

County Council of Dorchester County
Regular Meeting Minutes
March 5, 2019

The County Council of Dorchester County met in regular session on March 5, 2019 with the following members present: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present were E. Thomas Merryweather, County Attorney and Donna F. Lane, Acting County Manager.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

INTRODUCTION

Councilman Nichols introduced Dozia Rahilly, the Acting Emergency Services Director.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

Donna Lane, Acting County Manager, advised that the following item was added after publication of the agenda: Letter of support - HB1167 entitled " Labor and Employment – Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals – Establishment."

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Pfeffer abstaining for mileage and parking toll reimbursement.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Nichols reported total cash and investments as \$7,780,951.34.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on March 5, 2019 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: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present was Donna F. Lane, Acting County Manager. Voting in favor of the Closed Session were all of the present Council Members.

The Council convened in a Closed Session on March 5, 2019 at 5:01 p.m. to discuss the following items: 1) approved the request of the Tourism Director to hire two individuals as on call Visitor Center Clerks by a 5 to 0 vote; 2) agreed to appoint an individual as Acting Economic Development Director by a 5 to 0 vote; and, 3) discussed the filling of a vacant position. Present were: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present was Donna Lane, Acting County Manager. 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. Voting in favor of the Closed Session were all of the present Council members.

REGULAR SESSION

COMMENDATIONS-NATIONAL OUTDOOR SHOW PAGEANT WINNERS

The Council presented Commendations to Jocelyn Meyers for being selected as Miss Outdoors; Kaydence Kurth for being selected as Little Miss Outdoors; and, Nathan Hall for being selected as Little Mister Outdoors.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2019-1 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO THE LAND USE ARTICLE OF THE MARYLAND ANNOTATED CODE, WHICH ENTRUSTS LOCAL JURISDICTIONS WITH LAND USE PLANNING AUTHORITY TO GUIDE GROWTH AND DEVELOPMENT AND ACTING PURSUANT TO TITLE 27, CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS, SUBTITLE 01, CRITERIA FOR LOCAL CRITICAL AREA PROGRAM DEVELOPMENT, OF THE CODE OF MARYLAND REGULATIONS (COMAR) AND ACTING PURSUANT TO SECTION 8-1808 OF THE NATURAL RESOURCES ARTICLE, PROGRAM DEVELOPMENT FOR THE CHESAPEAKE BAY CRITICAL AREA TO REPEAL AND REENACT SECTION 68.7(c)(10)(g) AND SECTION 68.7(c)(11), TO RENUMBER SECTIONS 68.7(c)(11), 68.7(c)(12) AND 68.7(c)(13) AND TO REPEAL SECTION 68.7(c)(10)(h) AND TO REPEAL SECTION 68.7(c)(10)(i) OF CHAPTER 68 OF THE DORCHESTER COUNTY CODE ENTITLED "CHESAPEAKE BAY CRITICAL AREA".

Brian Soper, Environmental Planner, said last year a unified Critical Area Commission Ordinance was adopted and this proposed legislation addresses comments from the Critical Area Commission (CAC). No one signed up to speak. The roll call on the enactment of Bill No. 2019-1: Travers-aye; Pfeffer-aye; Nichols-aye; Nagel-aye; Newcomb-aye.

PUBLIC HEARING

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO THE LAND USE ARTICLE OF THE MARYLAND ANNOTATED CODE, WHICH ENTRUSTS LOCAL JURISDICTIONS WITH LAND USE PLANNING AUTHORITY TO GUIDE GROWTH AND DEVELOPMENT AND ACTING PURSUANT TO TITLE 27, CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS, SUBTITLE 01, CRITERIA FOR LOCAL CRITICAL AREA PROGRAM DEVELOPMENT, OF THE CODE OF MARYLAND REGULATIONS (COMAR) AND ACTING PURSUANT TO SECTION 8-1808 OF THE NATURAL RESOURCES ARTICLE, PROGRAM DEVELOPMENT FOR THE CHESAPEAKE BAY CRITICAL AREA TO REPEAL AND REENACT SECTION 68.16(e)(1)(a)(2) AND SECTION 68.25(b)(4)(a) OF CHAPTER 68 OF THE DORCHESTER COUNTY CODE ENTITLED "CHESAPEAKE BAY CRITICAL AREA".

Mr. Soper explained that this legislation addresses minor changes in wording and additional language to assist landowners. He said one of the changes was to exclude privately owned tidal wetlands as part of the buffer calculation. He said the CAC supports this legislation. No one signed up to speak. The roll call on the enactment of Bill No. 2019-2: Travers-aye; Pfeffer-aye; Nichols-aye; Nagel-aye; Newcomb-aye.

REGULAR SESSION

The Council adjourned to Regular Session.

MANAGERS COMMENTS

ADMINISTRATIVE OFFICE OF THE COURTS GRANT MODIFICATION-CIRCUIT COURT-FINANCE

The Council approved the request of Cindy Smith, Assistant Finance Director, to approve the modification of an Administrative Office of the Courts grant for the Circuit Court since the front door project was delayed due to Historic Preservation Commission issues.

RENEWAL OF ASPHALT PLANT OPERATING LEASE AGREEMENT

The Council agreed to accept the renewal submitted by Russell Paving Company, Inc. by Monica M. Russell, President, of the Asphalt Plant Operating Lease Agreement dated February 18, 2014 between the County and Russell Paving, Inc. for an additional five year term, commencing on March 1, 2019 and terminating on February 28, 2024, pursuant to paragraph 30(a). The Council acknowledged that the contract will be modified to reflect the new Price per Ton required to be paid by the Company to the County pursuant to paragraph 30e.

REQUEST TO AWARD TOWING SERVICES CONTRACT-2019-2022

The Council approved the request of Ryan White, Public Works Director, to award the 2019-2022 Towing Services Contract to Jess Jr's & Sons, LLC, the sole bidder.

ROOF REPLACEMENT-COUNTY OFFICE BUILDING

The Council approved the request submitted by Cindy Smith, Assistant Finance Director, to: 1) use \$150,000 from FY19 Capital Budget and FY19 Contingency funds of approximately \$150,000 for the replacement of the roof of the County Office Building; and, 2) to waive bids and piggyback off the contract the Detention Center had with Arocon. The Council acknowledged that: 1) the FY19 Contingency funds must be spent before June 30, 2019; and, 2) the estimated cost for the roof replacement is approximately \$280,000.

REQUEST TO ADVERTISE FOR PROPOSALS-COMMUNITY & ECONOMIC STUDY-HARRIET TUBMAN INITIATIVE AND TRANSPORTATION-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to advertise a revised request for proposals for a Community & Economic Study of the Harriet Tubman Initiative and Transportation Feasibility Study for a transportation feasibility study on moving people from a central location to Blackwater and the Harriet Tubman Visitor Center. The Council acknowledged that the funding for this project includes: 1) \$10,000 local commitment in FY 19 budget; 2) \$10,000 from the Maryland Heritage Area Authority for Harriet Tubman Economic Impact; and, 3) \$90,000 from the Federal Land Access Program (FLAP).

REQUEST TO AMEND PIPE INSTALLATION COSTS-PUBLIC WORKS

Ryan White, Public Works Director, presented a request to amend the cost of the Highway Division's culvert pipe installation fees which have not been amended since 2004. In response to a question from Councilman Nichols, Mr. White advised that he has not provided Michael Spears, Finance Director the proposed fee increases. Councilmen Nichols and Travers explained that a Schedule of Fees is adopted each year. Councilman Nichols questioned whether the Council wanted to consider raising these fees during the budget.

Councilman Travers made a motion to approve the \$1,200 plus cost of pipe for new culvert installations for up to 20 feet in length and not charge for replacements and then discuss the date the fees will become effective. Councilman Nichols seconded his motion for discussion. Councilman Pfeffer said he would prefer to consider the request after prices are received from surrounding counties. The motion failed with Councilmen Pfeffer and Newcomb opposing and Councilwoman Nagel abstaining. The proposed fee increase will be discussed during the budget process.

EVENT REQUESTS-SPECIAL EVENTS AGREEMENT-TCR EVENT MANAGEMENT

The Council approved the following requests of Jason Chance, owner, TCR Event Management:

- for permission to hold a 2019 Crabbie Half and 5k running event on Saturday, April 20, 2019 on City and County roads to promote wellness and fitness, historically known as YMCA Crab Run;
- to enter into a Special Events agreement with the County and the Sheriff for public safety services in the form of two vehicles and two deputies for this event from 7 a.m. to 12 p.m. at the cost of \$500; and,
- for permission to use the Visitor Center as a meeting area and finish line for an open water swim on Saturday, May 11, 2019 called The Maryland Freedom Swim.

SURPLUS PROPERTY DECLARATION REQUEST

Planning and Zoning

The Council agreed to declare an old office chair as surplus property.

Sheriff's Office

The Council agreed to declare the following vehicles as surplus property:

2008	Ford	VIN 2FAHP71V38X124266	Unit 2557	Title #A327349
2009	Ford	VIN 2FAHP71V69X101436		Title #A905812
2010	Ford	VIN 2FABP7BV3AX100561		Title #B317801
2010	Ford	VIN 2FA8P78V5AX100559	Unit 2508	Title #B317802

Public Works

The Council agreed to declare the following two tractor mowers, which do not run as surplus property: 1996 Massey Ferguson Tractor Mower (Unit 630), 1991 Massey Ferguson Tractor Mower (Unit 624).

LETTER OF SUPPORT REQUEST-MARYLAND HISTORICAL TRUST CAPITAL GRANT-CAMBRIDGE CEMETERY COMPANY, INC.

The Council approved the request of Chad Malkus, Treasurer, Cambridge Cemetery Company, Inc., a non-profit organization that oversees the City of Cambridge cemetery located on Academy and Cedar Streets, for a letter of support for the Cambridge Cemetery's application for a Maryland Historical Trust Capital Grant for its initiative to preserve, enhance, and expand the Cambridge Cemetery.

AMENDMENT TO ATM LEASE AGREEMENT-STATE EMPLOYEES CREDIT UNION OF MARYLAND

The Council approved the request of Chris Deluca, on behalf of the State Employee's Credit Union of Maryland (SECU), to renew the lease between the County and SECU for one additional year at the monthly rent of \$250 until March 29, 2020. The Council acknowledged that all terms and conditions will remain the same which includes a 90 day termination clause.

LETTER OF SUPPORT - HB1167 ENTITLED “ LABOR AND EMPLOYMENT – APPRENTICESHIP CAREER TRAINING PILOT PROGRAM FOR FORMERLY INCARCERATED INDIVIDUALS – ESTABLISHMENT”

Based on a request from Delegate Christopher Adams, the Council agreed to send a letter of support for HB1167 entitled “Labor and Employment – Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals – Establishment,” which will provide construction companies in Dorchester County the opportunity to provide for grants if they hire a formerly incarcerated individual as an apprentice.

PUBLIC COMMENTS

Pursuant to an inquiry from Dave Ryan, Editor, Dorchester Banner, Councilman Nichols said when a Department Head vacancy occurs an individual is often chosen by the Council to serve in an Acting Capacity. Councilman Nichols noted that interviews will be scheduled to fill the Emergency Services Director position.

Ms. Lane confirmed that Lieutenant Dan Ebling, Lieutenant Michael Dempsey, and Greg Fries, Special Operations Division Chief submitted resignations today. In response to a query from Mr. Ryan, Councilman Nichols said the County will continue to provide Emergency Medical Services to residents. In response to a question posed by Councilman Newcomb, Ms. Rahilly advised that all of the shifts are being covered.

Stan Trice, resident, expressed his hope that the Council is taking the current resignations under consideration.

Pursuant to a query from Rusty Eberspacher, Ms. Rahilly confirmed that EMS providers work a 24 hour shift and can be held over for an additional 12. She explained that they can sleep between calls.

COUNCIL’S COMMENTS/ADJOURNMENT

Councilman Pfeffer said he is concerned about the recent loss of EMS providers. He noted that the Council has taken steps to address the matter, including hiring Ms. Rahilly as Acting Director and will interview for vacant positions including the Emergency Services Director and Emergency Medical Services Chief. He stressed that public safety is one of his priorities. Councilman Pfeffer asked Ms. Rahilly to thank staff for the rollover of the new radio system which occurred today. In response to a question posed by Councilman Pfeffer, Ms. Rahilly said it was a very successful transition and commended staff for working together as a team. Councilman Pfeffer reminded the public of the days (Thursday to Sunday) for the North Dorchester High School Senior Play “Beauty and the Beast.”

Councilman Newcomb wished Mr. Foxwell a Happy 93rd Birthday. Mr. Foxwell thanked him for recognizing his birthday. He advised that all of the seafood processors in the County were

able to obtain seasonal workers. He explained that instead of a lottery, requests for seasonal workers were on a first come, first serve basis.

Councilwoman Nagel commended and thanked Ms. Rahilly for stepping up and filling the Acting Emergency Services Director position. Ms. Rahilly said it is a pleasure to serve and that she is working on filling positions with qualified individuals.

Councilman Nichols asked Dr. Diana Mitchell, Superintendent of Schools, to stay after the meeting so he may obtain information from her regarding the Board of Education's budget request. He announced that: 1) a budget work session will be held on March 14, 2019 at 5 p.m.; and, 2) the next Council meeting will be held on March 19, 2019 at 6 p.m.

With no further business to discuss, the Council adjourned.

ATTEST:




Donna F. Lane
Acting County Manager

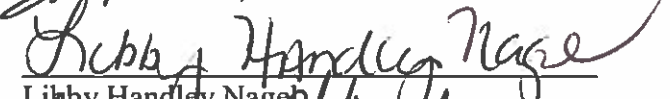
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



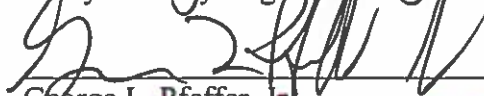
William V. Nichols, President



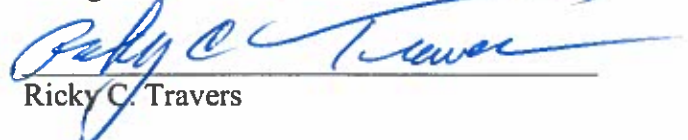
Jay L. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 2nd day of April, 2019.