

**County Council of Dorchester County
Regular Meeting Minutes
November 3, 2015**

The County Council of Dorchester County met in regular session on November 3, 2015 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

EXECUTIVE SESSION

The Council adjourned from a Regular Session and convened in a closed Executive 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; pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

Voting in favor of the closed Executive Session were all Council members.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Satterfield led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: a request to advertise an Inspector position in Planning and Zoning Department and an Aerobatics Waiver Discussion.

APPROVAL OF MINUTES- OCTOBER 20, 2015

The Council approved the minutes of October 20, 2015.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$9,492,667.22.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on November 3, 2015 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; 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 Economic Development Director to hire an individual to fill a part time Incubator Manager position by a 4 to 1 vote with 1 by written proxy; 2) approved the request of the Emergency Medical Services Manager to hire an individual as an on call basic life support provider and an individual as an on call advanced life support provider by a 5 to 0 vote with 1 by written proxy; 3) approved request of Planning and Zoning Director to create an entry and a proficient level for an Inspector position and approved job descriptions by a 5 to 0 vote with 1 by written proxy-agreed to consider a request to advertise in open session; 4) discussed the potential assumption of a property; 5) discussed a matter relating to a tax sale property; 6) discussed with legal counsel a proposed hangar sublease agreement; 7) discussed with legal counsel a matter relating to the use of the Airport for the practice of aerobatic maneuvers-agreed to discuss in open session; 8) discussed with legal counsel a proposal for a solar facility on County owned property; and 9) discussed a personnel matter.

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

PROCLAMATION-HISTORICAL FREEDOM DAY-NOVEMBER 10, 2015

The Council presented a proclamation declaring November 10, 2015 as Historical Freedom Day which Dr. Carl Barham accepted. Delegates Johnny Mautz and Christopher Adams presented a citation honoring this day, on behalf of the Maryland General Assembly.

PROCLAMATION-DIABETES AWARENESS MONTH-NOVEMBER

The Council presented a proclamation declaring the month of November 2015 as Diabetes Awareness Month.

PROCLAMATION-NATIVE AMERICAN HERITAGE MONTH-NOVEMBER

The Council presented a proclamation declaring the month of November 2015 as Native American Heritage Month.

PRESENTATION OF FY15 ECONOMIC DEVELOPMENT ANNUAL REPORT

Keasha Haythe, Economic Development Director, presented the FY15 Economic Development Annual Report.

Councilman Travers said the seafood harvest figures in the report showed an increase, particularly in the oyster harvest which doubled in the past year. In response to a question from Councilman Travers, Ms. Haythe credited aquaculture for increasing the oyster population, noting that the harvest figures were obtained from the Maryland Department of Natural Resources.

Councilman Nichols expressed his understanding that Protenergy Foods Corporation is expanding. Ms. Haythe stated that when she visited the business in April 2015 they were installing new equipment and seeking additional staff. She advised that they are continuing to hire new employees. She said Council is welcome to join Economic Development staff during business visits/tours.

Councilman Bradshaw expressed his understanding that the agriculture harvest figures should be higher than reported. Ms. Haythe explained that the figures were obtained from the United States Department of Agriculture and are from the 2012 Census of Agriculture.

MANAGERS COMMENTS

CHRISTMAS TREE LIGHTING COMMITTEE REQUEST-SPRING VALLEY

The Council approved the request of Amy Craig, on behalf of the Christmas Tree Lighting Committee, to place a tree on the Circuit Court House bandstand from November 14, 2015 to January 3, 2016 and hold a Christmas Tree Lighting Ceremony on Saturday, November 28, 2015 at 5:30 pm. Ms. Craig advised that the North Dorchester Middle School Chorus and a gospel chorus will sing at the ceremony. She said Councilman Travers has accepted an invitation to attend the event and an invitation has been extended to Victoria Jackson-Stanley, Mayor, City of Cambridge.

DORCHESTER REGIONAL TECHNOLOGY PARK STREET NAME REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Ms. Haythe to send correspondence to Mayor Jackson-Stanley and the City of Cambridge Commissioners, requesting that Flowers Drive be switched with Tech Park Drive in the Dorchester Regional Technology Park so that it is the main street on which businesses will have frontage for marketing purposes.

Mr. Merryweather explained that if this request is approved, multiple government agencies, including the State Department of Assessments and Taxation, the Planning and Zoning Office and the Finance Office, will have to change their records. He noted that several documents that have been recorded in Land Records at the Circuit Court reflect the current road structure and changes will also be necessary by that entity. In response to a question from Councilman Travers, Mr. Merryweather said these entities can utilize "also known as" to reflect a new street structure.

OFFICIAL ADOPTION OF NAME-AIRPORT-PUBLIC WORKS

Tom Moore, Public Works Director, introduced Meighan Chisholm, the new Airport Manager.

The Council approved the request of Mr. Moore and Mr. Chisholm to officially adopt the name "Cambridge-Dorchester Regional Airport" and to authorize Mr. Chisholm to file the appropriate paperwork with the Federal Aviation Administration (FAA) and Maryland Aviation Administration (MAA) to make this change, which currently have the official title of this facility as Cambridge-Dorchester Airport. The Council acknowledged that the existing building sign reads "Cambridge-Dorchester Regional Airport."

REQUEST TO PROVIDE CREW CAR AT AIRPORT-PUBLIC WORKS

The Council approved the request of Mr. Moore to offer Airport users the use of a crew car, which will be stationed at the terminal building, by repurposing an old law enforcement vehicle that has been declared surplus. The Council also agreed that the use of the vehicle is limited to within the County and can only be used for a four hour period. The Council acknowledged that Mr. Moore will provide the cost to place the County's "Water Moves Us" logo on this vehicle for its review and consideration. In response to a question from Councilman Bradshaw, Mr. Chisholm said the Easton Airport is one of many Airports in the State that provide crew cars.

REQUEST TO AMEND AIRPORT CONSULTANT CONTRACT TO INCLUDE APRON CONSTRUCTION MANAGEMENT SERVICES-PUBLIC WORKS

The Council approved the request of Mr. Chisholm to amend the Airport Consultant Contract between the County and Delta Airport Consultants (Delta) to include Apron Construction Management Services by approving the execution of Delta's Work Order #3 in the amount of \$482,800. The Council acknowledged that: 1) the amount is reimbursable at 90% from the Federal Aviation Administration (FAA) and 5% from the Maryland Aviation Administration with a County obligation of 5% of the contract costs; 2) the County's share will be from the FY14 and FY16 Airport Enterprise Fund Capital Budget as part of the overall cost of the Apron project; and 3) Delta's quote for these services has been reviewed for reasonableness by a third party and has also been reviewed and approved by FAA on September 16, 2015.

DISADVANTAGED BUSINESS ENTERPRISE PLAN APPROVAL REQUEST-AIRPORT-PUBLIC WORKS

Based on a request from Mr. Moore, the Council approved a Disadvantaged Business Enterprise Plan, which must be submitted to the Federal Aviation Administration once every three years to comply with its regulations regarding the funding of projects over \$250,000. The Council acknowledged that: 1) the plan was developed by Delta, the County's Airport Consultant; 2) it was publicly advertised in the local newspaper as required; and 3) no comments were received.

MARYLAND AVIATION ADMINISTRATION GRANT FUNDING REQUEST-REPLACEMENT OF VEHICLE-AIRPORT-PUBLIC WORKS

A motion was made to approve the request of Mr. Moore to apply to the Maryland Aviation Administration for Special Grant Funding for monies to purchase a 2016 Ford F250 four wheel drive crew cab with a snow plow under a State Contract with Hertrich Fleet Services. Mr. Moore advised that he is seeking the Council's approval to purchase a diesel truck. Mr. Chisholm noted that there are diesel fuel tanks at the Airport and since this vehicle will provide in-house snow plow capability in the midst of a storm it can be refueled on site. He said the difference in cost is approximately \$2,200. Based on an amended motion, the Council approved Mr. Moore's request to purchase a diesel truck under the State contract at the cost of \$41,706 with a County cost share (25%) of \$10,426.50 for which unused FY15 Capital Budget funds designated for hangar improvements will be utilized. In response to a question from Councilman Price, Mr. Moore said this will reduce the hangar improvement funds to \$19,500. He explained that his next request is for Council to use some of these funds for the painting of fuel tanks.

AIRPORT FUEL TANK PAINTING REQUEST-PUBLIC WORKS

The Council approved the request of Mr. Moore to contract for the painting of two fuel storage tanks at the Airport with a not to exceed cost of \$8,900 utilizing unused FY15 Capital Budget funding designated for "Hangar Improvements". The Council acknowledged that one company has provided a quote and two other painting companies have been contacted to obtain quotes. Councilman Satterfield said is his understanding that one of the phases of the Airport runway extension project is to remove and replace the fuel tanks. Mr. Moore expressed his belief this will not happen within the next three years.

REQUEST TO ADVERTISE FOR PROPOSALS-BRIDGE GUARDRAIL REPAIR AND REPLACEMENT PROJECT-PUBLIC WORKS

The Council approved the request of Mr. Moore and Greg LeBlanc, Engineer, to advertise for bids for the replacement of 6,900 lineal feet of guardrail and the replacement of individual posts and beams, as may be required, for various bridges throughout the County. The Council acknowledged that funds in the FY15 budget of \$200,000 are allocated within the Engineering Capital line items for bridge repairs, which will be used to cover these costs.

CHANGE ORDER REQUEST-OLD BEULAH CAPPING PROJECT-PUBLIC WORKS

The Council approved the request of Mr. Moore to execute Change Order #4 to the contract between Dorchester County and Sargent Corporation, contractor, for the Old Beulah Capping project, in the amount of \$65,230.37 to repair landfill seeps and install a “toe” drain system utilizing funds from the Landfill Fund.

RESIDENTIAL SPRINKLER REQUIREMENT POLICY REQUEST-PLANNING AND ZONING

Pursuant to Steve Dodd, Planning and Zoning Director, Ed Landon, Director, Maryland Codes Administration, Department of Housing and Community Development has advised that the residential sprinkler law does not apply to “used,” relocated” manufactured homes/mobile home trailers if the unit was manufactured before July 1, 2015, the effective date of this law. E. Thomas Merryweather, County Attorney, concurs and suggests that the County follow Washington, Worcester, Wicomico and Somerset counties and not require that a manufactured home/mobile home trailer manufactured prior to July 1, 2015 to have a residential sprinkler system. The Council agreed to exclude relocated manufactured/mobile homes manufactured before July 1, 2015 from the residential sprinkler requirement. The Council acknowledged that this policy will be followed by the Planning and Zoning Department.

CHANGE ORDER REQUESTS-COMMUNITY DEVELOPMENT BLOCK GRANT GENERATOR PROJECT-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to approve a change order to the proposal with Gipe Associates, Inc., the County’s engineering consultant for the emergency shelter generator project at Cambridge South Dorchester High School, to include mechanical and electrical system design and contract administration for the addition of a remote fuel tank to the project. The Council also approved Ms. Smith’s request to approve the following change orders to the contact with John W. Tieder, Inc., contractor for this project: 1) to reflect a price reduction for the generator due to a change made by the manufacturer which results in a \$35,000 savings; 2) to remove the purchase of generator from the contract since the County will purchase this equipment directly from the manufacturer; 3) to change conductors from copper to aluminum, add a fuel polishing system, add years 8 to ten for warranty/service contract, add the cost to install a 6,000 gallon remote fuel tank donated by the Board of Education. The Council acknowledged that all costs relating to these change orders are covered 100% by Community Development Block Grant Funds.

BOARD OF ZONING APPEALS APPOINTMENT

The Council acknowledged that Edwin “Eddie” Howard, the District 1 representative, has advised through correspondence that he will complete his term on the Board of Zoning Appeals which expires December 1, 2015, however, does not want to be reappointed. No action was taken since Councilman Satterfield is currently in the process of contacting individuals about the possibility of serving on this Board.

2016 MARYLAND ASSOCIATION OF COUNTIES LEGISLATIVE COMMITTEE NOMINATIONS-MEMBER AND ALTERNATE

The Council approved the request of Michael Sanderson, Executive Director, Maryland Association of Counties (MACo), and agreed to nominate Councilman Price as the 2016 Dorchester County representative and Councilman Nichols as the alternate representative.

GRANT OPPORTUNITIES-HEARN BUILDING

The Council authorized the submission of four grant applications for funding in the approximate amount of \$600,000 for emergency stabilization of the old Hearn Building located at 509-511 Race Street.

LETTER OF SUPPORT REQUEST-MEDICAL MARIJUANA FACILITY

The Council agreed to send a letter of support for the application of Tilstar, LLC for a grower license for medical marijuana, which plans to locate a facility in Dorchester County.

AEROBATIC WAIVER DISCUSSION

The Council agreed to send a letter to the Federal Aviation Administration that the Waiver for Aerobatic Practice Area at the Cambridge-Dorchester Regional Airport be allowed to expire without renewal on February 14, 2016.

REQUEST TO ADVERTISE-INSPECTOR POSITION-PLANNING AND ZONING

The Council agreed to re-advertise the Inspector position in the Planning and Zoning Department.

PUBLIC COMMENTS

Donald Gray, resident, expressed his understanding that several properties in Councilman Travers' District were recently foreclosed upon. He noted that a bank has obtained ownership of 17 Buena Vista, Cambridge and household items from the residence on that property have placed on the street. Councilman Travers advised that he recently had the same issue on Merryweather Drive and he called Planning and Zoning who contacted the bank and the items were removed within two weeks. Jeremy Goldman, County Manager, said he will contact the appropriate parties about the Buena Vista property. Mr. Merryweather advised that there is a new foreclosure registry available online and that all banks and mortgage companies are now required to register with the State.

Gene Tolley, resident, and the owner of the property next to the Hearn Building, requested clarification on the Council's decision relating to this structure. Councilman Travers said the City and County, who are working together to stabilize the building, were recently made aware that approximately \$600,000 in grant funding may be available for this purpose. He explained that the Council's action tonight was to apply for that funding.

Mr. Tolley and Shirley Tolley, his wife, expressed concern about the continued deterioration of the Hearn building over the years. Mr. Tolley opined that it should be demolished. He said as a result of the recent collapse his building was damaged and has been condemned. Shirley Tolley, his wife, said they lived in that building.

Councilman Travers said the City and County are trying to garner funding to expedite the stabilization of the building. He further explained that the County is a possible conduit for the City to obtain grant funding for this purpose. He explained that a defunct Limited Liability Company owns the property, not the City or County. Mr. Tolley thanked the Council for pursuing the funding expeditiously.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price queried as to whether State representatives have responded to the Council's request for consideration of the repeal of a portion of the Zero Waste" Executive Order that Governor Martin O'Malley issued prior to leaving office, which restricts the Maryland Department of Environment from permitting new landfill capacity, to allow for expansion of existing landfills. Mr. Goldman said he has spoken to State staff at multiple levels, including recently, and their response has been that they are working on the matter. He explained that he has stressed the County's need for a resolution and will continue to do so.

Pursuant to an inquiry from Councilman Price, the Council agreed to consider the replacement of the Emergency Services Director at a future meeting.

Councilman Price encouraged the public to attend the Veterans Recognition Ceremony which will be held at the Maryland Veterans Cemetery on Wednesday, November 11th at 1 p.m.

Councilman Satterfield explained that residents have expressed concern about the substantial increase in the deer population. In light of those concerns he made a motion to send correspondence to the Maryland Department of Natural Resources requesting the extension of the deer season and/or an increase in bag limits, which Council approved.

Councilman Satterfield echoed Councilman Price's invitation for the public to attend the Veterans Recognition Ceremony. He stressed the importance in recognizing those who are serving or have served in the armed forces and saluted those men and women.

Councilman Satterfield commended law enforcement and emergency services personnel for serving the community.

Councilman Bradshaw referenced the Healthy Waters Round Table meetings being held by the Chesapeake Bay Foundation. He said as a result of these meetings this organization has prepared a draft action plan which stresses the need for grant funding, additional staff and a paper trail. He explained that the proposed plan and notes of the September 10, 2015 round table meeting reference coordination through the National Environmental Policy Act. He stressed the need for Dorchester County representation at these meetings in light of these references, particularly since the main subject of these meetings are the Total Maximum Daily Load Allocations established

by the United States Environmental Protection Agency which require local jurisdictions to adopt and implement Watershed Implementation Plans. Councilman Bradshaw said discussions during the round table meetings do not include the mitigation of pollution behind the Conowingo Dam, noting that Chesapeake Bay Foundation does not acknowledge the impact this dam has on the Bay.

Councilman Bradshaw explained that authorization to demolish the old Hearn building must be obtained from the Cambridge Historic Commission and that any such efforts will mostly likely be unsuccessful. He estimated that conservatively it will cost \$500,000 to \$750,000 to demolish the property and for clean-up. He encouraged residents to call him or the other Council members if they have any questions relating to this structure. Councilman Satterfield commended County staff for their hard work in identifying grant opportunities and in preparing the appropriate paperwork to acquire funds.

Councilman Travers announced that the next County Council meeting is November 17, 2015 and that the Council reserves the right to meet in executive session.

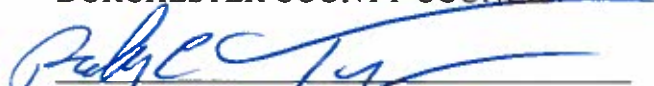
With no further business to discuss, the Council adjourned.

ATTEST:

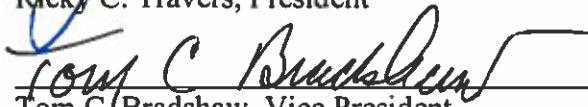


Jeremy Goldman
County Manager

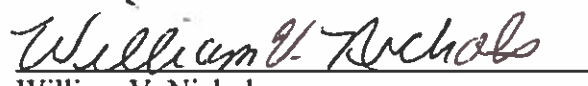
DORCHESTER COUNTY COUNCIL:




Ricky C. Travers, President



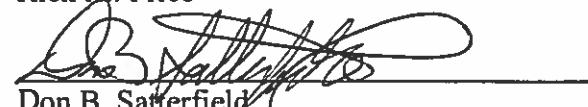
Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 17th day of November, 2015.