

**County Council of Dorchester County
Regular Meeting Minutes
November 21, 2017**

The County Council of Dorchester County met in regular session on November 21, 2017 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

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Satterfield led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions.

STATEMENT OF COMPLIANCE

Councilman Travers, President, read a Statement of Compliance from the Open Meetings Compliance Board (OMCB) into the record. He also made a statement regarding the County Council's goal to ensure that citizens have full access to the deliberations and other actions relating to the business of Dorchester County government.

Councilman Travers and Jeremy Goldman, County Manager, noted that the items addressed in the OMCB opinion were minor and there was no malice or intent determination. Mr. Goldman said the items included not using the statement that the Council "reserves the right" to meet in Closed Session at the end of meetings.

Councilman Nichols said he firmly believes in providing access to citizens on the business of the local government; however, there are certain items that can only be discussed in Closed Session. He referenced his 23 years as a Council Member and said there has never been any malice or intent by either Council or County staff to deny that access. He stressed that confidentiality is a critical component of economic development. He cited two incidences during which businesses decided not to locate to the County because confidential information was released. He said one went to Talbot County and the other to Caroline County. He advised that he has enjoyed working with the Council members and staff.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$11,402,200.00.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on November 21, 2017 at 5:00 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 and motioned to adjourn into Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, 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. Present were: 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.

The Council convened into Closed Session on November 21, 2017 at 5:01 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 to conduct a personnel hearing on an Employee Compensation Grievance pursuant to §3-305(b)(1). Present were: 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. Voting in favor of the Closed Session were all of the present Council members. The purpose of the Closed Session is also set forth in the Written Statement of Closing a Meeting Under the Open Meetings Act, which will be provided upon request.

The Council convened into Regular Session on November 21, 2017 at 5:44 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 and motioned to adjourn into Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1). Present were: 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.

The Council convened into Closed Session on November 21, 2017 at 5:45 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 to discuss the following items: 1) approved the request of the Emergency Services Director to hire individuals to fill two vacant 911 Dispatcher positions by 5 to 0 vote and agreed to hire an individual to fill one vacant 911 Dispatcher position with a 4 to 1 vote with one abstention; and, 2) discussed filling a position due to a resignation in a County Department. Present were: 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. Voting in favor of the Closed Session were all of the present Council members. The purpose of the Closed Session is also set forth in the Written Statement of Closing a Meeting Under the Open Meetings Act, which will be provided upon request.

MARYLAND ASSOCIATION OF COUNTIES ANNUAL VISIT

Jerry Walker said he has the privilege of serving as the current Acting President of the Maryland Association of Counties (MACo) for a portion of this year. He said he has served as the first Vice President and runs the MACo Legislative Committee. He commended Councilman Price, the County's representative, for being involved with the Committee. He said he is also an Anne Arundel County Council Member. He thanked the Council for providing him the opportunity to speak. He acknowledged that Michael Sanderson, Executive Director, MACo, is present and will provide further information regarding MACo. In response to a question from Councilman Travers, Mr. Walker advised that Kevin Kamenetz resigned as President at the end of September due to his gubernatorial appointment. Mr. Walker said he looks forward to the upcoming MACo Winter Conference.

Mr. Sanderson provided the Council a handout and an overview of MACo's legislative initiatives for next year which are: 1) seeking an investment in local infrastructure, formerly known as highway user revenues; 2) strong and smart State funding for school construction; 3) aligning public access laws with modern technologies; and 4) advancing Maryland Next-Generation 911 Systems. He explained that MACo defends local governments by either supporting or opposing certain legislative initiatives. He said they also watch federal level actions that may potential affect local counties and residents. Mr. Sanderson referred to MACo's Other Post Employee Investment Trust which local governments can participate in, that is being reviewed by the County's Finance staff.

Councilman Price questioned whether MACo is aware of any legislative initiatives or proposals from the Department of Natural Resources (DNR) that will assist watermen and, in particular, relating to oyster harvesting, restrictive areas, permitting and fees. Mr. Sanderson stated that he has not heard from DNR or environmental groups regarding any new legislative initiatives. He said they attended a stakeholder group meeting on environmental issues at which no topics relating to this matter were discussed.

Councilman Price said it is a pleasure working with MACo and he looks forward to the next legislative session.

Councilman Bradshaw advised that he has heard that the environmental community may be taking some action regarding poultry farms. He explained that he spoke to Jeannie-Haddaway-Riccio, Deputy Chief of Staff, Governor's Office, who advised that there may be a movement to limit the number of poultry houses and chickens on the Eastern Shore. He said he also heard that a moratorium on oyster harvesting and the declaration of the rockfish as a game fish may be sought during the next legislative session. Councilman Bradshaw explained that if these type of fish are designated as game fish an individual

will not be able to possess or sell a rockfish which will adversely impact commercial harvesters. He expressed his understanding that an effort may be made to establish additional sanctuaries. He noted that on the Western Shore the following have been identified as potential sanctuaries: St. Mary's River, Potomac River or Patuxent River, Breton Bay and Severn River. He advised that several newspaper articles referenced environmentalist's desires to designate the Nanticoke River and the Manokin River as sanctuaries. He referred to the legislation that was passed during the last session that removed DNR's authority over sanctuaries. Mr. Sanderson said he not surprised that there may be another sanctuary legislative discussion. He noted that restricting poultry farming on the Eastern Shore seems to be an annual topic during the session. He advised that he has not heard about the possible designation of the rockfish as game fish.

Councilman Satterfield stated that he and Rebecca White, Executive Assistant, toured Annapolis, noting that MACo staff were very helpful and informative. He said he is looking forward to serving as the alternate member for the County on the MACo Legislative Committee. He advised that through MACo he met with members of the Board of Trustees of the Local Government Insurance Trust, on which he has been selected to serve. He thanked Mr. Sanderson for his assistance in that matter. Mr. Sanderson expressed his belief Councilman Satterfield will be an asset on the committee and Board and said he looks forward to working with him. Mr. Sanderson explained that annually MACo holds a "Day in Annapolis" event which is targeted to those not well versed in the legislative process.

Councilman Travers expressed dismay that municipalities, which have less roads than local governments, are receiving more highway user revenues. Mr. Sanderson noted that to restore this revenue to counties it will cost an estimated \$350 million versus \$40 million for municipalities. He said \$15 million of found money was sent to the municipalities which is almost halfway to making them whole versus \$12 million which was distributed to the counties. He said he is delighted that Dorchester County received \$200,000 more in highway user revenues this fiscal year. Councilman Travers expressed his belief that the practice of distributing the fuel tax garnered in each county back to that local jurisdiction should be restored. Mr. Sanderson said it was the summer of 2009 when the highway revenue user distributions to counties and municipalities was substantially reduced. He opined that a solution to fully restore these monies this year is remote.

The Council thanked Mr. Walker and Mr. Sanderson.

MANAGERS COMMENTS

RESOLUTION OF SUPPORT REQUEST-MARYLAND TAX CREDITS-HABITAT FOR HUMANITY CHOPTANK, INC.

Nancy Andrew, Executive Director, presented her request for a resolution of support for Habitat for Humanity Choptank Inc.'s application for Community Investment Tax Credits through Maryland Department of Housing and Community Development to assist

its Neighborhood Revitalization Program. Ms. Andrew advised that: 1) since 2015 Habitat has continued its home ownership affordable mortgage program; 2) in September, during its 25th anniversary year, Habitat celebrated the completion of its 75th home; 3) seven projects are currently underway - three in Cambridge, two in Hurlock and two in Easton; 4) requests have been received for other services but no funding was available; 5) Habitat now also has a neighborhood revitalization program and has served 140 households in Dorchester County and Talbot County with housing rehabilitation services; 6) they have begun providing weatherization services using Maryland Energy Commission funding which include the conducting of an audit, upgrading HVAC systems and insulation as well as window sealing; 7) additional funds are necessary in order to perform critical home care, especially for homes for seniors; 8) Habitat's focus neighborhood is in Cambridge for weatherization services but services have been provided across Talbot County and Dorchester County, including in the more rural parts, to housing that meets the standards of funding sources; 9) most of the grants received so far are relating to neighborhood revitalization services for which Habitat's administrative services are used as a match. Ms. Andrew advised that Habitat has submitted an application to the Department of Housing and Community Development for Community Income Tax Credits for two years to provide \$50,000 in tax credits to raise \$100,000. She clarified that she is not seeking County funding, just a resolution of support. The Council agreed to adopt the resolution of support.

PROPERTY MAINTENANCE BID AWARD REQUEST-PLANNING AND ZONING

The Council approved the request of Gene Harper, to award the bid for property maintenance to J&L Services, the sole bidder, and enter into a two year contract.

COUNTY PROPERTY ACQUISITION-DEPARTMENT OF NATURAL RESOURCES

Mr. Goldman referred to the Council's deferral of the request from Judd Vickers, Chief Real Estate Officer, Land Acquisition & Planning, Department of Natural Resources (DNR) for the purchase by DNR of 4106 Steele Neck Road which borders the LeCompte Hunt Club property this entity acquired. He stated that the property, which was acquired by County via tax sale: 1) consists of 250 acres; 2) the current taxes are \$303 annually; 3) an existing structure is a "tear down;" 4) the foreclosure deed has not been recorded; and, 5)) it is surrounded by the 250 acre parcel owned by DNR. He said Anna Sierra, Emergency Services Director, and Brian Soper, Environmental Planner viewed the property and advised that: 1) it is located in four hazard zones; 2) the building needs to be demolished; and, 3) the land can be considered agriculture, particularly upon the request of a private owner, if the structure is removed which will limit County revenue. He referred to the County's tax sale process that was recently revised, noting that a municipality has first right to purchase an adjoining property from the County. He questioned whether Council wishes to consider the State equal to municipalities. He said otherwise bids must be obtained, noting the State's unwillingness to participate in a bidding process.

In response to questions from Councilman Travers, Mr. Goldman advised that DNR will remove the structure and its stated goal is to add the property to the existing 250 acres which will be public hunting land. Mr. Goldman said the State is required to acquire the land at the same per acre rate as the 250 acres. Mr. Merryweather questioned the State's process to obtain a sale price. Mr. Goldman explained that DNR will conduct two appraisals and the average will be used. He noted that the land is not tillable.

Pursuant to an inquiry from Councilman Satterfield, Mr. Goldman confirmed that the blighted house will be removed. He noted that due to the fact it is in four hazard zones it is not practical to replace the structure. Councilman Travers referenced Ms. Smith's written comment that if DNR pays \$25,000 that amount represents 82 years of the current taxes which will not be obtained if the property were sold to a private owner. Councilman Bradshaw spoke in opposition to selling the property to DNR. He referenced the absence of a payment in lieu of taxes from the State for the property it owns in the County, noting the property will be removed from the tax rolls. He said over a period of time the amount of acreage sold to the State and associated property tax revenue accumulates. He expressed dismay about the condition of some of the properties owned by DNR. He noted that the roads that were built through one of the properties prior to the DNR's acquisition have not been maintained. He said consequently Griffins Neck or Hurley Neck Road are not accessible during an emergency event, such as a forest fire.

Mr. Goldman advised that the State paid \$4,466.66 per acre for the LeCompte Hunt Club property. Councilman Bradshaw noted that the State currently owns 46,000 acres in the County whereas the federal government owns 10,000 or less. Mr. Goldman said based on the County's tax rate and the \$60,000 acreage cap the County was not eligible for a payment in lieu of taxes provided to other counties. Based on comments made by Councilman Bradshaw, Ms. White said she will check to determine whether the County had to meet both the tax rate and acreage to qualify for a payment in lieu of taxes. The Council agreed to sell the property to DNR with Councilman Bradshaw opposing.

Councilman Travers advised that Mr. Vickers visited him last week about the multiple letters he is sending to the Council regarding proposed State acquisition of land in the County. He said Mr. Vickers explained that he is sending them as soon as the property becomes available. He expressed frustration about the County not being eligible for the payment in lieu of taxes. He stressed that efforts should continue to pursue this relief. Councilman Bradshaw referenced Senator Eckardt's comment at the last meeting that this year Dorchester County will receive a payment in lieu of taxes. In response to a question from Councilman Travers, Mr. Goldman said Dorchester County and Somerset County were completely removed from the legislation. He advised that the Allegany County and Garrett County are the only two counties eligible to receive a payment in lieu of taxes. Ms. White expressed her understanding that the State considers counties raising taxes as their willingness to invest in the local jurisdiction. Councilman Travers expressed disbelief that the Council is supposed to burden the County's taxpayers because the State wishes to own County land. Councilman Travers stressed the need for a strong voice in Annapolis in seeking a payment in lieu of taxes for Dorchester County.

Ms. White said she is working with Delegate Johnny Mautz on this issue. Councilman Bradshaw noted that the payment in lieu of taxes by the U.S. for the Blackwater National Wildlife Refuge is only a quarter of the amount owed.

AMENDMENT TO COUNTY RULES AND REGULATIONS-SOCIAL MEDIA-HUMAN RESOURCES

Mr. Goldman noted that the Council deferred consideration of an amendment to the County Rules and Regulations to adopt a countywide social media policy to cover all County employees.

Councilman Travers said he has some concerns about the policy. He advised that a number of people have expressed concern about it and several employees have submitted written comments after the policy was posted. He noted that pursuant to the policy even posting positive comments while off duty can yield a termination. He said he has submitted a proposed resolution/changes. Mr. Goldman advised that Kevin Karpinski, a Labor Attorney, who will defend the County if there is a challenge, reviewed the policy and said it is defensible. He noted that the language has already been challenged and is defensible. He expressed his belief that Mr. Karpinski may be reluctant to change the language.

Councilmen Bradshaw and Satterfield concurred with Councilman Travers about sending the language to the attorney for his opinion. Councilmen Nichols and Price said they are not in favor of pursuing the policy. Councilman Price advised that some comments have been made to him about this proposed policy. He noted that there is no indication that employees have spoken about the County in a negative way on social media. He questioned whether this is a matter for a local government to pursue.

Councilman Nichols said he is not opposed to employees using social media provided they are doing so while off duty. He expressed his belief that positive comments nor the use of profanity should be restricted if individuals are posting them on their own time. He referred to an incident in which he asked someone to post something on social media in his defense since he does not use this form of communication.

Mr. Goldman explained that currently the County has no recourse if an employee places inappropriate information on social media.

Councilman Nichols said he understands the purpose of pursuing a policy; however, he believes it is overreaching. He opined that an employee should be able to post comment such as they had a "bad day." Mr. Goldman advised that such a comment will not meet the test developed by the court system which includes a very specific set of criteria. He explained that this policy will not infringe on first amendment rights pursuant to case law that noted that such rights are lessened for a public employee. Mr. Goldman said he can provide the proposed language to Mr. Karpinski or schedule a work session with him if Council so chooses. Councilman Satterfield noted that there is case law that limits

activities relating to social media for a person who works for a government. He stressed that he is advocate of employees. He said he does not want to curb employee's rights; however, some boundaries are necessary in order to protect employees from those who counter their comments, particularly relating to corrections or law enforcement.

The Council acknowledged that the proposed language will be sent to Mr. Karpinski for his review and consideration.

REQUEST TO REPLACE UNIVERSAL POWER SUPPLY BATTERIES-911 CENTER -EMERGENCY SERVICES

The Council approved the request of Anna Sierra, Emergency Services Director, to contract with Kelly Generator & Equipment, Inc., current vendor for generator and UPS maintenance and repair for all Emergency Services inventory, to replace universal power supply batteries at the 911 Center at the cost of \$14,812.35, from the capital budget for Emergency Services/911 Center. Pursuant to inquiries from Councilman Price, Mr. Goldman stated that: 1) the vendor is currently contracted to perform maintenance and service on this equipment; 2) the maintenance and service contract was advertised and the current vendor was awarded the bid; and, 3) the goal is to ensure continuity for this critical piece of equipment.

2017-2018 SNOW REMOVAL PLAN-PUBLIC WORKS

The Council approved the 2017-2018 Snow Removal Plan using County staff, Landfill and Recreation and Parks personnel and contractors to push snow, and several local contractors. Pursuant to questions from Councilman Price regarding proposed changes from the last plan, Mr. Goldman said: 1) two additional contractors were added; 2) plows are being purchased when new vehicles are acquired including roll-off trucks and large tractors; 3) some of the vehicles do not require drivers to have a Commercial Drivers' License which will expand the number of employees that can assist in snow removal; and, 4) it is his intention is to have two plows on every route. In response to a query from Councilman Satterfield, Mr. Goldman explained that Becky Dennis, Human Resources Director, sent out emails to every Department and the Sheriff's Offices seeking the names and interest of any County staff who have CDLs. He advised that a couple of Sheriff Deputies have said they will assist with snow removal. Councilman Bradshaw and Mr. Goldman indicated that they also have a CDL.

ENTRANCE AND PUBLIC ROAD IMPROVEMENT AGREEMENT-NORTH TARA ROAD-MARSHYHOPE OPERATIONS

Mr. Goldman said before the Council is an Entrance and Public Road Improvement Agreement between Dorchester County and Marshyhope Operations, LLC. Mr. Goldman explained that discussions regarding this proposed agreement began when Tom Moore was the Public Works Director. He stated that Mr. Moore originally made the recommendation that the company pay to hot mix seven tenths of a mile which has been changed to tar and chip. He said the company is seeking approval of a site plan to permit

surface mining of sand and gravel from a property designated as Parcel 5 of Tax Map 7. He noted that E. Thomas Merryweather, County Attorney, will speak to the comments he provided.

Mr. Merryweather recommended the \$9,000 cap be removed from the agreement since the actual costs will be assumed by the company. He said the agreement includes a possible major reconstruction of the project entrance and a portion of North Tara Road when the property is used on a regular and recurring basis. He questioned how that provision will be enforced. In response to a questions from Mr. Goldman, Mr. Merryweather advised that historically a letter of credit or a bond is posted. He said a timeline and the actual cost should be included in the agreement and either a letter of credit or bond should be required. Pursuant to an inquiry from Mr. Merryweather, Mr. Goldman said Tom Moore, Public Works Director, reviewed the specifications outlined in the agreement. Mr. Goldman explained that the improvement will only be necessary if the truck traffic increases substantially. He explained that since it is a County road, if traffic increases and they make the improvements the County will be responsible for any additional improvements after five years. In response to a question from Mr. Merryweather, Mr. Goldman explained that the Planning Commission has already approved a special exemption and its site plan approval is conditioned upon the owner entering into this agreement.

The Council deferred consideration of the agreement and acknowledged that Mr. Goldman will provide proposed changes to Ryan Showalter, Marshyhope Operations' attorney.

BID AWARD-COMMUNICATION SERVICES-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to hire Choptank Communications for communication services at the contract amount of \$29,493. The Council acknowledged that: 1) although this company is not the lowest bidder, it has firsthand knowledge of the local community and relevant experience in tourism and economic development; and, 2) half of the contract amount is from the FY18 Management Budget-Outreach Coordinator line item and the other from the Tourism Operating Budget.

REQUEST TO DECOMMISSION NON-DIRECTIONAL BEACON-AIRPORT

Amber Hulsey, Airport Director, presented her request to decommission the non-directional beacon. She advised that: 1) the Airport received discrepancies for the condition of the building housing the equipment and challenges with the remote sensor; and, 2) the Airport has the full support of the Maryland Aviation Administration (MAA) and Federation Aviation Administration (FAA) to do decommission this equipment.

In response to a question from Councilman Travers, Ms. Hulsey said: 1) in 2000 there were discussions regarding decommissioning this beacon; 2) Airports are moving towards a GPS approach; and, 3) FAA conducted a study in 2011 regarding

decommissioning these types of beacons. Pursuant to Councilman Travers' inquiry, Councilman Satterfield said the beacon is not the rotating light, which is a directional signal that an aircraft lines up with to make an approach whereas the beacon is a light. Ms. Hulsey said between 2016 to 2020 FAA will take 430 out of service and 367 around 2025 in response to a question from Councilman Price. She explained that the beacon is costly to maintain, noting that MAA rotated it off its list. She explained that an inspection was conducted by FAA which noted issues with the building, wiring and remote sensor. She said FAA and MAA consultants are in favor of decommissioning this beacon, noting there is a GPS approach. Councilman Bradshaw made a motion to begin the decommission process which Councilman Satterfield seconded. In response to questions from Councilman Price, Ms. Hulsey advised that the decommissioning process is conducted by FAA, which will take 18 months to two years; therefore, there is no opportunity for a local company to be involved in this process. Mr. Goldman noted that there is no cost to the County since FAA does this process within its agency. Councilman Satterfield said only a certified FAA technician can perform this type of work.

The Council agreed to move forward with the process to decommission the beacon.

REQUEST TO SUBMIT GRANT APPLICATION-AIRPORT SURFACE RESTORATION

The Council approved the request of Ms. Hulsey to submit an application for a Special Grant for the Asphalt Surface Restoration project which is expected to be \$111,928. The Council acknowledged that the application requests the MAA to fund seventy-five (75) percent, which is \$83,946 and Dorchester County to fund the remaining twenty-five (25) percent, which is \$27,982.

TRAVEL REQUEST-AIRPORT

The Council approved the request of Ms. Hulsey to attend the American Association of Airport Executives 90th Annual Conference and Exposition in San Diego, California on April 15-18, 2018. The Council recognized that: 1) Ms. Hulsey has applied for funding for herself for this conference which application is pending through the American Association of Airport Executives; and, 2) should funding not be available through this entity, no County funds will be requested.

REQUEST TO ADVERTISE-QUALIFICATION DOCUMENT-ON CALL ENGINEERING SERVICES-AIRPORT

The Council approved the request of Ms. Hulsey to advertise a request for proposals for statements of qualifications from aviation consulting firms to provide on-call professional architectural, engineering, planning, environmental, and construction administration services at the Airport for five (5) years. The Council acknowledged that projects will include, but are not limited to, those projects included in the current 5-year Airport Capital Improvement Plan (ACIP) and involves Runway 16-34 extension re-justification, realign Cordtown Road, rehabilitation of railway bed, easement acquisition, obstruction

design and removal, environmental mitigation, mitigation design and removal phase services, airfield lighting, security fencing and security cameras.

FARM LEASE RENEWAL REQUESTS

Bobtown Road

The Council agreed to renew, based on the request of Jeffrey King and Terri Wolf-King, the farm lease for property on Bobtown Road, Hurlock for one year for \$360 commencing on January 1, 2018 and ending on December 31, 2018.

Maple Dam Road

Mr. Goldman referenced the request of Steve Edgar, Ronald C. Edgar & Sons, LLC, t/a Riverdale, to renew its current lease for 26.70 tillable acres which expires December 31, 2017 and to add the 21.88 acres that were previously enrolled in the Conservation Reserve Program. He recommended the Council advertise for bids, noting that the request is for a ten year lease. He advised that several individuals have inquired about this property. He said the acreage being farmed by the Edgars as well as the additional acreage to be tilled in no way impinges upon potential public water access. Councilman Bradshaw advised Council that the Edgars contacted him about their interest in continuing the lease and including the extra acreage. He explained that they need to test the soil of the 21.88 acres since it has been fallow for a number of years. He stated that they also advised that if the Council decided to allow the public to access to a portion of the waterfront on the property for canoeing and kayaking it will not affect their operations. Councilman Satterfield noted that the ten year lease period is being sought because substantial money may have to be spent to bring the property up to standards. Pursuant to an inquiry from Councilman Travers, Mr. Merryweather said the property has been rented to the Edgar family for 15 years, noting that they have been the only tenants since the property was transferred to the County.

The Council agreed to lease the property for ten years at the per acre cost of \$60. The Council acknowledged that a new agreement will be prepared by Mr. Merryweather.

AIREYS SPUR CROSSOVER-STATE HIGHWAY ADMINISTRATION

Mr. Goldman referred to the email Jay Meredith, District #1 Engineer, State Highway Administration (SHA) sent him that states that: 1) due to a recent accident at the east end of the Aireys spur crossover on Route 50, SHA is considering making the cross over a left turn only west bound; 2) currently left turns eastbound are not allowed; and, 3) crossovers from Aireys Spur Road to West Bound 50 will not be allowed; and, 4) individuals will have to travel east bound to make a U turn at either the Bonnie Brook crossover or one of the other median crossovers to travel west. Pursuant to a query from Councilman Bradshaw, Councilman Travers said the area is by the graveyard and dealership at which location there was a recent accident. Mr. Goldman noted that multiple serious accidents have occurred there. Councilman Price made a motion to send

a letter of support which was seconded by Councilman Nichols. Councilman Satterfield questioned whether it is SHA staff's opinion that a "U" turn at Bonnie Brook will be problematic. Mr. Goldman said he was advised that studies indicate a "U" turn creates less of a risk than traveling across a highway. The Council agreed to send the letter of support with Councilman Satterfield opposing.

DISCUSSION-FIBER-EMERGENCY MEDICAL SERVICES RADIO SYSTEM

Mr. Goldman advised that part of the replacement of the County's Emergency Medical Services radio system is the installation of fiber. He explained that whether the County maintains its own system or uses the State system, fiber will be County's responsible. He said the Maryland Broadband Cooperative: 1) has personnel, including trenching and boring crews as well as supplies to install the fiber already in the area; 2) the cost is \$452,000; 3) they are willing to defer payment until the Council sells a bond; and, 4) original numbers from other vendors have been in excess of \$1 million. Councilman Travers said this is a substantial savings for taxpayers. Mr. Goldman stated that there are several benefits including redundancy and a separate dark route on different fiber from primary to backup. He explained that redundancy will be available for the Bucktown, Vienna and Trappe towers but not for the Smithville tower. He noted that Bay Country Communications will be paid to light the fiber. He advised that the County is a member of the cooperative.

POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, to close the Beulah Landfill and landfill transfer stations the day after Thanksgiving by a 4 to 1 (no answer) vote. Mr. Goldman explained that the poll was conducted to ensure that appropriate signage could be placed at the Landfill and transfer stations to advise the public of the closure ahead of the day.

PUBLIC COMMENTS

Michael Wheatley, resident urged the Council and public to attend the Christmas tree lighting. He advised that this is the last Council meeting he will attend this year as he will be assisting with the Rescue Fire Company train garden and encouraged attendance there as well. He wished everyone a happy and safe Thanksgiving. He thanked the Council members for their service to the citizens.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Nichols wished everyone a happy and safe Thanksgiving, noting that it is deer season.

Councilman Satterfield also wished everyone a Happy Thanksgiving. He urged residents to be mindful of others in the community who are in need. He thanked Mr. Wheatley for promoting the train garden, which he worked on previously. He offered his condolences

to the family and friends of the police officer in Baltimore, who passed away after being shot. He thanked local law enforcement and emergency responders. He explained that he provided traffic control for a recent accident at Airey's Spur and observed ambulance crews in action. He commended them for the care they provided to those injured.

Councilmen Price and Bradshaw echoed prior sentiments about Thanksgiving and considering those in need.

Councilman Bradshaw advised that he has provided each Council member a copy of an article Mark Eberspacher, resident, provided up about palmer amaranth, a weed that is resistant to Round-Up. He said this weed has been found in cover crop seeds and bins of combines that have not been cleaned. He explained that Delaware has restricted the origin of cover crop seeds but Maryland has not. He noted that the seeds have the ability to mutate and become resistant to any type of weed killer. The Council agreed to send correspondence to the Secretary of Agriculture and the Shore legislative delegation seeking the declaration of palmer amaranth as an invasive weed.

Councilman Bradshaw reiterated his prior comments regarding a possible moratorium on oyster harvesting being sought by environmental groups. He said it is his understanding that Dorchester County is either number one or two with licensed oyster harvesters on the Eastern Shore. He noted that attempts were made in the 1980s; however, were defeated due to the potential negative economic impact. He also referenced the sanctuary issue noting his understanding that environmental groups are insistent on choosing Nanticoke River in Dorchester County and the Manokin River in Somerset County as their second choice sanctuaries on the Shore despite Governor Hogan's comments to the Oyster Advisory Committee that he does not want any more sanctuaries on the Eastern Shore because it has been hit disproportionately.

Mr. Goldman advised that Mark Belton, Secretary, Department of Natural Resources, has replied back to the Council's request to meet before any activity on continuation of Little Choptank River Oyster Restoration.

Councilman Bradshaw referenced a recent three quarter page advertisement that appeared in the Dorchester Star that included almost every tributary of the Little Choptank River which pursuant to the Maryland Department of Environment has declared as having poor water quality. He said the advertisement said those areas will be restricted from shellfish harvest effective December 20, 2017. He advised that he has spoken to a number of watermen who were unaware of these proposed closures. He said Rob Newberry, Chairman, Delmarva Fisheries Association, was also not aware of the reason for this declaration. Councilman Bradshaw noted that he sits on this Association, consequently, the County is a member. Councilman Bradshaw said more information including the source of the pollution should be obtained. Mr. Goldman said inquires will be made regarding these possible closures.

Councilman Travers recognized that there is a new recycling center on Leonard's Lane and noted that recycling containers are on site. Mr. Goldman explained that signage and

lighting are currently being installed. He advised that the City of Cambridge employees are working with a County employee on setting up a grand opening. He noted that Council will be advised of the opening date.

Mr. Goldman said, at Council's request, the amount of corrugated cardboard recycling containers has been doubled.

Ms. White said the criteria for eligibility for the State payment in lieu of taxes discussed earlier in the meeting is either \$65,000 acres being owned by the State in a local jurisdiction or \$40,000 plus a property tax rate of \$1 per \$100 of assessed value.

Councilman Travers announced that: 1) the next Council meeting is scheduled for December 5, 2017; and, 2) Members of the Council will attend the Annual Maryland Association of counties Winter Conference and associated events on December 6-8, 2017 at the Hyatt Regency Chesapeake Bay.

With no further business to discuss, the Council adjourned.

ATTEST:

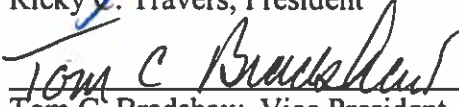


Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 5th day of December, 2017.