

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

The County Council of Dorchester County met in regular session on February 21, 2017 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; 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. Councilman Nichols was not present.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Travers led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Jeremy Goldman, County Manager, said for the Council's consideration is an addition, a Revised License Agreement for the Eastern Shore Innovation Center and the deletion of the introduction of the solar tax legislation which requires revisions. The Council approved the amended agenda.

**APPROVAL OF MINUTES-February 7, 2017**

The Council approved the minutes of February 7, 2017

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Travers reported total cash and investments as \$6,475,356.88.

**CLOSED SESSION SUMMARY**

The Council adjourned from a Regular Session and convened in a 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; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State on February 21, 2017 at 4:30 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Action taken at the Closed Session: 1) received an update from an entity regarding a proposal to locate, expand or remain in the State; 2) discussed a license agreement for space at the Eastern Shore Innovation Center-agreed to consider in open session; 3) approved the request of the Public Works Director to advertise a vacant Mechanic I position in-house by a 4 to 0 vote with one vote by written proxy; 4) discussed and approved a proposed policy relating to personnel advancement in a County department; and, 5) confirmed the hiring of an individual as a contractual security employee for the Dorchester County Family Access Center by the Circuit Court Judge by a 4 to 0 vote with one vote by written proxy.

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**

### **PUBLIC HEARING-COMPREHENSIVE WATER AND SEWER PLAN AMENDMENT-BONNIE BROOK**

E. Thomas Merryweather, County Attorney, advised that a public hearing is being held on a request by the Dorchester County Sanitary District for a Comprehensive Water & Sewer Plan amendment for the Bonnie Brook subdivision to revise the text in Section 3.3.14 and Table 3.5 to reflect the repair, replacement and modernization of existing treatment equipment, controls, and water meters for the Bonnie Brook water system.

Mr. Banks explained that the amendment will revise Section 3, which is the water service area section, and to modify Table 3.5 which deals with priorities for water development. He said it will update the identification and description of Sanitary District No. 2 as it refers to the Bonnie Brook water service area and the table. He advised that the Sanitary District filed the application on behalf of the Bonnie Brook subdivision. He explained that the water system is a looped design of six and eight inch pipes that deliver chlorinated water to approximately 303 people and 117 approved lots. He stated that on days with maximum demand the system uses about 39,000 gallons of water a day. He noted that the purpose of the amendment is to provide redundancy of equipment and to modernize controls. He said copies of the amendment were provided to other County departments for review and comment. He stated that the County Engineer had no comments or concerns and William Forlifer, Environmental Health Officer, supports the proposed amendments. He noted that at its December 7, 2016 meeting, the Planning Commission certified that these proposed comments are consistent with the Comprehensive Water and Sewer Plan and agreed to recommend approval of the amendment.

There was no public comment. The Council agreed to adopt a resolution approving this amendment.

## **PUBLIC HEARING-COMPREHENSIVE WATER AND SEWER PLAN AMENDMENT-COASTAL SEAFOOD**

Mr. Merryweather said a public hearing is being held on an amendment to relating to 1548 Taylors Island Road, owned by Coastal Seafood, also known as Lindy's Seafood to correct a previous error.

Mr. Banks explained that the amendment is to revise Table 4-1 and amend the Sewer Service Area Map Exhibit 4-E to change the designation of the property from S2 to S1 (community sewer is available now or will be made available in two years). He said the request was submitted by Dorchester County Sanitary District, on behalf of Coastal Seafood, to correct a wastewater allocation estimate. He explained that the property has been connected to the Woolford Madison Sanitary District sewer line since construction of the line. He said the request is to change the allocation from 250 gallons a day to 1,000 gallons a day to adequately serve the existing house and business on the property. He stated that the current allocation was an oversight when the sewer line was constructed and the error was recently discovered. He advised that Mr. Forlifer read and supports the amendment request. He noted that at its December 7, 2016 meeting, the Planning Commission found it consistent with the Comprehensive Water and Sewer Plan Plan and recommends approval of the amendment.

There was no public comments. The Council adopted a resolution to approve this amendment.

## **MANAGERS COMMENTS**

### **GRANT AUDIT LETTER-GRANT MONITOR**

The Council approved the request of Cindy Smith, Grant Monitor, to execute correspondence attesting there were no findings for the audit for the fiscal year ending June 30, 2016.

### **REQUEST TO ABANDON PORTION OF HOOPERS NECK ROAD**

The Council agreed to move forward with the request Ryan D. Showalter, Esquire, submitted on behalf of his client, Donald Eckrod, to abandon a portion of Hoopers Neck Road. To that end, the Council agreed to provide the request to the Public Works Department which will follow the process to abandon a road as outlined in Chapter 40-20 of the County Code. Mr. Merryweather advised that a plat and legal description must be obtained in order to ensure no other property owners will be affected.

### **TIPPING FEE WAIVER REQUEST-CLEAN STREAM EVENT-DORCHESTER CITIZENS FOR PLANNED GROWTH**

The Council approved the written request of Beth Ann Lynch, President, Dorchester Citizens for Planned Growth, to waive the landfill tipping fee for trash pickup for the Clean Stream Event to be held on April 1<sup>st</sup> in the Vienna Area. The Council directed Ms. Lynch to coordinate with Tom Moore, Public Works Director, on the disposal of the debris.

### **MOSQUITO CONTROL BUDGET REQUEST-MARYLAND DEPARTMENT OF AGRICULTURE**

The Council approved the written request of Brian Prendergast, Program Manager, Maryland Department of Agriculture, for a commitment of \$435,391 for mosquito spraying for the 2017 season from the County's FY18 budget.

### **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

### **PUBLIC HEARING**

**AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 13-120 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL AND REENACT WITH AMENDMENTS CHAPTER 78, ENTITLED "DOG CONTROL", OF THE DORCHESTER COUNTY CODE PROVIDING FOR A COMPREHENSIVE SYSTEM FOR THE REGULATION OF DOGS, PROVIDING DEFINITIONS FOR WORDS USED IN CHAPTER 78 OF THE DORCHESTER COUNTY CODE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT, PROVIDING FOR THE APPLICABILITY OF CHAPTER 78, PROVIDING FOR ANIMAL CARE OF DOGS, PROVIDING FOR THE SEIZURE AND IMPOUNDMENT AND DISPOSITION OF DOGS, PROVIDING FOR THE REDEMPTION OF DOGS, PROVIDING FOR PROCEDURES CONCERNING PERSONS BITTEN OR EXPOSED TO DOGS SUSPECTED OF HAVING RABIES, PROVIDING FOR LICENSES AND VACCINATION OF DOGS AND PROVIDING ANY VIOLATION OF THIS CHAPTER SHALL BE A CIVIL INFRACTION.**

Mr. Merryweather said a public hearing is being held on proposed changes to the County's Dog Control Ordinance. He explained that the purpose of the amendment is to add a new section entitled "Animal Care" which adds more regulations and rules concerning the care of dogs in the County. He noted that this is a product of a Committee comprised of citizens and headed by Sheriff James Phillips.

Cindy Smith, resident, said she read the proposed legislation and has some questions and recommendations. She suggested that: 1) the dog house definition be revised to require

that it be off of the ground and to include a flap that will close beyond a dog to ward off wind; 2) an unattended female in heat, which was removed, be included again in the public nuisance definition; 3) references to the Dorchester Humane Society, which is no longer an entity, should be removed; and, 4) the definition of a collar be amended under the animal care section to ensure that wire is not an option. Ms. Smith explained that the use of wire as a collar resulted in the death of at least one dog in the County. She said perhaps language noting that the collar has to be fabric and leather and manufactured for use as a collar for a dog be used. She expressed concern about using the word "may" instead of "shall" under Section 78-4.1 C which references the impounding of a dog that is found to be neglected by an animal control officer or other officer empowered by law.

Ms. Smith said she is unsure whether the protocol for handling violations is an internal policy procedure or should be referenced in the Code. She posed the following questions: 1) whether a dog will be immediately impounded if there are unsafe conditions; 2) if an owner will be asked to keep the dog inside and be provided the opportunity to take corrective action; 3) why a violation is considered a civil penalty and not a felony animal cruelty crime; and, 4) will people with multiple violations be prevented from owning another dog. Ms. Smith suggested that maintenance of record requirements be added to ensure that statistics are available for future prosecutions and possible funding opportunities. She expressed her belief that sections H, I and J on page 7 are redundant due to the inclusion of the new section.

Ms. Smith opined that the current license fee of \$1 is too low. She explained that several areas have different fees for neutered and non-neutered dogs which will serve as an incentive. She noted that the process Finance utilizes to sell the license costs more than \$1. She suggested offering the purchase of licenses at other venues, including through rescue organizations. She referenced her previous conversation with the Sheriff regarding the possible banning of dogs loose in the rear of pick-up trucks. She questioned whether that option has been considered.

Mr. Merryweather noted that Pam Launty, resident, signed up to speak. Ms. Launty said Ms. Smith asked her question regarding the proper temperature. She expressed concern about the continued barking of dogs in her area. Ms. Smith read the portion of the Dog Control Ordinance relating to the definition of public nuisance which includes barking.

Kitty Willey, resident, also expressed concern about excessive barking day and night in the neighborhood in which she and Ms. Launty live in. She cited an incident when a dog was disruptive during the night which was removed the next morning by Dog Control. She said she walks her small dog on a lease and said she believes others need to do the same.

PattiCarol Smith, resident, thanked the Council for the opportunity to provide her comments and suggestions. She said the American Veterinary Medical Association states that temperatures, depending on the animal are usually between 45 degrees and above 88 degrees. She expressed her belief that freezing and above 100 are not acceptable

temperatures. Ms. PattiCarol Smith said it is her understanding, based on her experience in animal rescue over the last 30 years and from speaking with Councilman Travers, that some of the items in the Dog Control Ordinance can be prosecuted by State's Attorney. Mr. Merryweather noted that any violation of the ordinance is a civil infraction. She explained that she compared the County's ordinance to others in counties in the State. She said Cecil County and Charles County require that the dog house be at least two inches off the ground which she believes can be mandated easily. She noted that in Anne Arundel County and Baltimore County the dog house should have four walls, one of which is a door. She stated that Dorchester County's ordinance does not define a dog house. She noted that in Charles County a flap is required during inclement weather in between certain dates. She expressed her belief that the dog house should always have a flap. She said she believes the language in the County Code that a dog house cannot be considered shade is very appropriate. Ms. PattiCarol Smith advised that the definition of a restraint for Anne Arundel County is a chain, rope or line used to tie a dog that must be at least 10 feet in length. She expressed her belief that there are also set boundaries within a yard which dictate the length. She said the Committee may want to consider defining the length for the dogs' safety. Ms. PattiCarol Smith concurred with Cindy Smith's concerns about using wire for a dog collar. She opined that there should be a more explicit definition noting that Baltimore County requires the collar be two finger widths from the neck of a dog and should be made of leather, nylon or plastic. She questioned the use of plastic. She expressed her understanding that being specific with certain items assists in prosecuting an individual for violations.

Ms. PattiCarol Smith explained that she has worked in several animal hospitals and rescue facilities over the years. She noted that many individuals will give away or sell puppies and kittens at too young of an age. She noted that Baltimore County, Montgomery County and Charles County prohibits the transfer until an animal is eight weeks old. She said these counties also require that immunization forms signed by a veterinarian be provided when transferring ownership. She expressed her understanding that such a mandate is hard to enforce; however, she would like this to be a potential discussion topic. She referenced Parvo which is a serious health risk.

The Council took no action on the legislation. The Council asked Cindy Smith and Patti Carol Smith to submit their comments in writing so that they may be provided to the Sheriff and the Committee for their review.

## **REGULAR SESSION**

The Council convened into Regular Session Session.

## **BLACKWATER NATIONAL WILDLIFE REFUGE UPDATE**

Marcia Pradines, Project Leader, Chesapeake Marshlands National Wildlife Refuge Complex, presented to the Council the information outlined on the attached Nanticoke Acquisitions of the Blackwater National Wildlife Refuge - Presentation to Dorchester County Commission from the topic "Nanticoke LPP" to "History of the Parcels. In

response to a question from Councilman Travers, Ms. Pradines advised that the Nanticoke easements they are seeking are within the borders. Ms. Pradines then provided the information on the Presentation sheet under "Economic Contribution Costs" and "Economic Contribution." She said they have a renewed commitment to the community. She explained as part of this renewed commitment in January a visitor's services review of items such as signage, social media presence, with outsiders from other refuges was conducted.

Ms. Pradines advised that neighborly meetings have been initiated. She said the first occurred in August 2016 and the other is scheduled for February 27, 2017. She explained that this provides local landowners and adjacent neighbors an opportunity to stay in communication with the refuge. She stated that Refuge staff also work regularly with the Harriett Tubman Underground Railroad National Historic Park and Visitor's Center staff. She noted that the Trip Advisor blog recently listed the Refuge as the top place to view natural areas in Maryland. She referenced the upcoming March 11, 2017 Eaglefest. She stressed her desire to continue to communicate with the Council regarding the Refuge.

Councilman Bradshaw referred to citizen's concerns regarding the amount of land owned by government entities in the County. He asked if there is a limit to the acreage the Refuge plans to purchase. Ms. Pradines noted that there is an acquisition boundary they must adhere to. She explained that she has turned down multiple offers to purchase property because they do not make sense from a planning standpoint. She said they review maps and sea level projections before considering an offer. She stressed that they are focusing on properties with a strong conservation value. She recognized that it is balancing act since the County's attributes which attract visitors also have to be preserved.

In response to an inquiry from Councilman Bradshaw, Ms. Pradines confirmed that the purchases she previously referenced are within the 2006 agreement. She said some of the goals in that agreement are not attainable which will be discussed during Monday's neighborly meeting. She advised that their goal is to farm as much as possible depending on soil conditions. Councilman Bradshaw said farming south of Route 50 is different than in other areas of the County. He stressed the need to place farm land back into use. He noted that several years ago, due to the amount of timber harvesting Key Wallace Drive was named Mill Road. He said that property was not owned by the Refuge during that period of time. He expressed his desire for at least selective harvesting of old loblolly which is prone to disease rather than wasting a good resource. Ms. Pradines advised that one of the things they are concerned with is the Pine Beetle and they want to eliminate that and other risks and improve the wildlife habitat. She explained that in 2013 and 2014 there was a Forester position at the Refuge and 70 acres of forestry were done in 2013 and 2014. She said that position was eliminated and there is currently a hiring freeze. She expressed a desire to use available funds for habitat management and for the restoration of the Forester position.

Councilman Bradshaw said there are several ways that address sea level rise including the use of tide gates. He expressed his understanding the Refuge's substantial loss of

habitat was due to the nutria and the goose population and not sea level rise. Ms. Pradines noted that there has been no detection of nutria for almost two years. She concurred that these animals were a large contributor to the loss of refuge land.

In response to an inquiry from Councilman Price, Ms. Pradines said she intends to work with County's Farm Bureau.

Pursuant to a query from Councilman Bradshaw, Bill Reddish, Community Liaison, Congressman Andy Harris, confirmed that he is taking notes and has jotted down staffing issues and budget matters that need to be addressed and in particular the fully funding of Refuge Revenue Sharing monies.

Councilman Bradshaw referenced the upcoming opening of the Harriet Tubman National Park. He opined that farming should be a focus on the refuge to feed waterfowl and deer. He reminisced about the amount of geese on fields by Key Wallace Drive in years past.

Ms. Pradines said the numbers of visiting geese have increased which was noticed by neighboring property owners and that some fields were covered on rainy days. She commended staff for planting crops, noting that aerial seeding was done for the first time this year. She advised that they went over budget to plant winter wheat this winter. She cited the importance of farming for waterfowl. She explained that she is working with individuals to identify quality ways to hunt at the refuge, noting that there will be a meeting tomorrow with key stakeholders and a public meeting shortly thereafter. She said individuals as far away as Europe have traveled to the Refuge to harvest a Sika Deer.

Councilman Satterfield recognized that there are restrictions relating to forestry and stressed that there are foresters in the room and in the County that are willing to assist the Refuge. Ms. Pradines said they are planning to focus on forestry this year and welcome any assistance.

The Council thanked Ms. Pradines.

## **MANAGERS COMMENTS**

### **REQUEST FOR PROPERTY MAINTENANCE ENFORCEMENT-TOWN OF ELDORADO**

Mr. Goldman said elected officials from the Town of Eldorado have submitted a request to the Council for property maintenance enforcement by the County. He noted that the Council has received comments from Steve Dodd, Planning and Zoning Director regarding the request.

The Council acknowledged that staff has confirmed that the County only does Building Code enforcement and enforcement of the implementation of the Forest Conservation Act for municipalities not for property maintenance enforcement. Mr. Merryweather said this



is a policy decision that the Council needs to make which will require the expenditure of County resources.

In response to a question from Councilman Price, Mr. Goldman confirmed that the Town of Secretary elected officials also submitted a request for property maintenance enforcement several years ago. Councilman Bradshaw said the Eldorado officials have had issues with residents not responding to property maintenance requests and need assistance. Mr. Goldman expressed concerns about the request as written. Mr. Merryweather said a Memorandum of Understanding can be drafted which will include a termination clause. Councilman Satterfield expressed concern about setting precedence. Councilman Travers said he has staffing concerns.

Mr. Merryweather suggested that the Council discuss the possibility of entering into such agreements during the annual meeting with municipalities. The Council deferred the request to allow for additional review. Mr. Goldman said he will reach out to the Commissioners of Eldorado.

#### **REQUEST TO ADVERTISE FOR PROPOSALS-RESTROOM RENOVATIONS-COUNTY OFFICE BUILDING-PUBLIC WORKS**

The Council approved the request of Tom Moore, Public Works Director, to advertise for proposals for restroom renovations on the first floor or the County Office Building.

#### **REQUEST TO SOLE SOURCE/PURCHASE-REAR MOWER-PUBLIC WORKS**

The Council approved the request of Mr. Moore to sole source with Finch Services and purchase a rear mower to complete a roadside mower unit in the amount of \$8,806 with funding from the FY17 Capital Budget line item for bushers.

#### **TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS**

Councilman Price advised that Mr. Moore; Greg Leblanc, Engineer; Brian Chester, Highway Manager, and himself met recently to discuss two requests to the Traffic Safety Committee. He summarized the requests. The Council approved the Traffic Safety Committee members following recommendations: 1) to place 35 mph signs in both directions prior to the S-curve portion of Baker Road; and, 2) to place warning signs in both directions prior to 5614 Davis Mill Road for an adult with intellectual and hearing disabilities which will include the "child at play" symbol without any text.

#### **BID AWARD-SOLE SOURCE-E-CYCLING COLLECTION CONTAINERS-PUBLIC WORKS**

The Council approved the request of Mr. Moore to sole source and award the bid for two e-cycling collection containers to K & K Containers at \$2,030 each utilizing Maryland Department of Environment grant funding of \$15,000.

#### **SPECIAL EVENTS AGREEMENT-HARRIET TUBMAN STATE PARK GRAND OPENING-EMERGENCY SERVICES**

The Council approved the request of Anna Sierra, Emergency Services Director, to enter into an agreement with the National Park Service for Emergency Medical Services support in the form of two ALS crews, one with a transport unit and one with a Gator at the Harriet Tubman Underground Railroad Visitor Center grand opening weekend on March 10 and March 11, 2017.

#### **MEMORANDUM OF UNDERSTANDING-GATOR-RESCUE FIRE COMPANY-EMERGENCY SERVICES**

The Council approved the request of Ms. Sierra to enter into a Memorandum of Understanding with Rescue Fire Company (RFC) for the storage, maintenance and deployment of the Department of Emergency Services Gator 1. The Council acknowledged that: 1) no cost to the County beyond regular maintenance of the ATV; and, 2) RFC will provide and maintain a trailer for its deployment.

#### **CONTINUING MEDICAL EDUCATION REQUEST-EMERGENCY SERVICES**

The Council approved the request of Ms. Sierra to consider entering into a contract with Career Step LLC for the purpose of providing self-paced education and re-certification to full time employees at discounted rates.

#### **2017 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION DISCUSSION**

The Council acknowledged the receipt of a written request Ms. Smith submitted on behalf of the Tax Sale Property Committee for a letter of support for Senate Bill 957 "Counties and Municipalities-Land Bank Authorities" and the cross-filed House Bill 1168. She advised that it is enabling legislation which allows counties to create a land bank alone or in conjunction with other jurisdictions. She said current law only provides municipalities the opportunity to form a land bank. She noted that land banks can be a quasi-government entity or a 501(C) (3) non-profit organization.

Ms. Smith advised that current State tax law only requires a one year waiting period before selling a property with overdue taxes at tax sale. She explained that the County's internal process is to wait two years. She said a tax sale certificate buyer has two years to undertake the foreclosure process. Mr. Merryweather said the court will typically give a certificate holder two to three years to finish that process. Ms. Smith noted that as a result a property can be vacant for six years. She cited an incident during which a tax sale certificate was voided and the property sold twice. She stated that Michael Spears, Finance Director, has recently submitted a request to the Circuit Court Judge to strike the judgement pertaining to the property.

Ms. Smith explained that the County may be able to give tax sale properties to the land bank which will have the authority to renovate and resell them. She said the cost of foreclosure will then be the responsibility of the land bank and or that entity can reimburse the County. She said over \$.5 million has been spent to sell and/or transfer properties, foreclosures costs are \$2,500 per property and pursuant to Mr. Moore since the tax sale properties have been sold a \$7,000 savings in maintenance costs has been achieved. She explained that a land bank can acquire and handle mortgage foreclosure nuisance properties. She said she recently learned that banking institutions have a responsibility to give back to the community a certain dollar amount so they have an incentive to transfer some properties to a land bank. She advised that if a landowner is neglecting a property, the land bank can work with them to transfer and then sell the property through a receivership process. She stressed that if this legislation passes, the County will make the decision on whether to establish a land bank.

Pursuant to Councilman Price's query, Ms. Smith confirmed that this is only enabling legislation. Mr. Goldman noted that Rebecca White, Executive Assistant to the County Manager, has been following this legislation. Ms. White advised that this legislation and a foreclosure expediency bill was filed by Senator Eckardt in response to blighted property issues in Dorchester County. In response to a question posed by Councilman Travers, Ms. White and Ms. Smith said the Senate Committee meeting is March 8<sup>th</sup> and the House Committee meeting is February 28<sup>th</sup>.

Mr. Goldman advised that this is part of tools the Council asked the Committee to develop in order to reduce the amount of properties obtained by the County via tax sale. He said this will allow a shift in some of the costs. He explained that although initial funding will be necessary, the land bank will be self-funding after properties have been acquired. He stated that this will reduce staffing costs.

Ms. Smith opined that current tax sale law is punitive to the vulnerable people in community including senior citizens on fixed incomes. She expressed her understanding that individuals who purchase property at tax sale are typically investors, noting it is a several billion dollar industry. She said investors are allowed by law to charge interest of 18% as well as legal and other fees. She noted that the land bank can work with property owners by charging less interest with the end result being an income stream.

The Council agreed to send a letter of support for the cross-filled bills.

#### MARYLAND AVIATION ADMINISTRATION GRANT AGREEMENT-AWARD-EQUIPMENT-AIRPORT

Based on the request of Meighan "Chis" Chisholm, Airport Manager, the Council accepted and agreed to execute a Maryland Aviation Administration Grant Agreement for funds for airfield maintenance equipment for the Cambridge Dorchester Regional Airport. The Council also authorized Mr. Chisholm to purchase the equipment as outlined in the agreement.

## REVISED LICENSE AGREEMENT-EASTERN SHORE INNOVATION CENTER

The Council approved the request of Steve Dolbow, Manager, Eastern Shore Innovation Center to enter into a revised License Agreement with Mapping Technologies to downsize its existing space from 313 licensed square feet (Suites 27 and 28) to 285 licensed square feet (Suite 008). Councilman Price opposed citing his prior opposition to the incubator project. The Council acknowledged that the initial term shall be for 24 months commencing on approximately March 4, 2017 and ending on March 3, 2019 with monthly installments based on licensed square feet, due on or before the first day of each month.

## PUBLIC COMMENTS

Susan Dukes, Mayor, Town of Secretary, referenced House Bill 264 “Authorized Use of Highway User Revenues-Highway Lighting” noting that the Town sent letters of support to Senator Adelaide Eckardt and Delegate Christopher Adams.

## COUNCIL’S COMMENTS/ADJOURNMENT

Councilman Price provided an overview of the items discussed at the last two Maryland Association of Counties Legislative Committee meetings. He said at one of these meetings Maryland Department of Environment Secretary Ben Grumbles advised that there are two initiatives pertaining to the clean-up of the Chesapeake Bay: 1) the “Clean Water Commerce Act” (House Bill 314/Senate Bill 417) to target \$10 million annually for the Bay Restoration Fund to assist communities with market base solutions for green requirements and meeting storm water mandates; and, 2) legislation to overturn Best Availability Technology system requirements for septic systems outside of critical area with new options for counties to follow based on goals and obstacles to include language through which State will work with counties to establish stewardship for financial assistance. He said there have also been conversations about the restoration of highway user revenues. He noted that the U.S. Communities Program Office is contracting with Amazon for office supplies which would be made available to counties and county boards of education. He said more information forthcoming. He encouraged the public to attend the Outdoor Show and North Dorchester High School Senior Class Play.

Councilman Bradshaw advised that House Bill 924 entitled “Natural Resources – Oyster Management – Prohibited Actions” seeks to remove authority from the Department of Natural Resources (DNR) over sanctuaries created in State waters in the name of oyster restoration and provide it to legislators. He explained that it provides that DNR cannot have leverage over this authority unless a written and compelling case is presented. He said he does not know if a Senate Bill has been cross-filed. He noted that the Clean Chesapeake Coalition sent a letter to the delegate who dropped the legislation. Based on his motion, the Council agreed to send a letter of opposition.

Councilman Bradshaw advised that at the Oyster Advisory Commission meeting last Monday at which a preliminary working strawman proposal was presented. He explained

that the proposal is to open up some sanctuaries by declassifying them due to enforcement issues since they are small in size and it is hard to control the borders. He said there is also some discussion about identifying some bottom for rotational harvest. He advised that the Clean Chesapeake Coalition and the Delmarva Fisheries Association believes this is an opportunity to partner with DNR to open additional oyster bottom for watermen. He noted that a meeting will be held at the Queen Anne County's Chesapeake Heritage and Visitor's Center on Saturday, February 25, 2017 at 10 a.m. to attend at which this will be discussed. He invited shell committee members from the counties in the State to attend. He said there was to be a five year management plan for sanctuaries to include a way to weed out the older oysters of marketable size and assisting others in their growth. Councilman Bradshaw said Dermo has been discovered in the Chesapeake Bay.

Councilman Bradshaw recognized that a contingent of citizens are present in opposition to a proposed solar project in Dorchester County. He said he is not opposed to renewal energy projects; however, he does not believe in removing farm land from production. He stated that there is an opportunity to use biomass as a resource for making energy in lieu of solar and wind energy. He noted that there are areas in the county that have an abundance of clear cut timber.


Councilman Travers announced that: 1) a budget work session will be held on March 2, 2017 at 5 p.m.; 2) the next County Council meeting is March 7, 2017; and, 3) the Council reserves the right to meet in closed session.

With no further business to discuss, the Council adjourned.

ATTEST:

  
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Jeremy Goldman  
County Manager

DORCHESTER COUNTY COUNCIL:

  
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Ricky C. Travers, President

  
\_\_\_\_\_  
Tom C. Bradshaw, Vice President

  
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William V. Nichols

  
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Rick M. Price

  
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Don B. Satterfield

Approved the 7th day of March, 2017.