

**County Council of Dorchester County
Regular Meeting Minutes
May 3, 2016**

The County Council of Dorchester County met in regular session on May 3 2016 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.

REGULAR SESSION

CLOSED SESSION

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)(7) to consult with counsel to obtain legal advice on a legal matter.

Voting in favor of the Closed Session were all Council members.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Price led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: FY16 COPS Hiring Grant Application; 911 Consolidation between City and County; Tax Sale Property Offers; Lease-Brodess Farm Pull Off, and Meekins Neck Road Paving Agreement.

APPROVAL OF MINUTES- APRIL 19, 2016

The Council approved the minutes of April 19, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$5,717,256.34.

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in an Closed Session at 4:30 p.m. on May 3, 2016 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, 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)(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) approved the request of the Emergency Medical Services Manager for an individual to remain on call as an Emergency Medical Services employee by a 4 to 0 vote with one written proxy; 2) approved the request of the Public Works Director to fill part-time scales attendant positions and a grasscutter position through a Temporary Employment Agency by a 4 to 0 vote with one written proxy; 3) approved the request of the Public Works Director to post in-house a Public Works Maintenance Specialist position by a 4 to 0 vote with one written proxy; 4) discussed a grant opportunity relating to personnel-agreed to consider in open session; 5) discussed a personnel matter relating to the 911 Communications Center-agreed to discuss in open session; 6) discussed personnel issues relating to a County position-requested additional information; 7) considered offers to purchase County owned property acquired via tax sale-agreed to consider in open session; 8) discussed an economic development matter relating to a municipality; 9) discussed with legal counsel a proposed lease for an interpretive area-agreed to consider in open session; 10) discussed with legal counsel a paving agreement; and 11) discussed with legal counsel an offer relating to overdue trailer court taxes;

The above information is being provided to the public pursuant to and in compliance with Section §3-306(b) and (c) of Title 3 of the General Provisions Article.

REGULAR SESSION

COMMENDATIONS-CAMBRIDGE SOUTH DORCHESTER HIGH SCHOOL SENIOR PLAY

The Council presented Commendations to the Cambridge South Dorchester High School Senior Play "Bye Bye Birdie" participants.

PROCLAMATION-CORRECTIONAL OFFICERS WEEK

The Council presented a Proclamation proclaiming May 1 to May 7, 2016 as "Correctional Officers Week" which Steve Mills, Warden, accepted.

BUDGET PUBLIC HEARING

E. Thomas Merryweather, County Attorney, said this is the first of two public hearings on the 2016-2017 annual budget appropriation ordinance. Councilman Travers noted that the next public hearing will be held on May 10, 2016 and a legislative public hearing/adoption will be held on May 17, 2016. There were no public comments. The hearing was adjourned.

MARYLAND ASSOCIATION OF COUNTIES ANNUAL VISIT

Michael Sanderson, Executive Director, prior Maryland Association of Counties (MACo) President and John Barr, the new President and Washington County Commissioner, joined the meeting.

Mr. Barr said during the 2016 Maryland General Assembly MACo pursued several legislative initiatives and supported and/or opposed bills that impacted counties. He expressed disappointment that no action was taken to restore highway revenue distributions to local jurisdictions. He said MACo is working with the Maryland Municipal League to determine the next steps in restoring this valuable revenue source. He thanked Councilman Price for his attendance at MACo Legislative Committee meetings as the County's representative.

Mr. Sanderson referenced the packet he provided Council consisting of 2016 legislative session MACo highlights. He summarized some of the legislation MACo supported or opposed. He echoed Mr. Barr's dismay about highway user revenues and MACo's and MML's collaboration to seek restoration. Councilman Travers referenced the MML's past restoration efforts, noting his understanding municipalities have realized a larger restoration of these funds than county governments which have more roads. Mr. Sanderson said the municipal government reduction was \$40 million, of which approximately \$15 million to \$20 million has been restored versus county governments which lost \$275 million. He noted that the City of Baltimore received an \$80 million to \$90 million reduction. In response to a statement from Councilman Travers, Mr. Sanderson expressed his understanding the City of Baltimore received a larger per person reduction.

Mr. Sanderson said MACo staff also prioritized public safety and worked with Chiefs of Police and Sheriffs regarding legislation relating to best practices and sentencing reform with a focus of investment in treatment in lieu of long term confinement. He noted that MACo also opposed approximately nine bills pertaining to liability and lawsuits that would have detrimentally impacted local governments.

Mr. Sanderson said another high priority is school construction, particularly lowering project costs. He explained that they continue to rise partly due to an increase in State regulations and requirements, including environment site planning and energy certification. Councilman Travers

noted that prevailing wage requirements also adversely impact project costs. Mr. Sanderson said achieving a savings in planning costs may be beneficial, noting one of their future pursuits is to have two-thirds of a school designed on capacity. Councilman Travers noted that the State does not provide funding for planning. He encouraged the Council to consider joining MACo's Other Post-Employment Benefits Trust.

Mr. Sanderson invited the Council members to attend the MACo Summer Conference in August and thanked them for the opportunity to speak.

Councilman Price commended MACo staff and Legislative Committee members. He asked Mr. Sanderson for his thoughts on seeking the restoration of highway user revenues in the future and about the transportation bill that established a State transportation project rating system. Mr. Sanderson said he is unsure what will occur next legislative session relating to highway user revenues. He explained that a 2015 bill pursued by the Governor to include money in the budget for restoration which failed and although he included capital grant funding in the 2016 budget it was removed.

Mr. Sanderson said the final version of the transportation scoring bill recently passed, noting that MACo opposed the legislation and was successful in getting amendments. He explained that it provides Maryland Department of Transportation staff the framework on how major projects should be scored, noting that they have an opportunity to fund lower scored projects provided there is sufficient justification.

The Council thanked Mr. Barr and Mr. Sanderson.

BOARD OF HEALTH

Roger Harrell, Health Officer, thanked MACo on behalf of the Maryland Association of Health Officers for its guidance on legislation during the session. He said the topic for discussion is Zika awareness, noting that the Governor declared last week public awareness week for this virus. He introduced Lanise Mohn, Director of Nursing.

Ms. Mohn said the Department of Mental Health and Hygiene handouts she provided Council will be placed in pregnancy kits. She stated that kits have been sent to Chesapeake Women's Health, Fassett Magee and the family planning agency within the Health Department to distribute to those women with a positive pregnancy test. Ms. Mohn noted that foreign travel customers, immigration clients and H2-B workers will also be targeted. She said weekly conference calls are held; there have been meetings with partners, including the Local Emergency Planning Committee; and local physicians are being updated as guidelines change. Ms. Mohn explained that Health Department Nurses are conducting triage for clients, customers and physicians and if an individual is eligible for testing, they will send information and blood samples to the State. She said materials have also been distributed to the ministerial association, YMCA, Cambridge Police Department and the library and have been placed in the Health Department's main building and in the Environmental Health section. She noted that advertisements have also been placed in the Dorchester Star and Dorchester Banner and other mediums utilized may be radio spots, television commercials and town halls. Ms. Mohn explained that prevention suggestions

include draining or dumping containers of water, dressing in light colored clothes with long sleeves and using DEET on exposed skin.

Mr. Goldman referenced discussions regarding possible additional federal funding for mosquito spraying and questioned how those funds may be distributed. Mr. Harrell said the funds will probably be distributed through the Maryland Department of Agriculture, noting that Governor Larry Hogan also put aside some funds. He noted that all cases so far are travel related and there has been no virus transmission in the United States.

The Council thanked Ms. Mohn and Mr. Harrell.

MANAGERS COMMENTS

REQUEST FOR AUTHORIZATION TO CONDUCT FIRECRACKER'S KIDS TRIATHLON-CAMBRIDGE MULTI SPORT

The Council approved the request of Jason Chance, Race Director, Cambridge Multi Sport, for authorization to conduct the 4th Annual Firecracker Kids' Triathlon in the morning of July 4, 2016. The Council acknowledged that Mr. Chance will seek noise ordinance clearance from the City of Cambridge.

RENEWAL OF FAIR HOUSING PLAN-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to renew the County's Fair Housing and Equal Opportunity Plan for a three year period, which is required since the County is a recipient of federal Community Development Block Grant funds from the United States Department of Housing and Urban Development through the State of Maryland.

FIREHOUSE SUBS GRANT APPLICATION-EMERGENCY SERVICES-GRANT MONITOR

The Council approved the request of Ms. Smith for authorization to submit a Firehouse Subs Grant Application for approximately \$30,000, with no match requirement, for Lucas Devices for Emergency Medical Services.

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS-BULLETPROOF VESTS-EMERGENCY SERVICES-GRANT MONITOR

The Council approved the request of Ms. Smith to apply for grant funding from the Maryland Institute for Emergency Medical Services Systems for funds in the amount of \$50,000, with no match, to purchase Kevlar (bulletproof vests) for emergency service employees.

ADMINISTRATIVE OFFICE OF THE COURTS GRANT-FAMILY LAW SEMINAR- CIRCUIT COURT-GRANT MONITOR

The Council approved the request of Ms. Smith on behalf of Family Services at the Circuit Court to apply for a grant amendment to the Administrative Office of Courts grant for funds in the amount of \$2,000 with no County match to provide a Family Law seminar.

ADVENTURE DIVERSION GRANT ACCEPTANCE-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, on behalf of the Dorchester Community Partnership for Children & Families, to accept new Intergovernmental Agreements for FY2017 and FY2018 with the Department of Juvenile Services for the purpose of implementing the Adventure Diversion Program with the Dorchester County Family YMCA as the vendor in the amount of \$92,744.

SMITHVILLE TOWER STROBE LIGHT SOLE SOURCE REQUEST-911 COMMUNICATIONS CENTER

The Council approved the request of Kim Vickers, Communications Division Chief, 911 Communications Center, to sole source with Maryland Tower to repair/replace the strobe light for the Smithville Radio Tower at the cost of \$4,290 using FY16 911 Center Budget funds. The Council acknowledged that three quotes were obtained and this company was the lowest bidder.

ENGINEERING SERVICES-TOWER AIR HANDLER RECONSTRUCTION-CIRCUIT COURT-PUBLIC WORKS

Tom Moore, Public Works Director, advised Council that he received a Gipe Associates (Gipe) Feasibility Analysis for the replacement of the Court House Air Handler. He said Gipe's recommendation is that the air handler be reconstructed on site and funding for this project is included in the FY16 Capital Budget and the proposed FY17 Capital Budget. He explained that specifications and bid documents must be developed for this project. The Council approved Mr. Moore's request to sole source with Gipe to provide construction services at cost of \$12,000.

SOLE SOURCE REQUEST-LINE STRIPING-HIGHWAY-PUBLIC WORKS

The Council approved the request of Mr. Moore to award the contract for road striping to Alpha Space Control at the rate of \$.0708 per painted foot for an amount not to exceed \$30,000 as a sole source contract under the State contract.

PROPOSAL-SOLID WASTE MANAGEMENT PLAN UPDATE-LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Moore to sole source and contract with Geosyntec Consultants, the County's Landfill Engineering Consultant, to develop the 2017 through 2026 Solid Waste Management Plan at the cost of \$45,689 through an amendment to the County's current Engineering Services Contract with this entity.

Councilman Price made a motion to re-establish the Landfill Advisory Committee to work with the consultant and Public Works on this plan which was seconded by Councilman Bradshaw. Councilman Satterfield referenced the upcoming deadline to adopt the plan and questioned the length of time it will take to establish this committee. Jeremy Goldman, County Manager, noted that a resolution must be prepared and adopted. Councilman Price amended his motion due to timing constraints that a temporary workgroup be established to act in an advisory role which will be disbanded once this plan is complete which Council approved. The Council acknowledged that a framework for this committee will be provided for its review and consideration at its May 17, 2016 meeting.

INCUBATOR BUILDING COST UPDATE-PUBLIC WORKS

The Council acknowledged the receipt of a written update from Mr. Moore on the incubator facility construction project which has been completed. In response to a question from Mr. Merryweather, Mr. Moore confirmed that the project is \$11,436.95 over budget after an 80/20 split of individual line savings and applying contingency funds to account for additions to the construction contract. The Council took no action.

REQUEST TO UTILIZE WICOMICO COUNTY CONTRACT-FLOOD AND ALL-HAZARD MITIGATION PLAN UPDATE-EMERGENCY MANAGEMENT

The Council approved the request of Steve Garvin, Emergency Management Planner, to piggyback on the Wicomico County contract and sole source with S&S Planning and Design to update the Flood and All-Hazard Mitigation Plans utilizing federal grant funding of \$45,000.

GRANT AWARD ACCEPTANCE-MARYLAND SPORTS GRANT-2015 IRONMAN MARYLAND RACE-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to accept a Maryland Sports Grant of \$20,000 from the Maryland Office of Tourism Development to offset the \$100,000 licensing fee for the 2015 IRONMAN Maryland race.

DORCHESTER COUNTY FY17 HOLIDAY SCHEDULE

The Council agreed to adopt the Dorchester County FY17 Holiday Schedule.

TELEPHONE POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, to deny the request of the Warden for himself and a staff member to travel to Dallas, Texas to tour Securus Technologies, the company utilized by the County for the inmate phone system and requested that the demonstration be done locally.

FY16 COPS HIRING GRANT APPLICATION-SHERIFF'S OFFICE-GRANT MONITOR

The Council approved the request of Sheriff James Phillips to apply for additional deputy positions via the COPS Hiring Program, administered by the U.S. Department of Justice.

911 CONSOLIDATION

The Council agreed to enter into a Memorandum of Understanding and Letter of Agreement with the City of Cambridge to consolidate the Cambridge Police Dispatch Center into the County's 911 Communications Center. Councilman Price opposed, citing concerns posed by the public and about potential future costs.

TAX SALE PROPERTY OFFERS

The Council accepted the following offers:

JM Property	\$100	710 Washington Street, Cambridge
Ed Cornish	\$3,000	509 Academy Street, Cambridge
Ernest Lee	\$16,965.54 with conditions	5370 Aireys Road, Cambridge
Jonathon Meninger	\$5,000	4623 Payne Road, Hurlock
Taron Fletcher	\$3,000	526 Pine Street, Cambridge
Justin Ennals	\$2,000	710 Douglas Street, Cambridge
Brandon Jones	\$500	1024 Pine Street, Cambridge

LEASE-BRODESS FARM PULL OFF

The Council agreed to enter into a 20 year lease for the "Brodess Farm Pull Off," on Marcus Farms, on Greenbriar Road, which is a Harriet Tubman interpretive area at a lease amount of \$3,000 for the first five years with an increase thereafter to be negotiated which includes a termination clause.

MEEKINS NECK ROAD PAVING AGREEMENT

The Council agreed to enter into an agreement with Percy A. Ransome who will provide funding for the raising of sections of Meekins Neck Road. The Council acknowledged that work will be done through the County paving contractor at the rate established by the County's yearly contract,

PUBLIC COMMENTS

Tom Oliver, resident, expressed concern about the condition of a 100 yard portion of Indian Trail Acres, a dirt road. He said he was advised in the past that the County only grades dirt roads. He asked for consideration of the raising of this section of the road to improve drainage. He noted that County staff grade the road on a consistent basis. Mr. Oliver advised that several years ago at his request Council's Office staff provided him with a 1990 agreement relating to road

improvements. The Council agreed to ask Mr. Moore to view the road and provide his comments and for staff to research this matter.

Gage Thomas, resident, expressed concern about the condition of Coty Drive in Ferry Farm Estates. The Council agreed to ask Mr. Moore to view the road.

Ken Heesh, resident, suggested the use of rubble from the replacement of the North Dorchester High School or material from other projects planned in the City, to redo a portion of Indian Trail Acres with dirt being placed on that material. Mr. Goldman said the project will not commence until two years or more from now. Mr. Thomas suggested that Odie Wheeler, the City of Cambridge's Public Works Director, be contacted about the possible availability of material for roadways.

In response to an inquiry from Donald Gray, resident, Mr. Goldman said the new Eastern Shore Innovation Center is 65% full and staff is in conversations with a company that is interested in a large section which will increase that figure to 85%.

Mr. Gray queried as to the status of the Hearn building stabilization. Mr. Goldman explained that anchors have been replaced and concrete and steel that attach to the beams are in place. He further explained that metal fabricators are scheduled to place the beams in front of the building either Thursday or Friday, weather depending. He noted that once this work has been completed the front of the building will be considered stabilized and the road will reopen.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price expressed appreciation to the law enforcement agencies who worked together to apprehend a suspect expeditiously and public safety personnel relating to recent events. Councilman Price referenced the blessing of a new Habitat for Humanity home built on Charles Street in Hurlock which occurred last week.

Based on a motion made by Councilman Bradshaw, the Council agreed to appoint David Owens to the Senior Council as the District 5 representative to replace Charlotte Lankford who is currently in District 4.

Councilman Bradshaw noted that a hearing is being held at tonight's Wicomico County Council meeting regarding chicken houses relating to requests from environmental groups, which include a request for a ban on Concentrated Animal Feeding Operations and for zoning setbacks.

Councilman Travers referenced the receipt of information regarding Middletown Branch Spur ditching. Mr. Goldman said he sent it to Mr. Moore to review and address, if possible.

Councilman Travers reiterated his request for proposals from staff for relief for prospective property owners in light of the residential sprinkler system requirements. He advised that he spoke to Delegate Sheree Sample-Hughes, who was unsuccessful in obtaining a final vote on a State tax credit, who confirmed that she will seek the same legislation next session. Mr. Goldman explained that staff has developed a draft proposal for a tax credit for any new

construction that requires a residential sprinkler system which will be spread over five years; however, the proposed amount still needs to be identified prior to submission to Council for review and consideration.

Councilman Travers announced that: 1) the next County Council meeting will be held on May 10, 2016 for a budget public hearing only; 2) a legislative public hearing/adoption of the budget will be held at the May 17, 2016 County Council meeting; and 3) the Council reserves the right to meet in closed session prior to regular session.

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



Absent/Abstained
William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 17th day of May, 2016.