vacant Mechanic position in the Highway Division by a 5 to 0 vote-agreed to consider request to advertise this position in open session; 7) denied the request of the Public Works Director to hire an individual to fill a vacant Motor Equipment Operator II position in the Highway Division by a 5 to 0 vote-agreed to discuss re-advertising this position in open session; 8) approved the request of Emergency Services Director to hire individuals to fill full-time and on-call Basic Life Support and Advanced Life Support positions and to update the Emergency Medical Services eligibility hiring list for future vacancies by a 5 to 0 vote; 9) approved the request of the Soil Conservation Director to hire an individual to fill a vacant Grant Technician position by a 5 to 0 vote; 10) denied the request of the Recreation and Parks Director to hire an individual to fill a vacant Maintenance position by a 5 to 0 vote-agreed to discuss re-advertising this position in open session; and 11) discussed Special Legal Counsel's options.

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

PROCLAMATION-CELEBRATE SENIOR CITIZENS MONTH

The Council presented a Proclamation declaring May 2014 as Celebrate Senior Citizens Month which Hubert Trego, President, Dorchester County Commission on the Aging, accepted.

PROCLAMATION-OLDER AMERICANS MONTH

The Council presented a Proclamation declaring May 2014 as Older Americans Month which Mary Handley, Mobility Manager, Delmarva Community Services, accepted.

COMMENDATION- 2014-2015 TEACHER OF THE YEAR

The Council presented a Commendation to Thomas Mills, III for being named Dorchester County's Teacher of the Year 2014-2015.

COMMENDATION- FIRST CLASS TEACHER OF THE YEAR

The Council presented a Commendation to Michael Pagliaro for being named Dorchester County's First Class Teacher of the Year 2014-2015.

BUDGET PUBLIC HEARING

E. Thomas Merryweather, County Attorney, explained that this is the first of three public hearings to be held on the County's proposed FY15 budget. He said the second public hearing will be held on May 13, 2014 with a final legislative public hearing/proposed adoption on May 20, 2014.

Dr. Henry Wagner, Superintendent of Schools, expressed appreciation for the partnership between the Council and the Board of Education. He also thanked the Council for including in the proposed FY15 budget full Maintenance of Effort funding and \$211,000 for capital improvements for the local public school system. He expressed his opposition to the suspension of the County's excise tax for a two year period, noting that it is the only dedicated source of funding for the Board of Education. He explained that the next proposed school replacement project is for North Dorchester High School.

Michelle Hurley, a Dorchester County resident, expressed support for the University of Maryland Extension (Maryland Extension) Office staff's request for additional funding in the amount of \$4,444. She motioned to her husband and two sons, Jake and Josh, noting that they are also present in support of this request. She noted that the Dorchester County 4-H program is coordinated and operated by this office's staff and has positively impacted her and her family. Ms. Hurley explained that she joined the 4H Trailblazers Club in the early 1980s and continued in that program throughout her adolescent years. She said, in her opinion, the leaders of this club are good role models for her children. Jake Hurley said he is a member of the 4H archery, legos and rifle clubs and took a hunting course through this program. Ms. Hurley said her husband and son Josh also took the hunting course offered by 4H noting that Josh, who is 16, has participated in the archery club since he was eight and has earned medals at a State competition.

Christina English, resident, also spoke in support the Maryland Extension's request for additional funding, noting that she is a Maryland 4H volunteer and that her daughter is very active in this program. She Extensive Service staff are a valuable resource for farmers and the public.

Fred Pomeroy said he is a lifelong resident and that this is his 50th year working on the Chesapeake Bay. He explained that he is present on behalf of the members of the Dorchester

Citizens for Planned Growth (DCGP) whose goal is to maintain and support local occupations and interest in farming, water and environment. He said he is also in favor of providing additional funding to Maryland Extension, noting his 4H Club membership has played an important part in his life. He referenced the letter he sent to the Council on behalf of DCPG requesting that the Watershed Implementation plan be included in the proposed FY15 budget and that \$25,000 be allocated to that line item to show Council's commitment to improving the Chesapeake Bay. He reiterated that request. Mr. Pomeroy said he and the other DCPG members are willing to assist County staff and the Council in developing ways to improve the local waterways, noting that flyers to educate homeowners about the use of lawn fertilizer will be enclosed with Talbot County tax bills. He acknowledged that farmers need to use fertilizer for their crops and expressed his belief that homeowners should not apply it to their lawn.

Barbara Edgar, resident, expressed her belief that the Council should provide Maryland Extension the additional funds Ms. Rich requested. She said agriculture is a major industry in the County and that the 4H Club has been a valuable resource for her and her family. She encouraged the Council to attend the Caroline Dorchester 4H Fair in August 2014.

Wes Messick, a Dorchester County farmer, thanked the Council for their hard work in developing the proposed FY15 budget. He said he supports Maryland Extension and the request for additional funding, noting office staff provide assistance to farmers in preparing nutrient management plans and during plan audits.

George Wilson, a resident, said his is present on behalf of Maryland Extension and provided the Council with written correspondence dated May 6, 2014 from Sara Rich, Area Extension Director, requesting an additional \$4,444. He said he, his wife and two boys took the hunting safety course which Conrad Arnold, 4-H Youth Development Senior Agent, held. He noted that Sudeep Matthew, Agriculture and Natural Resources Agent, compiles and distributes a monthly newsletter which is beneficial to the farming community. He also noted that Jose Prieto-Figueroa, Coordinator and Nutrient Management Advisor, prepares nutrient management plans for farmers.

Margaret Anzalone, resident, said she supports Mr. Pomeroy's request on behalf of DCPG, for the allocation of funding in the proposed FY15 budget for the Watershed Implementation Plan.

Drew Koslow said, as a Choptank Riverkeeper, he works in Dorchester, Caroline, Talbot and Queen Anne's County, and assists farmers in identifying ways to reduce nutrient loads. He referenced the following actions being taken in surrounding counties: 1) the investment by the Talbot County of \$50,000 to install demonstration storm water management practices to intercept agricultural and road runoff as well as a \$1 million grant awarded to this county for projects in the Towns of Trappe, Oxford and Easton; 2) the Queen Anne's County's working relationship with his organization to construct storm water treatments projects at Wye Ferry landing and at a County owned farm; and 3) the placement of the first woodchip bioreactor binary in the State of Maryland at the Oakland View Dairy in Ridgely. He explained that the binary, which removes nutrients from the water leaving the dairy, is located the edge of a field, is low maintenance and lasts up to 15 years or more. He said it can be used on any farm that has drain ditches or drain tiles. Mr. Koslow strongly urged the Council to support Mr. Pomeroy's request to fund the implementation of the County's Watershed Implementation Plan. He said the

Mid Shore River Keepers will provide a two to one match of any funds the Council sets aside for watershed improvement projects in the County.

Roman Jeisen, resident, expressed his belief that the Council should not suspend the County's excise tax, which in his opinion will benefit developers. He said is concerned that the City of Cambridge Commissioners instituted a five year moratorium on City impact fees.

The Council concluded the public hearing.

UPDATE-TELEPHONE SERVICE-VERIZON

Jeremy Goldman, Emergency Services Director, introduced Lawrence Graham, Director, State Government Affairs, Verizon, whom the Council invited to discuss concerns regarding telephone service in the southern part of the County and the Neck District area. Mr. Graham introduced Keith Garvin, Supervisor, who covers operations for Dorchester County. Mr. Graham explained he is present to discuss the continuation of Verizon services to the State of Maryland and Dorchester County and to address any concerns.

In response to a question from Councilman Newcomb, Mr. Graham said although he is not very familiar with the company's wireless service, he will make note of any questions Council has and provide a written response. Councilman Newcomb referenced correspondence the Council received from residents regarding their concerns about Verizon service in the southern and Neck District areas since underground phone lines in those areas are corroded and residents often have to rely on cell phone service, which is sporadic. He expressed his understanding that Verizon may be considering the placement of an additional cell phone tower in the County. Mr. Graham explained that Verizon Wireless engineers view areas in the State to determine whether or not it is feasible to invest in additional cell sites and that he will inquire as to whether they are currently undertaking such research in the County.

Councilman Bradshaw said in the northern part of the County Verizon owned pedestals are in disrepair and phone lines are lying in the shoulder of County road ways, which get tangled in lawn mowers. He questioned why those pedestals have not been repaired and the lines have not been re-buried. Mr. Garvin and Mr. Graham encouraged the Council and the public to contact the local Verizon Office when they view these issues so they may address them.

Tom Moore, Public Works Director, explained that roadside mowing and ditching is performed by County staff and there have been several occasions when a Verizon pedestal has been damaged because they were neither marked nor visible above the grass line.

Councilman Bradshaw noted that the pedestals are green and that County staff placed orange on those pedestals on Indiantown Road for visibility purposes during snow events in lieu of placing markers in those areas. Mr. Graham said he will ask Verizon staff to address these issues.

Councilman Travers said in their letter, residents also expressed concern that property owners lost their home in the Neck District because their fire and alarm system failed to activate due to the lack of telephone service during a storm. He noted that there have been ongoing problems with telephone service in that area and questioned why repairs have not been made.

Mr. Graham said he cannot speak about that incident; however, he assured Council that corrective action is being undertaken to improve telephone service in that area. He said many of the company's buried facilities are old and are in need of repair.

Mr. Garvin explained that two Verizon technicians are working with engineers to renovate and rehabilitate facilities in that area and that he anticipates the work will be completed within the next several months.

Councilman Travers expressed dismay that efforts had not been taken to correct these issues prior to the fire. He noted that residents in those areas are paying for land line and cell phone service to order to ensure they have some type of service.

Mr. Graham said he is aware of the concerns residents in the southern and Neck District areas have regarding Verizon telephone service. He said he will reiterate their concerns and that of the Council members to the appropriate staff.

Councilmen Bradshaw, Price and Newcomb noted that residents in the outlying areas of the County, including on Town Point Road, are experiencing difficulties with Verizon telephone service.

Councilman Travers explained that the telephone lines at his business in downtown Cambridge do not work during heavy rains and that despite reporting those issues several times no action has been taken to permanently correct the problem.

Mr. Graham noted that it is difficult to repair and/or replace underground lines without disrupting service. He said he will relay Councilman Travers' concerns to Verizon staff.

Councilman Travers clarified that the lines to his business are above ground. Councilman Bradshaw noted that residents on David Green Road also have issues with their telephone service when it rains even though the lines are above ground.

Councilman Newcomb said due to rain his business charge card telephone line was out of service for three days before the problem was corrected. Mr. Graham noted that repairs can be delayed, particularly if several reports are received at one time.

Councilman Newcomb explained that he called Verizon a month ago when he discovered that he no longer had telephone service at his residence and was advised that his phone line had been transferred to another company. He said despite repeated attempts to obtain the name of the company about this transfer, which he did not authorize, the Verizon representative would not release that information. He noted that they would not restore his phone service and told him that they needed to investigate the matter. He expressed concern that the telephone call lasted 1.5 hours and questioned how an elderly individual may fare if they had to stay on the phone that long to resolve an issue.

Councilman Newcomb explained that despite being advised that a Verizon technician would be at his house between 9 a.m. to noon no one showed up and he subsequently received an e-mail later that day that Verizon needed more information. Mr. Graham said he will address this issue.

Councilman Newcomb stressed the importance of taking care of the problems the residents in the southern and Neck District areas are experiencing first.

In response to a question from Gail Dean, resident, Mr. Graham said Verizon will continue to run telephone lines to residential homes. Ms. Dean said she had to purchase a cell booster at the cost of \$400 and pay a monthly fee of \$20 for voice link at her residence in order to receive telephone service. Mr. Garvin explained that voice link is being offered as an option only.

Donald Gray, a Dorchester County resident, expressed his belief that additional cell phone towers should be installed in Dorchester County, including in the lower part of Vienna and near the City of Cambridge. Mr. Graham reiterated that individuals from Verizon Wireless personnel area responsible for scouting out locations to place additional towers.

A meeting attendee said when she attempted to obtain information regarding the services that were placed on a specific tower in the County she was advised that staff were unable to divulge that information. Mr. Graham said information regarding Verizon coverage and towers can be located at www.verizon.com or by contacting Verizon Wireless via telephone.

The Council thanked Mr. Graham for attending the meeting regarding concerns about Verizon telephone service in the County and in particular in the southern and Neck District areas of the County. Councilman Newcomb said the Council members look forward to receiving a response from Mr. Graham regarding the issues referenced during this discussion.

PRESENTATION-DORCHESTER WATER QUALITY DATA-DORCHESTER CITIZENS FOR PLANNED GROWTH

Roman Jeisen, and Beth Lynch, Board Members, Dorchester Citizens for Planned Growth (DCPG), provided a power point presentation on the results of the organization's water monitoring efforts in 2013, which is attached. He explained that Creek Watchers have taken samples from nine stations every two weeks from 2008 to the present, of which five are funded by the Nanticoke Watershed Alliance and three are funded by DCPG.

The Council thanked Mr. Jeisen for providing a summary of the 2013 water quality data compiled by DCPG.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2014-4 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO REPEAL AND REENACT SECTION 10-2(C) OF ARTICLE 10 OF THE CODE OF PUBLIC LAWS OF MARYLAND TO PROVIDE THAT COUNTY COUNCIL MEMBERS WHO HAVE NOT BEEN REELECTED AT THE PRIMARY ELECTION OF AN ELECTION YEAR MAY NOT CONTINUE TO INCUR EXPENSES AS A MEMBER OF THE COUNTY COUNCIL AFTER SEPTEMBER 1ST OF SUCH ELECTION YEAR WITHOUT PRIOR WRITTEN APPROVAL FROM THE DORCHESTER COUNTY

MANAGER AND TO PROVIDE THAT A COUNTY COUNCIL MEMBER WHO IS NOT REELECTED AT A NOVEMBER GENERAL ELECTION MAY NOT BE REIMBURSED BY THE COUNTY FOR EXPENSES INCURRED DURING THE TIME IMMEDIATELY FOLLOWING THE GENERAL ELECTION AND BEFORE THE NEWLY ELECTED COUNTY COUNCIL TAKES ITS OATH OF OFFICE WITHOUT PRIOR WRITTEN APPROVAL FROM THE DORCHESTER COUNTY MANAGER.

Mr. Merryweather explained that the proposed legislation is to repeal and reenact Section 10-2(c) of Article 10 of the Code of Public Laws of Maryland to provide that County Council members who have not been re-elected at the Primary Election of an election year may not continue to incur expenses as a member of the County Council after September 1st of such election year without prior written approval from the Dorchester County Manager and to provide that a County Council member who is not re-elected at a November General election may not be reimbursed by the County for expenses incurred during the time immediately following the General Election and before the newly elected County Council takes its oath of office without prior written approval from the Dorchester County Manager.

The role call on the enactment of Bill No. 2014-4 was as follows: Nichols-aye; Newcomb-aye; Bradshaw-aye; Price-aye; Travers-aye.

PUBLIC HEARING

BILL NO. 2014-5 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO REPEAL AND REENACT SECTION 10-8.3 OF ARTICLE 10 OF THE CODE OF PUBLIC LAWS OF MARYLAND TO PROVIDE THAT COUNTY COUNCIL MEMBERS WHO HAVE NOT BEEN REELECTED AT THE PRIMARY ELECTION OF AN ELECTION YEAR MAY NOT MAKE APPOINTMENTS TO COUNTY BOARDS AND/OR COMMITTEES AFTER SEPTEMBER 1ST OF SUCH ELECTION YEAR AND TO PROVIDE THAT A COUNTY COUNCIL MEMBER WHO IS NOT REELECTED AT A NOVEMBER GENERAL ELECTION MAY NOT MAKE APPOINTMENTS TO COUNTY BOARDS AND/OR COMMITTEES DURING THE TIME IMMEDIATELY FOLLOWING THE GENERAL ELECTION AND BEFORE THE NEWLY ELECTED COUNTY COUNCIL TAKES ITS OATH OF OFFICE.

Mr. Merryweather said the proposed legislation is to repeal and reenact Section 10-8.3 of Article 10 of the Code of Public Laws of Maryland to provide that County Council members who have not been re-elected at the Primary Election in an election year may not make appointments to county boards and/or committees after September 1st of such election year and to provide that a County Council member who is not re-elected at a November General Election may not make appointments to County boards and/or committees during the time immediately following the general election and before the newly elected County Council takes its oath of office.

Peter Macinta, resident, said he was prepared to speak in opposition to this legislation based on concerns that a board or committee not be able to meet due to lack of quorum until he realized it is an amendment.

In response to a question from Wendell Foxwell, resident, Councilmen Newcomb and Nichols explained that approximately twenty years ago some Council members placed individuals on boards and committees for a six year term and/or submitted expenditures prior to leaving office. Councilman Newcomb advised that the current Council members very rarely submit requests for expense reimbursement.

The role call on the enactment of Bill No. 2014-5 was as follows: Nichols-aye; Newcomb-aye; Bradshaw-aye; Price-aye; Travers-aye.

REGULAR SESSION

The Council adjourned into Regular Session.

MANAGERS COMMENTS

REQUEST TO USE SAILWINDS PARK AT VISITOR CENTER-SPECIAL OLYMPICS MARYLAND

The Council approved the request of Michele Maas, Special Events Coordinator, Special Olympics Maryland, to use Sailwinds Park at the Dorchester County Visitor Center on Saturday, August 16, 2014 from 6 am. to 2 p.m. to host the 2014 Chesapeake Paddlefast. The Council acknowledged that all events will take place in the outdoor areas of Visitor Center and the organization will secure portable toilets, handle waste management/ removal and will work with the Cambridge Police Department.

REQUEST TO USE CO. OFFICE BLDG/PARKING LOT/COURTHOUSE GROUNDS & ELECTRICAL OUTLETS-DORCHESTER SHOWCASE-DCA

The Council approved the request of Barbara J. Seese, Dorchester Showcase Coordinator, Dorchester Center for the Arts, to use the following County property/services for the 38th Dorchester Showcase on Sunday, September 28, 2014 from 12 p.m. to 5 p.m.: 1) to use the County Office Building parking lot with understanding that it must remain a public lot; 2) to use the Court House grounds and electrical outlets and to place a 10'x10' or 10'x15' pop up tent for one of the demonstration areas by the fountain; and 3) for assistance from Maintenance staff in coordinating these services.

REIMBURSEMENT REQUEST-WEST VIENNA WATER AND SEWER-TOWN OF VIENNA

The Council approved the request of Russell Brinsfield, Mayor, Town of Vienna, for reimbursement of water and sewer services for the West Vienna area from January 1, 2013 to December 31, 2013 of \$13,380.76 which includes \$3,068.76 for disconnected customers and \$10,312 for delinquent accounts. The Council acknowledged that payment is to be made in accordance with the Memorandum of Understanding between the County and the Town of Vienna for residents of the unincorporated area of West Vienna.

ACTUARIAL SERVICES FOR POST EMPLOYMENT HEALTH BENEFITS-FINANCE

The Council approved the request of Michael Spears, Finance Director, to renew the County's June 9, 2009 agreement with Clarity in Numbers, LLC to perform actuarial services relating to the Other Post Employment Benefits Trust Fund for two additional years (July 1, 2013 to June 30, 2015) at the same cost and under the same terms and conditions. The Council acknowledged that the cost for July 1, 2014 to June 30, 2015 is \$10,800 and that these costs are set aside in the post retirement benefits fund.

SPECIAL EVENTS AGREEMENTS-FINANCE

The Council approved the request of Robert Willey, Assistant Finance Director, to execute the following Special Events Agreements: 1) between Annapolis Bicycle Racing Team, the County Council and the Dorchester County Sheriff's Office to provide public safety services for the Church Creek Time Trial Bicycle Race to be held on Saturday, June 21, 2014 from 8 a.m. to 3 p.m. to include four vehicles and four deputies; 2) between Annapolis Bicycle Racing Team, the County Council and the Dorchester County Sheriff's Office to provide public safety services for the Church Creek Time Trial Bicycle Race to be held on Saturday, August 16, 2014 from 8 a.m. to 3 p.m. to include four vehicles and four deputies; and 3) between World Triathlon Corporation, the County Council and the Dorchester County Sheriff's Office to provide public safety services for the EagleMan IronMan Triathlon to be held on Sunday, June 8, 2014 from 5 a.m. to 5 p.m. to include 19 vehicles and 19 deputies.

The Council acknowledged that pursuant to Mr. Willey the fee in each of these agreements is calculated at an overtime rate on the average deputy salary and agreed to pay deputies who volunteer for these events at an overtime rate regardless of whether a deputy reaches the 171 hour/28 day overtime threshold.

DISCUSSION-EMERGENCY MEDICAL SERVICES INTERCEPT/TRANSPORT POLICY-EMERGENCY SERVICES

The Council adopted an Advance Life Support (ALS) Intercept and Basic Life Support (BLS) Transport Policy, developed by Jeremy Goldman, Emergency Services Director, which: 1) states that as a general rule Dorchester County Emergency Medical Services (DCEMS) will not transport patients who require ALS care in a non-ALS ambulance; and, 2) clarifies that DCEMS will provide ALS intercept services and defer transport of BLS patients to those volunteer ambulance companies who participate in the County wide billing agreement which meet the requirements of the State of Maryland Voluntary Inspection Program and the scope of the policy at the BLS level.

REQUEST TO USE NUMBERS BOARD FUNDS TO REPLACE 911 CENTER SECURITY SYSTEM/SOLE SOURCE -EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to use the approved bid by the Emergency Number Systems Board (Numbers Board) and to sole source with Bay Country Security to replace the security system at the 911 Communications Center, to include door controls, security cameras and recording devices, at the cost of \$24,945. The Council acknowledged that three

quotes were obtained. Additionally, the Council acknowledged that the Numbers Board funding, which will cover the entire cost, will be paid directly to the vendor.

CHANGE ORDER REQUEST-SECURITY FENCE-CIRCUIT COURT/PUBLIC WORKS

The Council acknowledged its April 1, 2014 decision to award the bid for the installation of a security fence at the Circuit Court House to Long Fence in the amount of \$47,935.44. The Council approved Mr. Moore's request to execute a change order to the County's contract with this company to install a Knox Fire Box with Keyswitch, which will be mounted to the gate post for fire and emergency access and install a three button station with toggle switch in the security office to provide improved remote control of automatic gate entry at the estimated cost of \$695 for a total contract price of \$48,630.44. The Council acknowledged that Transfer Tax Funds will be utilized to cover this additional cost.

TRAVEL REQUEST-MARYLAND REGIONAL AVIATION CONFERENCE-AIRPORT/PUBLIC WORKS

The Council approved the request of Mr. Moore for Bob Tenanty, Senior Engineer/Airport Manager, to attend the Maryland Regional Aviation Conference in Frederick, Maryland on June 4 to June 6, 2014 at a cost not to exceed \$350 which includes a \$100 conference registration fee and \$99 per night for lodging. The Council acknowledged that tolls will be reimbursed and that all expenses will be billed against the Engineering Division Operating Budget. The Council recognized that the event is sponsored by Maryland Aviation Administration and Maryland Airport Managers Association and that an Airport Capital meeting be held with a representative from each airport expecting funding in the next year or so. The Council further recognized that Mr. Tenanty will schedule this meeting and ask Delta Airport Consultants, the County's consultant, to join in the review of proposed capital improvements at the Cambridge Dorchester Regional Airport.

OFFSHORE BLIND AND SHORELINE LICENSE-MAPLE DAM ROAD-PUBLIC WORKS

The Council approved the request of Mr. Moore to execute a Maryland Department of Natural Resources Offshore Blind and Shoreline License application for the County's Open Space property located off of Maple Dam Road for a three year period, which license will restrict the construction of onshore and offshore waterfowl hunting blinds. The Council acknowledged that property owned and licensed by governmental entities are exempt from the fee requirements.

REQUEST TO EXTEND CONTRACT-CULVERT PIPE-HIGHWAY/PUBLIC WORKS

The Council approved the request of Mr. Moore to extend the County's existing contract with Lane-Beaeton to supply culvert pipe for one year, from July 1, 2014 to June 30, 2015, at the same prices as referenced in the previous year's contract.

MARINE FACILITY TRASH CONTAINER SERVICES-PUBLIC WORKS

The Council approved the recommendation of Mr. Moore to place a dumpster at each of the 12 County owned marine facilities from June 1, 2014 to September 30, 2014 utilizing Public Works Department budget funding of \$4,800 under the marine facilities line item. The Council

acknowledged that based on the State of Maryland's determination that the placing of dumpsters at these types of facilities is not directly related to the protection of the environment and waterways; Department of Natural Resources funding is no longer available for these services. The Council also acknowledged that since the cost will be under \$5,000 County staff will contact local contractors to obtain prices and will award a contract to the lowest bidder.

BID AWARD-PORTABLE TOILETS-MARINE FACILITIES-PUBLIC WORKS

The Council approved the request of Mr. Moore to award the bid for the placement of portable toilets at the County's 12 marine facilities for six months during the 2014 season, with two additional service calls at each location over that time period), to Piersons Comfort Group LLC, the lowest bidder, at the cost of \$2,640, which is 100% reimbursable through a Department of Natural Resources Waterway Improvement grant of which \$4,500 is available. The Council acknowledged that each unit will cost \$35 per month and that there is a \$5 per additional pump out or service.

TRAFFIC SAFETY COMMITTEE REFERRAL-LINTHICUM DRIVE

The Council agreed to refer the written request executed by Eugene Henry, Shirley Henry, Phyllis T. North, Laura Willey, Duana Willey and Christopher Embrey, residents, to place "No Parking" signs on the "S" curve on Linthicum Drive based on their concerns regarding motorists parking on both sides of the roadway to the Traffic Safety Committee for its review and recommendation back to the Council.

FY15 CRITICAL AREA GRANT AGREEMENT ACCEPTANCE/EXECUTION-PLANNING AND ZONING

The Council approved the request of Steve Dodd, Planning and Zoning Director, to accept and execute a FY15 Critical Area Grant Agreement between the County and the State of Maryland Critical Area Commission for the Chesapeake and Atlantic Coastal Bays for funding in the amount of \$13,000 which will cover a portion of the cost for the Environmental Planner position in the Planning and Zoning Department. The Council acknowledged that this grant will expire on June 30, 2015.

CITY OF CAMBRIDGE COMMUNITY LEGACY DEMOLITION GRANT APPLICATION DISCUSSION-GRANT MONITOR

Cindy Smith, Grant Monitor, noted that at its April 15, 2014 meeting, the Council approved the preparation and submission of an application to the City of Cambridge for Community Legacy for grant funds to demolish residences at 602 Douglas Street and 707 Pine Street which were acquired via tax sale. She explained that a grant application for Community Legacy Funds has been submitted to the City of Cambridge for funds to demolish a residence at 602 Douglas Street, Cambridge, for which the lowest quote submitted, was for \$7,000; however, an application for funding for 707 Pine Street, Cambridge was not submitted due to a potential lack of funds. Based on her statement that funds are now available, the Council acknowledged that there are \$6,300 in Community Legacy Funds available for the demolition of 707 Pine Street and agreed to pay the remaining \$700 contingent upon the receipt of the grant funding. Councilman Nichols opposed, citing his understanding that the City of Cambridge has a \$4.5 million surplus.

PRIORITIZATION-COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS-GRANT MONITOR

Pursuant to information provided by Ms. Smith, the Council acknowledged that Delmarva Community Services intends to submit two FY15 Community Development Block Grant (CDBG) applications, one application for \$200,000 in funding for housing rehabilitation in Dorchester County and one for \$600,000 for the Chesapeake Grove Intergenerational Center. The Council agreed to hold a public hearing on these grant applications at its May 20, 2014 meeting as required by CDBG.

UNITED STATES DEPARTMENT OF AGRICULTURE GRANT/LOAN APPLICATION REQUEST-OLD BEULAH LANDFILL CLOSING-GRANT MONITOR

The Council approved the request of Ms. Smith, on behalf of Mr. Moore, to submit an application to the United States Department of Agriculture for a loan in the amount of \$1,500,000 and a grant in the amount of \$1,000,000 to be used to cover some of the cost of the Old Beulah Landfill closure, which is a \$8.5 million project, and agreed to execute the application and associated paperwork. The Council acknowledged that in addition to this funding, \$4,500,000 from the County's Closure Savings Account and a \$1,500,000 loan from the Maryland Department of Environment will be utilized for this project.

REQUEST TO ADVERTISE VACANT MECHANIC POSITION-HIGHWAY DIVISION-PUBLIC WORKS

The Council approved the request of Mr. Moore to advertise a vacant Mechanic position in the Highway Division.

READVERTISING A MAINTENANCE POSITION IN RECREATION AND PARKS AND A MEO II POSITION IN THE HIGHWAY DIVISION

The Council agreed to re-advertise the following vacant positions: a Maintenance position in the Recreation and Parks Department and a Motor Equipment Operator II position in the Highway Division of the Public Works Department.

TELEPHONE POLL CONFIRMATION

Councilman Newcomb announced that by a 5 to 0 vote the Council agreed to join the Dorchester County Seafood Harvesters Association and other watermen associations in filing an injunction to the State of Maryland's proposed Little Choptank River Oyster Restoration Plan and instructed Special Legal Counsel to proceed accordingly.

PUBLIC COMMENTS

Mr. Macinta said the State legislature passed the Fairness for All Marylanders Act of 2014 which modifies existing law and provides that no facility can discriminate against those whose gender identify is different than their assigned gender at birth. He said he is gathering signatures for a petition to move this item to referendum in the November 2014 election. Councilman Nichols expressed his understanding that individuals in another County are also seeking this action.

In response to questions from Mr. Foxwell regarding access from Jenkins Creek Road to Washington Street, Councilman Newcomb clarified that those roads are within City of Cambridge limits. He expressed his understanding that a roundabout may be installed in this area and that there are also plans to possibly place one at Woods Road and Route 16.

Les Simering, resident, referenced a letter to the editor he submitted in opposition to the methods proposed by Chesapeake Bay Foundation to improve the Chesapeake Bay.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Travers said it was brought to his attention that the residential landfill sticker fees are not pro-rated. He expressed his belief Council should consider seeking an amendment to pro-rate that fee. Councilman Newcomb asked staff to search files and minutes based on his understanding that this item may have been addressed in the past.

Councilmen Price and Bradshaw expressed concern that the cardboard trash container located in the Town of Hurlock is consistently full. Mr. Moore explained that the County contracts with Waste Management to provide and dump the container and that he will have staff monitor that dumpster.

Councilman Price said he is disappointed that Department of Natural Resources staff have elected to proceed with the Little Choptank River Oyster Restoration project prior to the public U.S. Army Corps of Engineers and Maryland Department of Environment comment deadline of May 9, 2014 and despite concerns expressed by local watermen and the public. Councilman Price expressed concern that the dumping of non-native fossilized oyster shells into the Little Choptank River may adversely affect the upcoming crab harvest season, noting that local watermen have already been financially impacted as a result of a poor 2013 crab harvest season and a State fishing license increase.

Councilman Bradshaw held up a photograph taken by Tyler Butler, a WBOC-TV reporter, which showed a plume of sediment flowing from the material being placed into the Little Choptank River from a barge. He showed a bucket containing samples of the material, some of which resembled fossilized oyster shells and others that appear to be stone. He stated that when he retrieved the samples, which will be provided to the Clean Chesapeake Coalition, he was accompanied by Sheriff James Phillips and Senator Richard Colburn. Councilman Bradshaw explained that the material is dry, and turns pasty when introduced to water. He noted that the majority of the barge was cleared off when he arrived on scene and that Department of Natural Resources police were guarding the area.

Councilman Bradshaw explained that due to concerns expressed by watermen on Sunday, May 4th he contacted Sheriff Phillips who was instrumental in setting up a meeting between Scott Todd, President, Dorchester County Seafood Harvesters Association and Bobby Whaples, waterman, as well as Thomas J. O'Connell, Director of Fisheries Service, and Dave Goshorn, Assistant Secretary for Aquatic Resources, Department of Natural Resources. He said Mr. Todd obtained copies of permits and other paperwork from the DNR representatives. Councilman Bradshaw said he asked Mr. O'Connell earlier today to provide him with copies of the studies

and permits relating to the Little Choptank Oyster Restoration project and referenced the Clean Chesapeake's Coalition public information request for this information.

Councilman Bradshaw noted that the fossilized oyster shell the Chesapeake Bay Foundation members showed the public was unlike the samples he retrieved. He said a recent study shows that underwater grass in the Bay has increased by 24 percent between 2012 and 2013. He explained that local watermen have advised that power dredging was allowed in the areas that showed an abundance of underwater grass. He stressed that he is in favor of improving the water quality of the Chesapeake Bay and its tributaries in a fiscally prudent manner.

Councilman Bradshaw said he will present the research he conducted on Walter Gibbs and his experiments on traps and design as well as muskrat farming in Gum Swamp and the Chicamacomico River at the Dorchester County Historical Society on LeGrange Avenue tomorrow night at 7 pm.

Councilman Newcomb announced that the May 13, 2014 meeting is for a budget public hearing only. He said a personnel hearing is being held in executive prior to that meeting. He also announced that the May 20, 2014 meeting is a regular session meeting which will include a legislative public hearing/adoption.

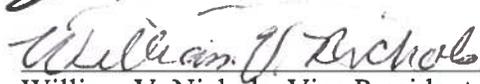
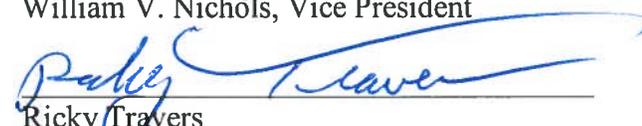
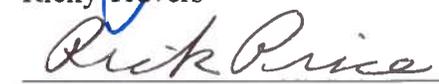
Councilman Newcomb said he will be ending his 27 year career with A & E Phillips.

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 20th day of May, 2014.