

**County Council of Dorchester County**  
**Regular Meeting Minutes**  
**November 7, 2017**

The County Council of Dorchester County met in regular session on November 7, 2017 with the following members present: Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Nichols led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Jeremy Goldman, County Manager, advised that the following items were added after the publication of the agenda: Ambulance Strike Team Memorandum of Understanding-Emergency Services and North Dorchester High School Generator Grant Application Request-Emergency Services. The Council approved the amended agenda and the following additions: Request to Sell Tax Sale Property and Lien Repayment Agreement.

**APPROVAL OF MINUTES- OCTOBER 17, 2017**

The Council approved the minutes of October 17, 2017.

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Travers reported total cash and investments as \$7,166,696.00.

**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)(14) to before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process; and, pursuant to §3-305(b)(7)

to consult with counsel to obtain legal advice on a legal matter on November 7, 2017 at 5:30 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613. Present at this Closed Session meeting were 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.

Action taken at the Closed Session: 1) approved the request of the Director of Corrections to hire individuals to fill vacant Probationary Correctional Officer positions by a 5 to 0 vote with one vote by written proxy; 2) approved the request of the Information Technology Director to hire an individual to fill a vacant IT Network Technician II position by a 5 to 0 vote with one vote by written proxy; 3) received legal advice from the County Attorney regarding a foreclosure in process; and, 4) received legal advice from the County Attorney regarding a lien repayment agreement.

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**

### **PROCLAMATION-2017 HISTORICAL FREEDOM DAY**

The Council presented a Proclamation declaring November 10, 2017 Historical Freedom Day.

### **COMMENDATION-NICHOLE ALEXANDER**

The Council presented a Commendation to Nichole Alexander for responding to an emergency situation to ensure the safety and well-being of a citizen. The Hurlock Volunteer Fire Company presented her a plaque.

### **PROCLAMATION-NATIVE AMERICAN HERITAGE MONTH**

The Council presented a Proclamation declaring November 2017 Native American Heritage Month.

### **MEETING WITH LEGISLATORS-2018 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION**

Councilman Bradshaw said this is the annual meeting with Legislators regarding proposed legislative initiatives for the 2018 Maryland General Assembly Legislative Session. Senator Adelaide Eckardt, Delegate Christopher Adams and Delegate Johnny Mautz, were present for this discussion.

Councilman Bradshaw, referring to the Council's legislative packet that was provided to the legislators, said the majority of the requests are for "housekeeping" amendments to Article 2B "Alcoholic Beverages." He said one amendment is because there is a business

located in the Town of Hurlock that is not eligible to receive a beer, wine and liquor license due to its proximity to a school or church and the owners are seeking an exemption. Councilman Bradshaw noted that the Board of License Commissioners considered the Article 2B amendments and recommended to the Council that they be pursued.

Jeremy Goldman, County Manager, said it is his understanding that Montgomery County officials may request legislation to allow the sale of beer and wine in grocery stores in that local jurisdiction based on a recent article. He said the Council is interested in seeking this same provision for Dorchester County. Senator Eckardt advised that it will be helpful if there is local support from distributors and package stores. Delegate Adams stated that he and Delegate Mautz sit on the Economic Matters Committee so all of the bills come through that committee. He advised that last year and in particular this summer, Peter Franchot, Comptroller, has opened up discussions regarding a number of possible policy changes. Delegate Mautz said he would prefer to review any proposed legislation submitted on behalf of Montgomery County and then send it to the Council for its review before taking any further action. Mr. Goldman noted that Montgomery County has County owned liquor establishments unlike Dorchester County. Rebecca White, Chief of Staff, questioned whether Montgomery County officials will pursue this type of legislation and if so, their reasoning.

Councilman Bradshaw said the legislative packet also includes the following topics of discussion: 1) highway user revenue restoration; 2) the teachers' pension shift; and, 3) the Board of Education Maintenance of Effort (MOE) rolling average. Mr. Goldman opined that at some point the MOE must be adjusted in order to avoid tax increases, particularly in Dorchester County.

In response to a question from Mr. Goldman, Delegate Adams said the legislators expected guidance from the Kirwan Commission; however, it may not be forthcoming in a timely fashion for the 2018 legislative session. Delegate Adams said he can speak to the teachers' pension shift and the MOE. He said those initiatives were part of a budget balancing effort by the prior administration which directly impacted local jurisdictions. He noted that the number one issue discussed when they appear before County elected officials is the restoration of the highway user revenues. Councilman Price said at a Maryland Association of Counties Legislative Committee meeting the wording was changed to infrastructure and additional language pertaining to curbs, gutters, etc. was added with the hope of gaining more traction. Senator Eckardt said: 1) the Governor reduced the \$730 million plus shortfall to a little over \$300 million due to Medicaid efficiencies, and less people on welfare reform and Medicaid; 2) income is growing at 2.2% or 2.5% whereas spending is 4% to 5%; 3) sales tax and other tax revenue is down; 4) consumer spending has increased; 5) job growth in Maryland is higher in comparison to other states; and, 6) some individuals are projecting a recession in the next 18 months to two years. She expressed her belief it is a good time to work on infrastructure and sustainability. Senator Eckardt expressed her belief that there will be discussions about

disparity grants and how they relate to Maintenance of Effort and, highway user revenues. Ms. Sierra said a bill may be introduced to restore the highway user revenues. She noted that the Governor has included money in the budget to increase these revenues; however, the legislature changes it each time. Councilman Bradshaw said local jurisdictions were receiving more highway user revenues under the previous administration. Senator Eckardt stressed the need for the Council to continue to note that the County assumed ownership/maintenance of a lot of State roads for which it now does not receive adequate compensation. Councilman Bradshaw said the economy has rebounded some and the Council is identifying alternative ways to maintain 630 miles of road in the County. Senator Eckardt noted that municipalities received more highway user revenues than the counties despite having less roads. Councilman Bradshaw advised that several residents have questioned why the fuel taxes they pay in the County are not returned to the local government.

Councilman Bradshaw stressed the need for stiffer penalties for leaving field dressed deer alongside roads as well as the expansion of the food bank program to use venison. Delegate Mautz said there is a large demand for venison which is a high grade protein. He explained that there is a difficulty in processing and transporting the deer to the food bank. He provided the following information regarding Farmers and Hunters Feed the Hungry, a national program: 1) there are chapters in each State; 2) the program is funding primarily through private contributions; and, 3) it is administered by a private group in southern Maryland which coordinates with butchers around the State. He advised that Maryland has provided about \$100,000 to \$150,000 in funding each year; however, will only provide \$25,000 this year and none next year due to the receipt of a warning notice from the Department of Interior. He explained that: 1) the federal government provides millions through the Pittman Robertson Act which is designed to support conservation and environment; and, 2) last year Maryland was advised by the Department of Interior that it was a violation to provide funding to Farmers and Hunters Feed the Hungry based on its staff's determination that butchering deer was not a conservation effort.

Delegate Mautz said he has prepared a bill to create a tax credit for hunters and farmers who harvest deer on a crop damage permit. He explained that if they harvest a deer, pay \$0 to a processor/butcher and keep the receipt, they will receive a tax credit. He stated that this proposed legislation has been endorsed by the Talbot County Farm Bureau and will be sent to the State Farm Bureau for possible endorsement. He advised that there has been a 50/50 response, noting many responders are reluctant to pay \$50. He expressed his belief farmers who have crop damage permits and harvest a large number of deer will be in favor of this program. He explained that this proposed program will not eliminate Farmers and Hunters Feed the Hungry, which would have to obtain new revenues. He said food banks are interested in this legislation. He expressed his belief that it has a 50% chance of passage because it is a tax credit and will be sent to the Ways and Means Committee which historically is not a large proponent of harvesting deer. Delegate Mautz said he will provide the Council a copy of the proposed bill with the hope they

will provide their support. Delegate Mautz noted that only antlerless deer will fall under this program.

Councilman Bradshaw referenced articles in the Star Democrat and the Daily Times regarding the continuation of the oyster restoration project in the Little Choptank. He said they cut back the restoration goal for this tributary from 64% to 50%. He noted that 50% was recommended by the Clean Water Act. He stated that the U.S. Army Corps of Engineers (Army Corps) and Department of Natural Resources (DNR) have failed in two attempts in Harris Creek and Tred Avon. He said he is working with the Delmarva Fisheries Association and the Clean Chesapeake Coalition on an initiative to involve local watermen in this process. He asked the legislators if they are willing to lend their support to this endeavor. Delegate Mautz and Senate Eckardt said yes. Delegate Mautz noted that there are three tributaries that were identified as oyster restoration areas. He advised that the cost of the Harris Creek project has already exceeded \$27 million. He explained that they are constantly placing seed and shell in that tributary which is being tested to determine if there is reproduction and whether oysters are growing. He said so far reports have been positive; however, those activities will continue for a couple of years. He questioned who will be charge of this bottom once the project ends.

Councilman Bradshaw noted that a maintenance plan has not been developed. He said it has been seven years since the commencement of the oyster restoration projects which is almost the end of an adult oyster's lifespan. Delegate Mautz expressed his belief that federal partners should share the responsibility of maintenance with the State.

Councilman Bradshaw noted his understanding that: 1) the Army Corps incorrectly placed the stone; 2) DNR used Waterway Improvement Funds to take corrective action; and, 3) due to the lack of shell the Tred Avon project will probably not be finished until next year. Delegate Mautz said there is a movement for the use of stone for all of the restoration projects. Councilman Bradshaw expressed dismay since the stone is interfering with fishermen who are losing lines and tackle and crabbers, especially trot liners, due to snagged lines. Delegate Mautz advised that he has heard that this has been the worst year for the harvesting of crabs in Harris Creek. Councilman Bradshaw said he learned from several watermen there was little dead loss but like last year, oysters did not grow in that area.

Mr. Goldman advised that Anna Sierra, Emergency Services Director, was asked to testify in Annapolis last week regarding a Next Generation 911 System (Next Gen 911) being considered by the State. Ms. Sierra explained that Senator Cheryl Kagan from Montgomery County asked her to testify during a joint Finance Committee hearing which was called by Senator Thomas Middleton to discuss Next Gen 911. She said there are a few potential legislative items MACo or Senator Kagan may seek and she would like to provide a summary of them. She noted that she learned about Senator Kagan's proposed legislative initiatives through her presentation to the Eastern Shore Communications Alliance, on which the 911 Directors on the Shore serve. Ms. Sierra explained that she

has not viewed any proposed legislation; and, therefore, is not seeking support at this time.

Ms. Sierra said MACo has adopted the Next Gen 911 as one of their four legislative initiatives for the 2018 session. She stated that there is a working group, consisting of staff familiar with 911 from each County, of which she is a member. She advised that this group is recommending that a task force be established to advance Next Gen 911. She explained that Next Gen 911 is a concept on moving existing 911 infrastructure to the 21<sup>st</sup> Century, to include the use of the cloud based and the ability to use cell phones to text or send a video to the 911 Center. She stated that the task force will be tasked with identifying the cost of the system and the length of time it will take counties to switch to the system.

Ms. Sierra advised that the existing structure of the Emergency Number Systems Board should also be reviewed since it was developed 50 years ago. She said although it has been rewritten several times it does not reflect current 911 practices. She explained that funds are available for capital expenditures but not for other items, such as software to dispatch ambulances which costs \$1 million. In response to a question from Senator Eckardt, Ms. Sierra confirmed that the funding definition needs to be updated.

Ms. Sierra said there were two other items Senator Kagan brought to their attention. She advised the first was legislation to change the outdated structure of the 911 fee. She explained that: 1) the legislation was established several years ago when landlines were prevalent; 2) the theory behind the originating legislation was to charge \$1 per line that could access 911; 3) the fee is split by the County and the 911 Trust Fund to pay for capital and operating expenses; 4) even if there is more than one phone the charge is still \$1; and, 5) based on rising costs, the current fee structure needs to be updated. She opined that this changing this fee should not be delayed until the Next Gen 911 system is in place since it is in the preliminary stages. Ms. Sierra said the Emergency Number Systems Board is currently in the middle of the request for proposal process and must submit a report regarding the system to the legislature. She expressed her understanding that it was due the last week in December; however, that deadline has been moved to the middle of the session due to delays in gathering information. She explained that Senator Kagan suggested that a range be used to minimize the impact on small businesses, such as one to four lines pay \$1. She said she has been advised that a cap of 1,000 to 2,000 for hospitals and universities will also be included in this legislation.

Ms. Sierra advised that the last bill Senator Kagan may introduce is referred to as P.01/Utility Governance. She explained that Verizon, currently the sole provider for 911 in Maryland, is required by law to provide a study twice a year which identifies the amount of times a 911 Center line(s) was busy. Ms. Sierra said the study includes how long the call was delayed and if it rolled over to another number. She explained that on the Mid Shore if a 911 Center is busy a call will rollover to another county to ensure that each call is captured. She expressed her understanding that this rollover process does not

exist in other areas. Ms. Sierra noted that Verizon has indicated that it wishes to discontinue its 911 service and Senator Kagan wants to ensure that the next provider is required to provide the study. She explained that the information is used to ensure that standards are being met, to obtain funding from the Emergency Number Systems Board and to determine if additional vehicles, locations or staffing is required to meet demand. She advised that she has been informed that the Public Service Commission will still ensure that the new vendor provides the study with the Emergency Numbers System Board providing oversight. Mr. Goldman said a solution is necessary in order to meet current 911 needs.

Ms. Sierra stressed that Next Gen 911 is not a mandate and instead is a reflection of how business is conducted in today's society through the use of technology. She cited the example of someone being in an uncomfortable situation or place and being able to send a text or a video to 911. She noted that exact locations of cell phone callers cannot be obtained. She explained that the Next Gen 911 system will use Geographical Information System technology to secure this information.

Delegate Mautz referenced Dr. Carl Barham's application to the State Highway Administration for roadside signs for the voter reform monument. He suggested that the Council address his request with MDOT officials. Mr. Goldman expressed his understanding that this issue was discussed before and the State Highway Administration staff said this was not feasible.

Councilman Bradshaw referenced the backlog of ditching work which is being addressed by County staff. He said it is his understanding that the State Highway Administration can only clear around the ends of a culvert or cross pipe under a driveway no more than a few feet without a permit. He stated that they need relief so they can begin maintaining ditches. Senator Eckardt said she spoke to Maryland Department of Transportation officials earlier today about expediting the Maryland Department of Environment permitting process. Mr. Goldman questioned whether there have been any discussions about revisiting a Payment in Lieu of Taxes for the 46,000 acres of State owned land in Dorchester County. Senator Eckardt expressed her understanding that legislation, which will include Dorchester County, will be introduced during the 2018 legislative session. She said she will ensure that the bill is dropped.

Senator Eckardt advised that she and her staff are working with Cindy Smith, Grants Administrator, on legislation to streamline the tax sale process for blighted properties in rural areas. She said the Rural Broadband Taskforce has discussed potential incentives for private companies to partner with local jurisdictions for broadband service. She advised that a substantial infusion of cash is needed for broadband services. Delegate Mautz said private-public partnerships will eliminate the need to charge a tax or fee. Councilman Satterfield said there has been some success relating to broadband in Dorchester County.

The Council thanked Senator Eckardt, Delegate Adams and Delegate Mautz. Senator Eckardt thanked the Council for its support of the delegation. She introduced Melissa Einhorn, legislative staff in her office.

## **ANNUAL TRANSPORTATION MEETING-MARYLAND DEPARTMENT OF TRANSPORTATION**

Councilman Bradshaw noted that this is the Annual Transportation meeting with Maryland Department of Transportation MDOT officials.

Jim Ports, Deputy Secretary of Operations, Maryland Department of Transportation, advised that the following individuals are present: Rhashad Johnson, Director, Motor Vehicle Administration (MVA) Transportation Field Operations; Jeannie Fazio, Local Transit Support Deputy Director, Maryland Transit Administration; Ashish Solanki, Director, Regional Aviation Assistance, Maryland Aviation Administration; Michele Gross, Government Relations Manager, Maryland Transportation Authority; Chris Correale, Director, Harbor Development, Maryland Port Administration; Harry Romano, Rail and Policy manager, Office of Freight & Multimodalism; Jeff Tosi, Director, Office of Governmental Affairs, MDOT; and Jay Meredith, District #1 Engineer, State Highway Administration (SHA).

Secretary Ports thanked the County Council for meeting with him during the Summer Maryland Association of Counties Conference (MACo). He said several of the issues have either been discussed or addressed. He noted that Councilman Price inquired about general bridge construction funding and specifically about its applicability to Back Landing Road-Hunting Creek Bridge reconstruction. He stated that SHA staff provided him contact information for the local bridge liaison for guidance on submitting required paperwork and will continue to coordinate with the County as this project progresses. He said the Council members also expressed concern about local funding availability for repairs to the Hooper's Island causeway which included a hole in the causeway and associated jetty concerns. Secretary Ports advised that staff, including Mark Crampton, Assistant Secretary of Operations, who is also an engineer, visited the site on November 1, 2017. He said the next steps include reaching out to subject matter experts in areas that additional support and expertise are necessary for completing a follow-up report.

Secretary Ports referred to correspondence Jeremy Goldman, County Manager, sent on behalf of the Council regarding certain requests and provided the following responses: 1) SHA personnel are currently working with County staff regarding the purchase of surplus equipment; 2) a District #1 traffic signal warrant study and analysis was conducted of the U.S. Route 50 intersection at Maryland Route 343, Washington Street and the intention is to share the results with the County in the coming weeks; 3) the Maryland Route 16 Church Creek roundabout at Woods Road was designed to accommodate the largest, legally allowable vehicle on a State highway system which is a WB 67 and will continue to be monitored through harvesting season; and, 4) SHA District #1 investigated road ownership for the roadway between U.S. 50 and MD Route 16, Cambridge Beltway, Church Creek Road, determined the State will not assume ownership of the County's



portion and suggested it is more advantageous that the section be transferred to the City of Cambridge.

Secretary Ports provided an overview of the items in the FY 2018 – 2023 Consolidated Transportation Program.

He said the following projects, specific to Dorchester County, have been completed: 1) the construction of a roundabout at Route 16, Church Creek Road and Woods Road that cost \$3.6 million and was opened to traffic in July; 2) a \$1.6 million resurfacing project on U.S. 50 between Bucktown Road and Austin Road; 3) a major resurfacing project on Maryland 313, Eldorado Road, between Maryland 14 and Maple Drive this past summer; 4) completed culvert replacement on Maryland 335, Golden Hill Road, approximately 1.5 miles south of Hip Roof Road in July; 5) repairs and cleaning of Maryland 14, Rhodesdale-Eldorado Road Bridge over Marshyhope Creek, Brookview Bridge, and; 6) sidewalk work on Maryland 331 and Maryland 307 to enhance pedestrian access and improve roadway drainage through Hurlock which was completed this Spring.

Secretary Ports noted that the opening of the Harriet Tubman Visitor Center was celebrated in March. He explained that SHA staff are designing a \$2.2 million drainage improvement project on Maryland 16, Church Creek Road, from Maryland Route 335 to Brannock's Neck Road. He said construction is anticipated to begin in the Fall of 2018 and will be completed by the winter of 2019 or 2020.

Secretary Ports advised that: 1) the resurfacing project on Maryland 307, between Maryland 331 and Caroline County is in progress with completion being estimated for later this year; 2) on Maryland 795, Cambridge Creek Bridge, the drawbridge will be closed to motor vehicle traffic December 4 through December 8, 2017 for bridge deck repair as well as machine gear work; 3) resurfacing Maryland 336, Lakesville Road, between Maryland 335 and Blackwater Road begins in the Spring in 2018; and 4) resurfacing on Maryland 343 between Town Point Road and Leonards Lane was completed. Secretary Ports said in total MDOT invested \$8 million in resurfacing projects in FY17 and will complete another \$9 million this year. He referred to the distribution of highway user revenues to counties and municipalities.

Secretary Ports advised that actions have been taken to improve wait times by 8% State wide at the Motor Vehicle Administration (MVA) offices in tune with the Governor's goal to improve customer service. He noted that wait times have decreased in the Easton office by more than 7 minutes from 18 minutes in FY16 to under 11 minutes in FY17.

Councilman Bradshaw questioned whether an increase of the traffic in the Salisbury Office was noted. Mr. Johnson said additional services have been added; however, overall services at all branches has decreased. He noted that there are multiple services that are provided on-line. He said wait times at that office were down to 8 or 9 minutes. Councilman Bradshaw explained that several residents expressed dismay about their negative interactions with MVA staff in the Easton office and their preference to visit the Salisbury Office instead. Secretary Ports and Mr. Johnson stressed the importance of

adhering to the Governor's stance on customer service. Secretary Ports asked Councilman Bradshaw to provide them specific information. He assured Council that the appropriate action will be taken to address the matter. He referred to changes at the offices including the use of tablets to decrease wait times.

Secretary Ports said in 2016 there were 522 fatalities in State of Maryland. He noted that the common causes of the fatalities were impaired driving, speeding, not wearing a seatbelt, distracted driving and not using crosswalks. He advised that 20% to 25% were pedestrian fatalities. He stated that MDOT has encouraged local jurisdictions to adopt their own highway safety plan or adopt the State's plan. He said 11 jurisdictions have adopted the State's plan. He noted that Dorchester County has not adopted its own plan or the State's plan. He expressed willingness for MDOT personnel to assist County staff in adopting the State plan and/or preparing a County plan. He advised that Governor Hogan recently announced \$12 million in highway safety grants, including \$9,082 for the City of Cambridge Police Department. He noted that the Maryland Transit Authority has made significant investments in transit in Dorchester County by providing local transit funding of \$985,000 which will be used for the replacement of two small cutaway buses, 14 radios and ongoing preventive maintenance. He said in addition Delmarva Community Services will receive \$195,000 in capital assistance to support the transportation services provided to seniors and disabled persons.

Secretary Ports recognized the Council's concern about the condition of several grade crossings, noting that seven will be repaired in the County. He said the timber crossing on Palmers Mill Road in Williamsburg will be replaced with a concrete panel crossing and the following locations will be replaced with timber: 1) Bucktown Road; 2) Airey's Road; 3) Beaver Neck Village Road; 4) Linkwood Road; 5) Red Hill Road; and, 6) Shiloh Camp Road. Secretary Ports stated that: 1) the bid opening for these crossings is scheduled for November 16<sup>th</sup>; and, 2) construction will begin by late May 2018 and is to be completed in late summer 2018. He noted that during FY18 the Cambridge-Dorchester Regional Airport is eligible for \$186,000 in regional aviation grant funding for improvement projects, including paving repair, crack sealing and easement acquisition and obstruction removal.

Secretary Ports said Chapter 36, which was referred to as the "road kill bill" by the Governor, was repealed and replaced with Chapter 30 which requires MDOT to develop a scoring system for transportation projects. He advised that MDOT staff are working closely with the Maryland Municipal League and MACo during this process. He explained that they plan to present a draft scoring system at the winter MACo Conference with Secretary Pete Rahn providing an overview and a planning group to provide a technical review presentation.

Councilman Satterfield thanked the individuals who visited and will assist the County regarding decisions about the Hooper's Island Causeway. He said citizens on the lower island have expressed concern about its condition based on the filling of multiple areas of the road surface.

Councilman Satterfield said the moving of the Bucktown Road crossing is part of the County's Airport runway extension project. He questioned whether State funding should be utilized to repair this crossing based on this proposed move. Mr. Romano explained that the project consists of removing the remaining timbers and repaving the asphalt instead of replacement. Councilman Satterfield, speaking specifically to Mr. Meredith, referenced a prior discussion and said the culvert on Swan Harbor Road needs to be marked or the pipe extended so motorists are aware of this infrastructure.

Councilman Price has advised that the Town Council of East New Market has provided him correspondence to provide to SHA. He explained that the Town is seeking consideration of the extension of the sidewalk and pedestrian lighting installed as part of a streetscape project from the Town limits on Route 16 to the intersection at Route 392. He opined that there is still a visibility issue at the Intersection of Route 14 and Route 392 in East New Market. Councilman Price advised at the last Hurlock meeting, Town Council members and the Police Chief noted that they are not interested in a circle at that intersection. Mr. Meredith referenced prior discussions with Town officials regarding the installation of a four way stop. He said the SHA is willing to do this if the Town officials so desire. Secretary Ports expressed his understanding that a four way stop assists in moving traffic through an intersection but also results in a back-up.

Councilman Nichols complimented Mr. Meredith on his current handling of residents' concerns. He said four constituents have advised him that Mr. Meredith immediately responds to their requests. He advised that his wait time at the Easton MVA office to renew his license was only 8 minutes and he had a good experience. He thanked MDOT officials for the work they are doing, noting he does not hear as many complaints as in the past. Secretary Ports stated that Chrissy Nizer, Administrator, MVA, advised him last week the wait time was six minutes. He noted that as a result of the Governor's commitment to customer service, MDOT staff's focus is on identifying changes that can be made to benefit its customers.

Councilman Satterfield said he recently had a positive experience at the MVA office. He advised that he was able to turn in his tags to a person at the front desk instead of waiting in line.

In response to questions from Councilman Bradshaw regarding the Brookview Bridge, Mr. Meredith advised that: 1) the work recently performed on this bridge was necessary; and, 3) bridge engineers review information compiled on this bridge and consider whether to pursue other actions, such as replacement. Councilman Bradshaw stressed the need to replace this aging bridge which does not accommodate larger modern vehicles.

Councilman Bradshaw recognized that MDOT is having issues with permitting to perform roadside ditching. He explained that the Council discussed with the Shore delegation the need to address this issue who advised they are willing to work with MDOT to shorten the permitting process.

The Council thanked Secretary Ports and the MDOT officials.

The Council adjourned into Legislative Session.

## **LEGISLATIVE SESSION**

### **PUBLIC HEARING**

**BILL NO 2017-8 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 10-202 AND SECTION 10-323 OF THE LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND, TO REPEAL AND REENACT CHAPTER 37 ENTITLED "RECREATION AND PARKS" OF THE CODE OF PUBLIC LOCAL LAWS OF DORCHESTER COUNTY, MARYLAND BEING ARTICLE 10 OF THE CODE OF PUBLIC LOCAL LAWS OF MARYLAND, TO PROVIDE FOR THE RE-CREATION OF THE BOARD OF RECREATION AND PARKS FOR DORCHESTER COUNTY, MARYLAND (THE "BOARD"), TO PROVIDE FOR THE MEMBERSHIP, ORGANIZATION AND RULES OF PROCEDURE FOR THE BOARD, TO PROVIDE FOR THE APPOINTMENT AND QUALIFICATIONS OF A DIRECTOR OF RECREATION AND PARKS AND TO PROVIDE FOR THE FUNCTIONS OF THE BOARD.**

E. Thomas Merryweather, County Attorney, said a public hearing is being held on legislation to repeal and re-enact Chapter 37 entitled "Recreation and Parks" of the Code of Public Local Laws of Dorchester County, Maryland. He explained that the purpose of the bill is to convert the Board of Recreation and Parks from an autonomous board to an advisory board. He noted that no one signed up to speak. He asked if anyone in the audience had any comments. There was no response.

The roll call on the enactment of Bill No. 2017-8 was as follows: Nichols- aye; Satterfield-aye; Bradshaw-aye; Price-nay.

The Council convened into Regular Session.

## **REGULAR SESSION**

### **MANAGERS COMMENTS**

#### **CHRISTMAS TREE LIGHTING CEREMONY REQUEST-SPRING VALLEY**

The Council approved the request of Amy Craig to place a Christmas tree on the Spring Valley bandstand at the Circuit Court House from November 11, 2017 to January 13, 2018 and to hold a Christmas Tree Lighting Ceremony on November 25, 2017 beginning at 5:30 p.m.

#### **BID ACCEPTANCE REQUEST-REDUNDANT FIBER CONNECTION-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT**

The Council approved the request of Steve Dolbow, Incubator Manager, to award the bid for Redundant Fiber Connection at the Eastern Shore Innovation Center (ESIC) to Cambridge Federal, LLC and contract with Maryland Broadband Cooperative for the installation and splicing of the redundant fiber path at the total cost of \$20,630 and a monthly cost of \$532.45. The Council acknowledged that the project will be funded with USDA grant monies of \$17,804 and \$8,926 from the FY18 ESIC budget.

#### **TIPPING FEE WAIVER REVIEW COMMITTEE - COUNCIL MEMBER APPOINTMENT**

Jeremy Goldman, County Manager, noted that at its October 17, 2017 meeting, the Council adopted a resolution to establish a Tipping Fee Waiver procedure/process and a Committee, of which one member must be from the County Council. The Council appointed Councilman Satterfield to the Committee which Councilman Price opposed since he did oppose the adoption of the procedure/process.

#### **RESOLUTION-COMMUNITY DEVELOPMENT BLOCK GRANT-HOMELESS GRANT-DELMARVA COMMUNITY SERVICES-GRANT MONITOR**

The Council approved the request of Ms. Smith to adopt a resolution in support of the application to the Department of Housing and Community Development for a Community Development Block Grant for funds of \$275,000 to be used by Delmarva Community Services (DCS), sub-recipient. The Council acknowledged the DCS will use the monies to renovate and upgrade a property for use as the initial home for transitional housing services for women and children located at 206 Academy Street, Hurlock, Maryland.

#### **FEASIBILITY STUDY-TAR BAY GAPS**

Mr. Goldman referenced the Council's continued pursuit of the dredging of the Tar Bay Gaps. He advised that on October 31, 2017, Councilman Bradshaw and Councilman Satterfield and he met with Tony Clark, Continuing Authorities Program Manager, U.S. Army Corps of Engineers, and William "Bill" Anderson, Assistant Secretary, Aquatic Resources, about the dredging. He advised that as a result of that meeting conducting a feasibility study to determine a long term solution to Tar Bay Gaps was discussed which will cost \$800,000. He explained the State will pay \$250,000 of that amount through a special grant, the County will be responsible for \$150,000 payable over two fiscal years and the Federal government will provide the remainder. Mr. Goldman stated that there is capital funding in the FY16 budget and the FY17 budget that can be reallocated to cover this cost and the remaining \$75,000 can be allocated in the FY19 budget. The Council agreed to send a letter of intent with Councilman Travers voting by written proxy. Councilman Bradshaw explained that he spoke to one of the watermen that were invited

but could not attend this meeting and he was very appreciative that this study was being pursued.

#### SIREN CONTROLLER REPLACEMENT REQUEST-EMERGENCY SERVICES

The Council approved the request of Anna Sierra, Emergency Services Director, to sole source with Motorola Solutions for a new siren controller to replace the one at the Elliott's Island Volunteer Fire Company that was struck by lightning at the cost of \$10,537.47 and \$378 for the installation of the unit. Councilman Travers, via written proxy, voted in favor of this request. The Council acknowledged that this cost will be covered by existing capital funding set aside for siren controller replacement.

Ms. Sierra advised that the fire company has replaced the siren pursuant to its agreement with the County. Mr. Goldman noted that previously this equipment was not listed with Local Insurance Government Trust, the County's insurer, but that has since been corrected. Ms. Sierra stated that there was a discussion at the Fire Chief's meeting last night and it is her understanding that Elliott's Island and only two other volunteer fire companies use their sirens. Ms. Sierra said there will be a future discussion on whether or not there is a need for them in the long term.

#### BUSINESS ASSOCIATES AGREEMENT-DORCHESTER COUNTY HEALTH DEPARTMENT-EMERGENCY SERVICES

Ms. Sierra advised Council that she is seeking their authorization to enter into a Business Associates Agreement between the Department of Emergency Services and the Dorchester County Health Department to allow the legal sharing of protected health information collected through Emergency Medical Services encounters with the Health Department. She said the Health Insurance Portability and Accountability Act (HIPA) allows the sharing of data under the coordination of care. She explained that some of the items to be shared are information on heroin overdoses and frequent 911 or Emergency Department visitors. She said this data sharing will assist the Health Department in tailoring its variety of programs and initiatives to the population in need. The Council agreed to enter into the Business Associates Agreement which Councilman Nichols opposed.

Councilman Bradshaw, based on his prior experience as a school bus driver, expressed dismay that any health issues of students traveling by bus are not disclosed to school bus drivers. He said as a result they are not prepared in case of an emergency.

#### BID AWARD-DRAINAGE PIPE-PUBLIC WORKS

The Council approved the request submitted by Greg LeBlanc, County Engineer, to award the bid to Chemung Supply Corporation for the supply of drainage pipe to the Highway Division for one year, with an option to extend by two one-year periods.

#### LETTER IN OPPOSITION REQUEST-FEDERAL HISTORIC TAX CREDIT ELIMINATION-CAMBRIDGE MAIN STREET

Mr. Goldman said Katie Clendaniel, Executive Director, Cambridge Main Street, has submitted a written request for the Council to send a letter in opposition to the elimination of Federal Historic Tax Credits currently being proposed by members of Congress. The Council acknowledged that credits are generally for multi-million dollar investment projects that revitalize historic districts, assist in preserving local character and directly impact tax revenue by increasing property assessment values on larger commercial properties. In response to inquiries from Councilman Price, Mr. Goldman said grants will not be affected and the proposed tax credits are specifically for historic structures. The Council agreed to send an opposition letter.

#### BID AWARD-REPRINTING-HARRIET TUBMAN BYWAY GUIDE AND MAP- TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to award bids to: 1) Royle Printing, the lowest bidder, to reprint the Harriet Tubman Byway Guide at the cost of \$6,369.77; and, 2) KBOffset, the lowest bidder, to print the associated map for \$1,880. The Council acknowledged that funds for this project will be from the Tourism Operating Budget, a commitment from the Maryland Park Service, the National Park Service and Caroline Tourism.

#### GYPSY MOTH SPRAYING COST ESTIMATES-LETTER OF ACCEPTANCE- PARTICIPATION-MD DEPARTMENT OF AGRICULTURE

The Council approved the written request of Craig Kuhn, Program Manager, Forest Pest Management, to participate in the Maryland Department of Agriculture's Forest Pest Management (FPM) Program for the identification and control of gypsy moth populations for Dorchester County and its citizens. The Council acknowledged that: 1) based on information relating to gypsy moth populations and trends in Dorchester County, up to 80 surveys will be conducted at an estimated County cost of \$1,200, which represents a 50% cost share on local costs to perform these surveys on non-State land; and 2) this amount does not include additional funds that may be needed for aerial spraying.

#### BOARD APPOINTMENTS

Based on the request of Lisa Hartman, Social Services Director, Dorchester County, the Council agreed to appoint: 1) Antoine D. Patton, Sr. to the Dorchester County Social Services Board to fill the vacant post of law enforcement liaison; and 2) Liz Burke, Channel Marker, Inc., to the Adult Public Guardianship Review Board as a representative of the disabled to replace Julie Craig.

## MARYLAND ASSOCIATION OF COUNTIES LEGISLATIVE COMMITTEE-2018-MEMBER AND ALTERNATE

The Council agreed to nominate Councilman Price as a 2018 Dorchester County representative and Councilman Satterfield as the alternate representative.

## AMENDMENTS TO COUNTY RULES AND REGULATIONS-HUMAN RESOURCES

### Social Media

Mr. Goldman explained that Councilman Travers is requesting, via written proxy, to defer consideration of a proposed resolution to amend the County Rules and Regulations to adopt a countywide social media policy to cover all County employees. The Council deferred this item.

### Acting Capacity

The Council agreed to adopt a resolution to amend the County Rules and Regulations to adopt a countywide acting capacity pay policy. The Council acknowledged that this policy was posted and no comments were received.

## POLL CONFIRMATIONS

The Council, confirmed its decisions in the interim between meetings, by means of a poll, as follows:

- to accept the offer of Edward Cornish of \$1,000 to purchase 311 Choptank Avenue, a County property acquired by tax sale, by a 4 to 1 (no answer) vote;
- to approve the request of Nancy Shockley, Local Management Board Director, for the submission by the Local Management Board/Dorchester Community Partnership of an application to the National Association of Counties under its "Rural Impact County Challenge" initiative for a Community Coach to be assigned to Dorchester County to work with LMB to further efforts to address poverty and improve health outcomes for County residents, with no required financial obligation from the County or LMB, by a 4 to 1 (no answer) vote;
- to submit a request to waive the 75 Day Environmental Review and Request for Release of funds for a Department of Housing and Community Development grant agreement for a receiving facility for Interstate Container by a 4 to 1 (no answer) vote.

## AMBULANCE STRIKE TEAM MEMORANDUM OF UNDERSTANDING-EMERGENCY SERVICES

The Council approved the request of Anna Sierra, Emergency Services Director, to enter into a Memorandum of Understanding (MOU) Agreement with the State of Maryland, acting through the Maryland Institute for Emergency Medical Services Systems, to identify Dorchester County as a member of the Region IV Ambulance Strike Team. The



Council acknowledged that: 1) as a member the County will allocate emergency equipment and personnel which will be supplied as part or all of an ambulance strike team in response to a State request; and, 2) this no-obligation MOU identifies minimum training requirements, mission ready package information and an agreement to abide by the Maryland Ambulance Strike Team Manual Guidelines.

#### **NORTH DORCHESTER HIGH SCHOOL GENERATOR GRANT APPLICATION REQUEST-EMERGENCY SERVICES**

The Council approved the request of Ms. Sierra to submit a Pre-Disaster Mitigation Program Grant application to obtain funding of \$370,700 for a generator for the new North Dorchester High School. The Council acknowledged that: 1) if the grant is awarded the County's share will be \$85,000; 2) the County's required match of 25% has already been set aside in the school building budget; and, 3) the generator will support all required shelter operations including HVAC, lighting, kitchen services, plumbing and/or water equipment, and administrative offices.

#### **REQUEST TO SELL TAX SALE PROPERTY**

The Council agreed to sell 607 High Street, Cambridge, that the County obtained in the 2016 Tax Sale, to Larry Cornish at the cost of \$3,221 which represents four years of taxes plus interest due as of November 30, 2017.

#### **LIEN REPAYMENT AGREEMENT**

The Council approved the request of the family of Allison Parker to enter into a Lien Repayment Agreement to repay a lien in the amount of \$13,460.52 on the property owned by the Estate of Marlon E. Parker, known as 4736 Skeet Club Road, Hurlock, Maryland over a 35 month period beginning on December 1, 2017. The Council acknowledged that: 1) the lien was placed on the property since Ms. Parker received funding through a FY11 Department of Housing and Community Development Housing Rehabilitation Grant to make repairs; and, 2) the funds must be returned to the State since the FY11 grant did not have a program income provision to recapture and reuse the funds for the County.

#### **PUBLIC COMMENTS**

There were no public comments.

#### **COUNCIL'S COMMENTS/ADJOURNMENT**

Councilman Nichols thanked the Council and ladies in the office for their birthday wishes.

Councilman Satterfield referenced a recent event in Texas which resulted in the loss of eight family members. He reminded the public to continue to be diligent. He thanked

law enforcement, emergency responders and employees who go above and beyond their daily duties. He acknowledged Ms. Alexander's courageous act. He said after conversing with members of the Hooper's Island Volunteer Fire Company, Creighton Road was recently blacktopped and since it will be used as a landing area, it will soon be marked with an "H." Councilman Satterfield asked that the Traffic Safety Committee revisit the potential installation of signage to restrict truck traffic on this road and/or to local traffic only. The Council agreed to submit this item to the Committee for reconsideration.

Councilman Price said he sends his prayers and thoughts to the victims of the recent shooting at a church in Texas as well as their families and the emergency responders. He commended Ms. Alexander for her role in ensuring the safety of a resident. He referenced several Halloween events including one held at the Secretary Volunteer Fire Company. He commended the fire company and the Town who assisted with this effort as well as those who organized other Halloween events. He recognized that Saturday is Veterans Day and encouraged the public to take time to give thoughts and prayers for veterans.

Councilman Bradshaw advised that in a recent article picked up the Associated Press it was noted that the Department of Natural Resources (DNR) will continue its oyster restoration project in the Little Choptank River. He noted his understanding that 99% of the area designated as a sanctuary in that body of water was prime hand tonged area. The Council members agreed to send a letter to Mark Belton, Secretary, DNR, requesting that a meeting be held with them regarding the proposed continuation of the project, including the scope of work and material to be used, prior to any activity. The Council further agreed that the local delegation and the Governor's Office will be copied on this correspondence.

Councilman Bradshaw stated that there have been continuous discussions with the Atlantic States Marine Fisheries over menhaden and rockfish. He noted that Virginia officials are seeking amendments to menhaden regulations. He said charter boat owners have advised him that an upwards of 60 fish below 20 inches are being thrown back and as a result there have been a number of fish kills due to gaffing. Councilman Bradshaw noted that the rockfish size limit for charter boats is 20 inches versus pound netters' limit of 18 inches. He expressed his understanding that all studies indicate that an 18 to 19 inch rockfish is the optimum cull size. The Council agreed to send correspondence to Dave Blazer, Director, Fishing and Boating Services, DNR, about its concern regarding the waste of this natural resource and its belief regulations should be amended to avoid fish fatalities as a result of the size limit difference.

Councilman Bradshaw echoed Council members' thoughts and prayers for the families and individuals involved in the Texas tragedy. He recognized the individual who exchanged fire with the assailant as well as the person who pursued him. He expressed his belief that addressing mental health issues is a necessary component in reducing these types of crimes versus gun control. He noted that Chicago has the strictest gun laws in the nation despite having a high number of shootings.

Mr. Goldman said he was contacted by a Department of Natural Resources representative regarding a request to purchase 4106 Steele Neck Road, which was acquired by the County via tax sale. He noted that the foreclosure deed has not been recorded. He explained that this property touches DNR owned land. He opined that it is reasonable to allow DNR to obtain this property at fair market value, if Council chooses to do so. He explained that based on the recently adopted Tax Lien Property Repurpose Program, the Council needs to decide whether to treat the State like a municipality, which has the right to acquire tax sale properties prior to any potential bid process. Mr. Goldman said otherwise bids must be obtained for the property from DNR and other parties. He noted that another party has indicated an interest in the property. He reiterated that there is a common border between the County owned land and the State owned land on three of four sides, which was acquired from a hunting club. Mr. Goldman said: 1) the property consists of 2.3 acres; 2) the current taxes on the property are \$303 annually; 3) the existing structure is a "tear down;" and, 4) DNR's property consists of 250 acres.

Councilman Bradshaw said \$300 over a period of time accumulates into a larger amount. He recognized Senator Eckardt's earlier comment that Dorchester County is next to receive a payment in lieu of taxes (PILOT) for State owned land. He said the County would have received the PILOT last year if they had not increased the acreage requirement to \$60,000 and if the property tax rate was a \$1 per \$100 of assessed value. He advised that he would more inclined to sell this property to DNR if there was a PILOT.

In response to an inquiry from Councilman Nichols, Mr. Goldman expressed his belief there is not a deadline to consider DNR's request. He reiterated that the Council will have to make the decision on whether to treat the State like a municipality or seek bids on this property. He explained that DNR typically seeks two appraisals and averages the two to determine the price it will pay. He stressed that this entity does not negotiate.

Ms. Sierra expressed her understanding that this property is in a hazard area. She noted that there is a significant emergency services advantage to removing this hazard. The Council agreed to discuss this request at the next meeting and acknowledged that Ms. Sierra will provide them additional information.

Councilman Satterfield referenced the Council's concerted effort over the last three years to eliminate blight in the County which included placing tax incentives in the County Code. He questioned whether this property is large enough to develop or if it will perc. He said a decision should be made quickly in order to avoid further costs, such as demolition of the structure on the property.

Councilman Bradshaw said the next County Council meeting will be held on November 21, 2017.


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 5<sup>th</sup> day of December 2017.