

**County Council of Dorchester County**  
**Regular Meeting Minutes**  
**October 1, 2013**

The County Council of Dorchester County met in regular session on October 1, 2013 with the following members present: Present were Jay L. Newcomb, President; William V. Nichols, Vice President; Ricky Travers; Rick Price and Tom Bradshaw. Also present were E. Thomas Merryweather, County Attorney 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 State Government Article pursuant to §10-508(A)(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 §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §10-508(A)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; (ii) the development and implementation of emergency plans.

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

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Bradshaw 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 discussion regarding a security fence for the parking area at the Circuit Court and consideration of a special events agreement for emergency medical services.

**APPROVAL OF MINUTES- SEPTEMBER 17, 2013**

The Council approved the minutes of September 17, 2013 with an amendment to the telephone poll confirmation vote.

**APPROVAL OF DISBURSEMENTS**

The Council approved vouchers as presented and agreed to add to the vouchers the payment of the remaining County fire prevention appropriation to the following volunteer fire companies based on their understanding that they have submitted membership rosters: Church Creek, East New Market and Lakes and Straits.

## **FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Newcomb reported total cash and investments as \$10,573,595.56.

## **EXECUTIVE SESSION SUMMARY**

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on October 1, 2013 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, pursuant to the State Government Article pursuant to §10-508(A)(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 §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §10-508(A)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; (ii) the development and implementation of emergency plans.

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 above.

Action taken at the closed session: 1) discussed two matters relating to personnel; 2) discussed a proposed contract for a County economic development project; 3) discussed with legal counsel a matter relating to a proposed County economic development project; and 4) discussed a public safety matter relating to the Circuit Court House-agreed to discuss in open session.

The above information is being provided to the public pursuant to and in compliance with Section 10-509(b) and (c) of the State Government Article.

## **REGULAR SESSION**

### **PROCLAMATION-ECONOMIC DEVELOPMENT WEEK**

The Council presented a proclamation declaring September 30 to October 4, 2013 as Economic Development Week in Dorchester County which was accepted by Keasha Haythe, Economic Development Director.

### **CAPITAL IMPROVEMENT PLAN/DORCHESTER CAREER & TECHNOLOGY CENTER PROJECT CLOSE OUT-BOARD OF EDUCATION**

Dr. Henry Wagner, Superintendent of Schools, expressed appreciation to the Council members for their ongoing support of the local public school system. He recognized that Lorraine Henry, M.Ed., President, Dorchester County Board of Education; Glen Payne, Sr., Board Member; Dr. Lorenzo Hughes, Assistant Superintendent for Instruction; Dwayne Abt, Assistant Superintendent for Administration; and Chris Hauge, School Facilities Engineer are present. Dr. Wagner explained that the Board of Education staff

have worked diligently to reduce capital budget expenditures. He referenced the worksheet the Council was provided prior to this discussion which shows that \$1,588,942 of the County funding that was committed for the Dorchester Career and Technology Center Project (Technology Center) in FY14 was not utilized. He pointed out that the worksheet also references the savings Board of Education staff achieved in previous years including FY05, FY07, FY11 and FY12. He credited the public school systems facility, administrative and instructional staff for working together to acquire only necessary items for the new programs at the Technology Center.

Dr. Wagner stated that there is a potential County match of \$411,000 in the proposed FY15 Board of Education Capital Improvement Plan which includes two roof projects and \$50,000 for the preparation by an architect of education specifications for the construction of a new North Dorchester High School (NDHS). He explained that the local public school system is mandated to provide funding for the following: building safety upgrades at entry points of local schools, \$238,000; capital maintenance/repairs, \$500,000; computer replacement, \$500,000; and replacement computers for PARRC, \$500,000. He stressed that he is not seeking a commitment from Council at this time for these FY15 projects.

Mr. Abt asked the Council to provide a letter of conceptual support for the local match for the FY15 items Dr. Wagner referenced, prior to October 21, 2013, on which date the Board of Education staff will present the FY15 capital program to the Interagency Committee on School Construction (IAC) at the Maryland State Department of Education in Baltimore.

Mr. Hauge provided a brief overview of the Board of Education's FY 2015 Capital Improvement Plan. He said two of the proposed FY15 capital improvement projects are the replacement of the roof at South Dorchester K-8, which was installed in 1991 and had a 20 year life span and the replacement of the first addition to Hurlock Elementary, which was constructed in 1990 and had a 10 year life span. Mr. Hauge said the proposed roof surfaces to be used for both of these schools will have a life span of 40 years. He explained that the third proposed FY15 capital project was the preparation of education specifications for the construction of a new NDHS. He noted that the Board of Education staff will seek preliminary planning approval from the State in FY15 for this project.

Councilman Nichols questioned whether the Board of Education staff plans on utilizing the South Dorchester K-8 and Hurlock Elementary School buildings for another 40 years. Mr. Hauge said at this point there are no plans to discontinue the use of those buildings.

In response to an inquiry from Councilman Travers, Mr. Hauge noted that reason the estimated cost to replace the roof at South Dorchester K-8 is higher than the proposed cost for Hurlock Elementary is that only a small section of that roof will be replaced.

Pursuant to a question posed by Councilman Price, Mr. Hauge said he anticipates that requests for proposals for the roof projects will be advertised in the spring, contingent upon the approval of both the Council and the State and the receipt of State funding as of July 1, 2014.

Mrs. Henry expressed her support for the Board of Education's FY 15 capital improvement plan and stressed the Board and staff's commitment to ensuring that the youth in the County receive a high quality education. She explained that Dorchester Career and Technology Center students made improvements to the Cambridge South Dorchester High School Vikings Stadium and invited the Council to attend the rededication of that facility on Friday, October 4, 2013 at 6 p.m. She thanked the Council members for their support of the Board of Education and local public school system. Mrs. Henry expressed her desire for the Board of Education and Council members to meet to discuss upcoming challenges the local school system will face in coming years.

In response to a question from Councilman Travers, Mr. Hauge clarified that the estimated cost to replacement NDHS is \$45 million.

Dr. Wagner stressed that he is only asking the Council to conceptually approve the proposed FY15 Capital Improvement Plan. He explained that he will submit the proposed capital projects to the Council for its review and consideration during FY15 budget deliberations.

Based on a question from Councilman Price, Dr. Wagner explained that once the proposed FY15 Capital Improvement Plan and conceptual letter of support from the Council is presented to the IAC the next phase of the State approval process is meeting with Board of Public Works members in January 2014.

In response to a question from Councilman Travers, Dr. Wagner confirmed that approval from the IAC must be sought for the proposed roof replacements since State funds are needed to complete those projects. Based on an inquiry from Councilman Travers, Mr. Hauge clarified that the summary of current and future project requests worksheet included in the Board of Education's FY15 Capital Improvement Plan references the total cost of construction for the Hurlock Elementary roof of \$122,000, whereas the request for approval page in the that draft plan, references a cost of \$132,000, which includes \$12,000 in State contingency funding.

Councilman Price questioned whether the \$1.5 million savings from the Technology Center project can be utilized for the proposed FY15 capital projects. Dr. Wagner explained that those funds were originally identified by County staff as debt service.

Based on a question from Councilman Travers, Dr. Wagner said it is estimated that the construction of a new NDHS will begin in 2017.

Councilman Travers noted that pursuant to State law maintenance of effort will be calculated based on a statewide five year moving average beginning in FY2016 and expressed concern how future County budgets will be impacted.

Councilman Nichols referenced the Board of Education's ten year capital improvement worksheet Council was provided and expressed concern that proposed capital projects from FY15 to FY24 total projected County funding of \$38 million which will be in the form of debt service. He said it is his understanding that 11% to 12% of the County's current budget is for debt service. He expressed concern about incurring additional debt

service without affecting the County's bond rating, particularly in FY16, based on the projected County funding for that fiscal year of \$3.5 million.

Dr. Wagner said he understands Councilman Nichols concerns and that the Board of Education's main request for FY15 is for \$50,000 to proceed with hiring an architect to develop education specifications for a new NDMS, which they will submit as part of its FY15 budget request.

The Council agreed to approve the Board of Education's FY15 Capital Improvement Plan for planning purposes only contingent upon future County budget approvals and agreed to take the requested funds for building safety upgrades, maintenance and repair and computer replacements under advisement during FY15 budget deliberations. Councilman Nichols opposed, citing concerns regarding long term County funding projections.

In response to a question from Councilman Price, Dr. Wagner confirmed that the Board of Education has received public comments regarding pre-kindergarten, kindergarten and second grade enrollment at Warwick Elementary and are following the local school systems' procedures.

## **OTHER**

Councilman Newcomb recognized that Victoria Jackson-Stanley, Mayor, City of Cambridge is present.

## **BOARD OF HEALTH**

Roger Harrell, Health Officer, Dorchester County Health Department, discussed with Council the implementation of the Affordable Care Act for Dorchester County. He advised Council that the State of Maryland's new health insurance marketplace, the "Maryland Health Connection," has been established. He said County residents can learn about health care options via email, by phone or by visiting either the Health Department, Choptank Community Health Systems (Fassett Magee), the Department of Social Services or the Eastern Shore Health Area Education Center. He explained that community forums and town hall meetings will be held. Mr. Harrell expressed his understanding there is approximately 4,500 County residents who are currently uninsured. He provided the Council with a brochure regarding the Maryland Health Connection, noting that four individuals in the County have already inquired about obtaining health insurance through that marketplace.

In response to a question from Councilman Price, Mr. Harrell explained that pursuant to the Affordable Care Act health insurance providers will be required to cover major benefits and that some will allow individuals to utilize "out of network" physicians and/or medical facilities. He said the State Insurance Commissioner has trained several individuals called "navigators" who will also be visiting areas throughout the State in order to assist residents in navigating through the process and that certain health insurance brokers have also been trained and are certified to write qualified health care

plans. He said locally, two navigators, are passing out information on the Maryland Health Connection.

Mayor Stanley encouraged the public to visit one of the local entities Mr. Harrell referenced noting that they will receive the same information and service at each location.

The Council thanked Mr. Harrell for providing information regarding the implementation of the Affordable Care Act for Dorchester County.

### **"WATER MOVES US" BRANDING MARKETING CAMPAIGN PRESENTATION-ECONOMIC DEVELOPMENT**

Keasha Haythe, Economic Development Director, stated that the Council adopted the Economic Development Strategic Plan in January 2013 that included multiple marketing recommendations with a focus on business attraction, retention and expansion. She explained that as a result of that plan adoption, Economic Development Office staff initiated planning to develop a brand marketing campaign and to that end partnered with Andrea Vernot, President, Choptank Communications. Ms. Haythe noted that Council has been provided a hard copy of the presentation regarding the "Water Moves Us" Branding Marketing Campaign and that a condensed version will be presented at this meeting.

Ms. Haythe said the branding initiative was developed in an effort to show unified marketing efforts as well as to differentiate Dorchester County from areas in Maryland and throughout the United States, noting that there is a Dorchester County in South Carolina and in Massachusetts. She explained that focus groups were held with educational stakeholders, the Economic Development Advisory Council, and other community stakeholders to garner input.

Ms. Vernot emphasized that the meetings were conducted with those who live and work in the community. She said she utilized the comments made during these meetings to develop an economic development branding campaign for Dorchester County. She provided a presentation at the proposed "Water Moves Us" Branding Marketing Campaign for the County. Sandra Jones, CircleSquare Design, showed the Council and public the customized "Water Moves Us" logo.

Ms. Vernot noted that Amanda Fenstermaker, Tourism Director, has participated in the process of developing the branding initiative. She showed examples of proposed advertisements which can be in placed on community water towers, billboards or banners. She said that the new logo will be placed on the Economic Development Office website and its electronic newspaper.

Ms. Haythe advised Council that the "watermovesus.com" website will provide visitors the opportunity to click on links to access the Economic Development website, the Tourism website or the Dorchester County Chamber of Commerce website. She said partnerships can be formed with the City of Cambridge and other municipalities in the County to incorporate the brand in their respective areas.

Ms. Vernot said the community at large has been open and responsive to their public outreach and thanked the Council for providing the resources to the Economic Development Department for the development of a strategic plan for Dorchester County.

In response to an inquiry from Councilman Price, Ms. Haythe and Ms. Jones explained that in order to ensure that the logo reflected the County as a whole, and not just the water related communities, it incorporates blue, green and brown waves in order to reflect the County's landscape, including its waterways, farms and fields. Ms. Jones explained that geographical landmarks from different areas throughout the County can be featured in upcoming advertisements.

Ms. Haythe said Tracy Tyler, Chief Executive Officer, Cambridge International, has expressed her desire to incorporate the "Water Moves Us" logo on that company's website. Ms. Vernot said as a result of the public outreach several members of the public, including some business owners, have also expressed their interest in using the logo.

Ted Kanatos, an Economic Advisory Council member, expressed his support for the "Water Moves Us" branding initiative.

The Council thanked Ms. Haythe, Ms. Vernot and Ms. Jones for providing information regarding the "Water Moves Us" Brand Marketing Campaign for Dorchester County.

## **SECOND DISCUSSION-2014 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION**

Councilman Newcomb noted that the Council meets with legislators at its November 5, 2013 meeting at 6 p.m. to discuss proposed legislative initiatives/topics for 2014 Maryland General Assembly Legislative Session. He said the Council has agreed to seek the following legislation: 1) to amend paragraph (b)(3)(ii) of §11-510, "Dorchester County," of Article 2 B, "Alcoholic Beverages," to change the hours for sale of beer and light wine for Class "B" license holders on Sundays and to strike paragraph (b)(3)(iii) of that section to permit the off sale of beer and light wine by these types of license holders during the same hours of operation as on-sale; 2) to amend Section 16-301 of the Education Article of the Annotated Code of Maryland to add paragraph (f)(3) to change the capital funding structure for Chesapeake College to require a simple majority plus one vote for capital project approvals; and 3) to amend Section 16-406, paragraph (a)(1) of the Education Article to allow the support counties of the college the opportunity to submit nominations for the Board of Trustees for their respective jurisdictions.

Councilman Bradshaw said it is his understanding that a building which is thatched with phragmites has been erected in Dorchester County. He explained that the Department of Natural Resources (DNR) has classified phragmites as an invasive species and therefore, it is illegal to use these weeds to bush a duck blind. He said he spoke to State representatives who advised that phragmites are not classified as noxious weeds and therefore can be utilized on structures located on land. Based on a motion made by Councilman Bradshaw, the Council agreed to seek a State law amendment to include phragmites as a noxious weed.

## **MANAGERS COMMENTS**

### **TOPICS-ANNUAL TRANSPORTATION MEETING**

The Council agreed to discuss the following items with Maryland Department of Transportation officials at the Annual Transportation Meeting which is scheduled for November 5, 2013 at 7 p.m.: 1) roadside ditching by the State Highway Administration on Route 331 in Reid's Grove and at the end of the roadway by the Town of Vienna; 2) the potential replacement of the Brookview Bridge which is narrow and is in need of iron work and deck repairs; 3) the installation of sidewalks from Washington Street, past Woods Road, to Walmart on U.S. Route 50; 4) support for the North Dorchester Railroad project; 5) re-installation of "No Parking" signs on the concern of Main Street and Willow Street and Main Street and Paul Birch Avenue; and 6) improving visibility at the following locations-Cabin Creek Road and Route 16 (East New Market Elwood Road), Route 16 and Cabin Creek Hurlock Road, Route 392 and 331 at the blinker light in Hurlock, and Route 331 and Route 14 in Rhodesdale.

### **COUNTY OBSERVANCE OF HALLOWEEN**

The Council agreed to the observance of Halloween on Thursday, October 31, 2013 from 6:00 p.m. to 8:00 p.m. for children ages 12 and under. The Council acknowledged that this policy does not supersede prescheduled times and dates set by municipalities.

### **SENIOR CARE PLAN APPROVAL-SOCIAL SERVICES**

The Council approved the request of William McDonnell, Director, Dorchester County Department of Social Services, to continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding in the amount of \$100,000 for the period of July 1, 2013 to June 30, 2014 with no local match. The Council acknowledged that the Dorchester County Department of Social Services is the lead agency for the Senior Care Program and is partnering with the Maryland Department of Aging, the Dorchester County Health Department, and the Dorchester County Council. The Council further that funding will provide services for individuals over sixty-five years of age who are moderately to severely disabled and may be at risk of nursing home placement.

### **FY2013-2014 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FUNDING AWARD-EMERGENCY SERVICES**

The Council approved the request of Jeremy Goldman, Emergency Services Director, to accept a Maryland Emergency Management Agency award under the 2013-2014 Hazardous Materials Emergency Preparedness Grant program for funds for training in the amount of \$8,000 with a \$2,000 local share (80/20 cost share) from in-kind donations and the Emergency Services Department training budget for the period of October 1, 2013 to September 30, 2014.

#### TRAVEL REQUEST- EMERGENCY MEDICAL SERVICES/EMERGENCY SERVICES

The Council approved the modified request of Mr. Goldman for authorization to send two Emergency Medical Services (EMS) personnel to attend training programs hosted by the Environmental Protection Agency in Baltimore, Maryland from Sunday, October 13 to Thursday, October 17, 2013 at the cost of \$2,760. The Council acknowledged that 2013-2014 Hazardous Materials Emergency Preparedness Grant funds will be used to cover 80% of these costs which include room and board with the remaining 20% being comprised of in-kind funding (employee labor costs) and funds from the Emergency Services Department training budget. The Council recognized that Mr. Goldman's original request was to allow five EMS employees to participate in the training; however, only two of those individuals had the qualifications required to attend these programs.

#### 911 ADVISORY BOARD CONSUMER APPOINTMENT REQUEST-EMERGENCY SERVICES

The Council approved the request of Mr. Goldman, on behalf of the 911 Advisory Board members to appoint Reverend David Kreek to fill the 911 Consumer vacancy on the board and acknowledged that his term will expire on October 1, 2015.

#### TRAVEL REQUEST- TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to travel to Valley Forge, Pennsylvania for the Maryland Motorcoach Association and the Pennsylvania Bus Association Marketplaces which are being held at the same venue on March 19 and March 20, 2014 at the estimated cost of \$1,600 which includes hotel accommodations, registration fees and transportation. The Council acknowledged that Maryland Heritage Area Authority marketing grant funds will be used to cover this cost. The Council also approved Ms. Fenstermaker's request for permission to travel to Hanover for the Maryland Tourism and Travel Summit from November 6 to November 8, 2013, which will cost approximately \$700 and includes transportation, lodging and registration. The Council acknowledged that all costs associated with this travel will be covered through the Tourism Department's FY14 Operating Budget.

#### STATE HIGHWAY ADMINISTRATION REQUEST TO UTILIZE COUNTY PROPERTY FOR EQUIPMENT STORAGE-PUBLIC WORKS

Based on information provided by Tom Moore, Public Works Director, the Council considered the request of Jay Meredith, Resident Engineer, State Highway Administration (SHA), to utilize a portion of the County's Handley Road property on which the Public Works Department is located to store heavy equipment while the local SHA maintenance facility, located on the corner of Maryland Route 750 and Handley Road, is reconstructed. The Council acknowledged that this proposed work is scheduled to begin in the fall of 2014. The Council further acknowledged that the County's blacktop plant property may also be suitable for this purpose. Based on Mr. Moore's recommendation and his belief that the use of this property will not affect County operations, the Council requested that Mr. Moore work with Mr. Meredith and E. Thomas

Merryweather, County Attorney, to develop a draft Memorandum of Understanding for the use by the local SHA of one or both of these properties for its review and consideration. In response to an inquiry from Council, Mr. Moore said he has not received a copy of SHA's proposed plans to renovate this facility and if he does obtain a copy he will share them with Council.

#### AMENDMENT TO ENGINEERING SERVICES CONTRACT-LANDFILL CAPPING PROJECT-MD ENVIRONMENTAL SERVICE-PUBLIC WORKS

The Council approved the request of Mr. Moore to amend the August 21, 2012 Intergovernmental Agreement between Dorchester County and Maryland Environmental Services (MES) for engineering services for the design of the capping system of Old Beulah to include an Addendum to the Project Scope to allow MES staff to submit loan/grant applications to the United States Department of Agriculture Rural Development. The Council acknowledged that this work is estimated to cost an additional \$8,620 which will be funded within the approved contract amount through remaining monies referenced in this agreement including the use of \$3,178 of project contingency funds. Additionally, the Council acknowledged that in the spring of 2014 MES, on behalf of the County, will submit a re-application to the Maryland Department of Environment (MDE) for water quality grants or a low-interest loan from the State Revolving Fund for the capping of Old Beulah. The Council recognized that in the past MES has applied to the State Revolving Fund for funds to cap Old Beulah however the project scored poorly and therefore, the application was denied. The Council also recognized that because the scoring system had been changed by MDE and the capping of landfills has to now compete in a cost per acre analysis with stormwater projects, MES has submitted a request to MDE to include in its evaluation system a separate cost efficiency scoring standard for landfill capping projects to allow these types of water quality projects to be scored fairly against other project types.

#### BID AWARD-PAINTING OF COURT HOUSE WINDOWS-CIRCUIT COURT-MAINTENANCE/PUBLIC WORKS

The Council approved the request of Mr. Moore to award the bid for the painting windows of the Circuit Court House to Mid-Shore Painting, LLC in the amount of \$16,790 to include 42 windows in the old section and 73 windows in the new section of the building. The Council acknowledged that \$25,000 for this work has been allocated in the FY14 Capital Budget utilizing Transfer Tax Funds.

#### HURLOCK FREIGHT STATION-PROPOSED DEMOLITION-MARYLAND TRANSIT ADMINISTRATION

Councilman Newcomb noted that Dan Reagle, Environmental Planner, Office of Planning, Maryland Transit Administration (MTA), via written correspondence dated September 6, 2013, has advised that MTA plans to demolish the Hurlock Freight Station based on concerns regarding safety and inquired as to whether the Council has any interest in acquiring this station. The Council agreed to take no position regarding the demolition and/or transfer of this structure.

#### REQUEST TO PURCHASE ARTICULATED HAULER/DECLARE EQUIPMENT SURPLUS AND SELL ON AUCTION SITE-LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Moore to waive bids and purchase a 2013 Volvo articulated hauler from McClung-Logan Equipment Company, under a piggy back contract arrangement, utilizing a negotiated Maryland Environmental Services contract, at the cost of \$305,820, and acknowledged that \$350,000 is included in the FY2014 Landfill budget to purchase this equipment. The Council also approved Mr. Moore's request to declare two Terrex units as surplus property and for authorization to place those units on GovDeals.com. an auction site, with a reserve of \$16,000. Additionally, Council agreed to allow Mr. Moore to include in the order to McClung-Logan Equipment Company an option to trade-in the units for \$12,000 in case bid results are lower than that figure. The Council acknowledged that Mr. Moore will provide to Council a recommendation on whether to accept a bid or the trade in with McClung-Logan Equipment Company.

#### FY14 ROAD SURFACE TREATMENT-PROPOSED LIST-HIGHWAY-PUBLIC WORKS

The Council approved the list of roadways to be surface treated in 2013 that was provided by Mr. Moore which includes 32.23 miles of tar and chip and 1.2 miles of dry patch for a total of 33.43 miles at the estimated cost of \$238,680. Council acknowledged that Mr. Moore will set aside the remainder of the \$274,572 that is in the FY14 Highway Division budget for the purchase of materials for this year's road surface treatment program which can be used in the spring to make any repairs needed as a result of winter damage.

#### MARYLAND DEPARTMENT OF AGING SENIOR CITIZEN CAPITAL GRANT-DELMARVA COMMUNITY SERVICES/GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, on behalf of Delmarva Community Services (DCS), to apply for a Senior Citizens Activity Center Capital Improvement Plan grant for funds in the amount of \$800,000 with no cash or in-kind match to assist DCS in developing the Chesapeake Grove Intergenerational Center in Cambridge which will serve the community with programs and services for older adults (including a senior center and adult medical day care) as well as individuals with disabilities, children and all members of the community. To that end, the Council authorized Councilman Newcomb as Council President to execute a letter acknowledging its decision to be the applicant. The Council acknowledged that the application was originally sent on July 31, 2012 by Maintaining Active Citizens, Inc. and DCS, as applicants; however, per Maryland Department of Aging grant requirements a local government agency must apply for the grant.

#### NEWSPAPER OF RECORD DISCUSSION

The Council agreed to select the Dorchester Banner as the newspaper of record for Dorchester County government. The Council acknowledged that E. Thomas Merryweather, County Attorney, has confirmed that this news publication meets the definition of a "newspaper of general circulation in the County" pursuant to Section

304(d) of the County Charter and is a “publication” as defined by Article 1, Section 28 of the Annotated Code of Maryland.

#### SPECIAL EVENTS AGREEMENT-HORN POINT LAB OPEN HOUSE-SHERIFF'S OFFICE

The Council approved the request of Robert Willey, Assistant Finance Director, on behalf of the Sheriff's Office, to execute a Special Events Agreement between Paul Perunko, Sponsor, the County Council and the Sheriff of Dorchester County to provide public safety services for the University of Maryland Horn Point Lab Open House on October 12, 2013 from 7:30 a.m. to 2:30 p.m. The Council acknowledged that pursuant to this agreement the public safety services to be provided by the Sheriff's Office include two vehicles and two deputies. The Council further acknowledged that a Certificate of Insurance naming Dorchester County as the Certificate Holder for the event must be provided. Based on confirmation provided by Mr. Willey that the fee for these services is calculated based on overtime pay rates in effect for the Sheriff's Office for FY14, the Council agreed to pay deputies who volunteer for these events at an overtime rate regardless of whether a deputy reaches the 171 hour per 28 day period overtime threshold.

#### SPECIAL EVENTS AGREEMENT – EMERGENCY MEDICAL SERVICES-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, to execute a Special Events Agreement between the County Council and the University of Maryland Center of Environmental Services to provide emergency medical services in the form of one committed basic life support ambulance and two basic life support providers at rate of \$150 at the 5K Walk/Run sponsored by the University on October 12, 2013 from 8 a.m. to 10:30 a.m. The Council acknowledged that a Certificate of Insurance naming Dorchester County as the Certificate Holder for the event must be provided.

#### MARYLAND ENVIRONMENTAL TRUST CONSERVATION EASEMENT

The Council approved the request of the owners of Parsons Creek Farm, LLC for a proposed conservation easement donation on its 255.469 acre property located on Taylors Island Road to the Maryland Environmental Trust and Eastern Shore Land Conservancy, Inc. and acknowledged that the easement may provide a 15 year tax credit on land.

#### TELEPHONE POLL CONFIRMATION

Councilman Newcomb announced that in the interim between meetings Council, by means of a poll, agreed to re-advertise the Business Development Manager position by a 3 to 2 vote.

## **CIRCUIT COURT SECURITY FENCING DISCUSSION**

Based on a request submitted by Brett Wilson, Circuit Court Judge, the Council agreed to seek prices for the purchase and installation of a six foot security fence around the Circuit Court House parking area to include an automatic sliding gate with a numeric pad and a single gate on the sidewalk that leads to the County Office Building which will be accessible by key. The Council requested that prices be obtained for both aluminum and steel fencing. The Council recognized that \$26,500 in grant funds received from the Maryland Judiciary Administrative Office of the Courts is available for this purchase.

## **PUBLIC COMMENTS**

Wendell Foxwell, resident, expressed concern about the overgrowth of weeds, grass and other vegetation on the property located between Wayne's Seed & Feed and the property on which the old Beverage Barn was located. He said it is his understanding that the County owns this property. The Council asked Mr. Moore to ascertain the ownership of this property and if it is owned by the County, to provide what action he will take in order to address the problem. Councilmen Travers and Newcomb said it is their understanding that a portion of that property may be owned by Maryland Delaware Railroad.

Mr. Cannon thanked the Council for its support of the Daily Banner and for selecting it as the County's newspaper of record.

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

Based on a motion made by Councilman Bradshaw in light of a recent ruling regarding the installation of a sign on Route 16, the Council requested that Economic Development staff and the County's Planning Commission members meet to identify ways to amend and/or enhance the County's planning and zoning regulations to assist existing businesses and/or attract new businesses to locate to Dorchester County and to provide a list of its findings/recommendations for Council's review and consideration.

Councilman Nichols stressed the need for a new Comprehensive Plan which has not been modified since 1996. Cindy Smith, Grant Monitor concurred. In response to a question from Councilman Price, Councilman Newcomb expressed his understanding that the Council did not pursue the amendment of the Comprehensive Plan due to budget constraints.

Councilman Bradshaw announced that the Talbot County Council members have agreed to join the Clean Chesapeake Coalition; however, they have not made a budget commitment at this time.

Councilman Price referenced Council's September 3, 2013 request that Mr. Moore provide information regarding the possible installation of an oyster hoist which can be utilized by watermen to unload oysters from their boats at the Elliott Island Marine Facility as well as the condition of this facility, particularly the dock, roadway and gazebo, including whether repairs are necessary. He asked Mr. Moore for an update on those items. Mr. Moore explained that paving of the parking area is scheduled for mid

October 2013. He further explained that he has just received information from staff at Local Government Insurance Trust, the County's insurer, regarding the installation of an oyster hoist, and their concerns regarding liability. He said they suggested that the Council allow the commercial watermen who are interested in using the hoist to install the device. Councilman Newcomb noted his understanding that local watermen in the past have installed the hoist themselves. Mr. Moore said he will provide Council additional information at a later date.

Councilman Price advised Council that the Maryland Association of Counties (MACo) Initiatives Subcommittee members have adopted the following proposed initiatives for the 2014 Maryland General Assembly Legislative Session: 1) restoration of highway user revenue; 2) empowering school board/County partnerships; 3) leveraging Bay Restoration Funds to target failing septic systems; and 4) seeking collaboration among the State and local jurisdictions to ensure that the operational needs of all users are considered as part of the Maryland First statewide radio communication system project.

Councilman Price said Gerrit Knaap, Executive Director of the National Center for Smart Growth Research and Education, recently spoke to the MACo Legislative Committee members on the proposed development of an Institute for Sustainable Maryland to assist local governments with sustainability issues, including stormwater management, economic development, waste water treatment and communications utilizing funding from the State, universities and foundations at no cost to local government. Councilman Price noted that the members also received a report from the Electricians Task Force, which was appointed by Governor Martin O'Malley to study licensing and continuing education requirements for electricians, regarding a possible statewide initiative to require those who hold a General or Masters Electrician License to take continuing education classes. Councilman Newcomb noted that the next MACo Legislative Committee meeting will be held in January 2014.

Councilman Price provided the Council a brief overview of the annual meeting of the Dorchester County Farm Bureau held on September 24, 2013, citing the members' unanimous vote to support the Clean Chesapeake Coalition. He said the members agreed to engage City of Cambridge representatives in a discussion regarding the possible development of a wildlife management program for resident deer and Canada Geese and to contact the Department of Natural Resources and Soil Conservation regarding feral pigs on Taylors Island. He noted that they also agreed to oppose the collection and distribution of pesticide data above current levels by the State and to urge the State Motor Carrier Division to mimic Federal law and exempt farm vehicles from the same requirements applied to commercial licensed vehicles.

Councilman Price noted that Tire Amnesty Day will be held on Saturday, October 5, 2014 from 8 a.m. to 2 p.m. at the Beulah Landfill. Mr. Moore said residents can dispose up to 10 passenger or light truck tires per vehicle; commercial truck tires will not be accepted; and farmers may dispose of up to three agriculture tires. In response to a question from Councilman Bradshaw, Mr. Moore said the definition of an agricultural tire is any tire that used in the farming process.

Councilman Price noted that the Hurlock Fall Festival will be held this weekend and that East New Market Heritage Day will be celebrated on Saturday, October 5<sup>th</sup>. He referenced the recent visit of Dale Earnhardt, Jr. to North Dorchester High School in support of the National Guard's Race 2 Achieve Program.

Councilman Newcomb announced that the next County Council meeting is scheduled for October 15, 2013.

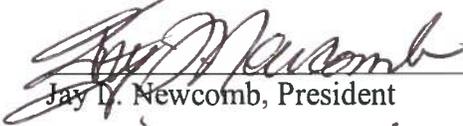
With no further business to discuss, the Council adjourned.

ATTEST:

  
Jane Baynard, County Manager

  
Executive Administrative Specialist

DORCHESTER COUNTY COUNCIL:

  
Jay D. Newcomb, President

  
William V. Nichols, Vice President

  
Ricky Travers

  
Rick Price

  
Tom Bradshaw

Approved the 15th day of October, 2013.