

County Council of Dorchester County
Regular Meeting Minutes
October 7, 2014

The County Council of Dorchester County met in regular session on October 7, 2014 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

A Moment of silence was held for those who lost their lives during a recent shooting in the County and for Geoffrey Goodman, a resident and business owner, who passed away recently. Councilman Nichols led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council acknowledged that an Annual Transportation Meeting Topic discussion and the selection of a County Representative for Maryland Broadband Cooperative were added after the publication of the agenda.

The Council approved the following additions to the agenda: 1) a travel request from Emergency Services; 2) to advertise and sell properties acquired through tax sale foreclosure; 3) formation of a committee to discuss emergency medical services billing; 4) request for assistance for the installation of gas wells in cells 4 and 5 of the Beulah Landfill; and 5) the placement of pictures in Room 110, Council's meeting room, of the County Office Building.

APPROVAL OF MINUTES- SEPTEMBER 16, 2014

The Council approved the minutes of September 16, 2014.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers with Councilman Nichols abstaining for a reimbursement he received due to an overpayment of property taxes.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$14,395,517.83.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on October 7, 2014 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter.

Motion made, seconded and carried to conduct a closed session pursuant to the above. All members of the Council voted in the affirmative to conduct the closed session for the purposes stated above and to discuss the topics listed above.

Action taken at the closed session: 1) approved request of Public Works Director to hire an individual to fill a vacant Motor Equipment Operator II position in the Highway Division by a 5 to 0 vote; 2) approved request of Public Works Director to hire an individual to fill a vacant Motor Equipment Operator III position in the Highway Division by a 5 to 0 vote; 3) approved request of Recreation and Parks Director to hire an individual to fill a vacant Recreation and Parks Coordinator II position by a 5 to 0 vote; 4) discussed County Manager applications; 5) discussed a matter relating to the potential sale of tax sale properties-agreed to discuss in open session; 6) discussed with legal counsel an issue regarding use of County marine facilities; 7) deferred an issue relating to a County marine facility boat slip lease; 8) discussed with legal counsel a matter relating to emergency medical services billing-agreed to discuss in open session; 9) discussed with legal counsel issues relating to a County road and private property-requested additional information; 10) agreed that Emergency Services Director can work with County Attorney to develop an agreement regarding the use of a property by a 5 to 0 vote; 11) discussed with legal counsel the potential expansion of a County renewable energy project-agreed to discuss in open session; 12) discussed with legal counsel a matter relating to an expired contract-requested additional information;

and 13) discussed with legal counsel a legal matter regarding a road construction agreement.

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

COMMENDATION-ANNIVERSARY-UNIVERSITY OF MARYLAND EXTENSION

The Council presented a commendation congratulating the University of Maryland Extension on its 100th Anniversary which Sara Rich, Area Extension Director, accepted. The Council acknowledged that the following individuals were present: Jen Dindinger, Conrad Arnold, Martha Cannon, Jose Prieto Figuero, Rhonda Barnhart, Kerry Turner and the following Extension Advisory Council members: George Windsor, Gage Thomas, Gloria Warner and Libby Nagel.

PROCLAMATION-ECONOMIC DEVELOPMENT WEEK 2014

The Council presented a Proclamation declaring October 27 to October 31, 2014 as Economic Development Week which was accepted by Keasha Haythe, Economic Development Director.

BOARD OF HEALTH

Roger Harrell, Health Officer, Dorchester County Health Department, advised Council that he has information on the Ebola disease that he will provide to residents, at their request. He introduced John Winslow, Program Director, Dorchester County Addictions Program, and said he will be providing an update on the Drug and Alcohol Program for Dorchester County.

Mr. Winslow referenced the recent shootings in the County, noting that he is not sure to what degree alcohol or other drugs may have been involved in that incident. He said this is one example of the recent violence and crime that has occurred in the City of Cambridge and the County. He questioned how much of that activity is related to a rise in opioid and illegal prescription drug use as well as alcohol and other drugs in the County. Mr. Winslow explained that Drug and Alcohol and Abuse Council members are currently addressing: 1) the systemic integration between addictions and mental health through the Department of Health and Mental Hygiene; 2) health care reform and increased access to services particularly as they relate to alcohol and drug abuse; and 3) alcohol and drug use prevention concerns, including the increase in opioid and heroin use in the community.

Mr. Winslow explained that the drug, Narcan, can counter the effects of an opioid overdose, such as heroin. He cited a recent visit with a citizen with a drug problem

during which the individual explained that his friend received two doses of Narcan recently that saved his life. Mr. Winslow stated that law enforcement and emergency response providers as well as community members in Cecil County received training in addressing overdoses and administering Narcan in May 2014.

Mr. Winslow explained that contract negotiations are underway for the relocation of the Dry Dock Recovery Wellness Center to Route 50, which is currently operated out of Sojourner Douglass College. He noted that many community members with addictions also suffer from mental health problems which are also addressed at the center. Mr. Winslow said he is in recovery and has not had alcohol or a drug in over 38 years. He thanked Mr. Harrell for supporting the Center's efforts to ensure that treatment and recovery support services are available for residents.

Wendell Foxwell, a Dorchester County, referenced an October 2, 2014 Daily Times article regarding an increase in the number of infants born with neonatal abstinence syndrome at the Peninsula Regional Medical Center in Salisbury, Maryland. Mr. Winslow said this is a national problem. He advised that the Center 4 Clean Start in Salisbury, Maryland provides substance abuse treatment to pregnant women in an effort to lessen the effects drug and alcohol use will have on children when they are born.

Mr. Harrell commended Mr. Winslow for his 30 years of service noting that the Dry Dock Recovery Wellness Center, which is integrated with behavioral health was honored two years ago by the Office of the President.

Mr. Harrell thanked Jeremy Goldman, Emergency Services Director, for working with him and Mr. Winslow to establish a program in Dorchester County to train emergency responders and Sheriff Deputies to administer Narcan.

He explained that there may be a fee for service for substance abuse implemented by the State in the near future, expressing his commitment to ensure that such programs will continue in the County. He said additional private and non-profit may need to be garnered to support those programs and he will keep the Council updated on how this will affect the County. Mr. Harrell explained that in the future he may approach the Council about whether or not to continue the County's agreement with Mid-Shore Mental Health Systems, Inc. to act as the agent in oversight, planning and development of the public mental health system in Dorchester County.

The Council thanked Mr. Harrell and Mr. Winslow.

REPORT/PRESENTATION-IRONMAN MARYLAND-GERRY BOYLE

Gerry Boyle, Race Director, explained that Dorchester County is now the 12th host site for the IRONMAN Maryland race in the United States. He noted that the race was held on September 20, 2014. He explained that the IRONMAN Maryland organization

provided \$45,000 in donations to the community with the Boys and Girl Scouts, church groups, high school sports teams and the Dorchester County YMCA receiving funding. Mr. Boyle expressed his understanding that the event and athletes, of which there were 1,500, were well received by the community. He said positive comments were received from the athletes about the race and the community. He thanked the 1,500 individuals who volunteered for the three day event as well as staff from the County's Public Works Department, Emergency Services Department and the Sheriff's Office for their assistance. He commended Amanda Fenstermaker, Tourism Director, for her efforts in raising funds through the IronClubMD to cover the cost of the licensing fee the County was to pay to World Triathlon Corporation for this event. He said registration for next year's IRONMAN Maryland event in the County, which is scheduled for October 3, 2015, will opening online soon. Mr. Boyle estimated that 2,000 volunteers will be needed for that event.

Mr. Boyle explained that there was a finish line tape for the male and female who finished the race first. He presented the tape signed by Lauren Capone, the first female finisher, to the Council and other promotional material. He thanked the Council for their support of this event.

Councilman Travers explained that the Council has established a committee to negotiate an agreement with World Triathlon Corporation for the next four IRONMAN Maryland events. He said he recently spoke at a City of Cambridge meeting and the Commissioners expressed an interest in participating on that committee. Based on a motion made by Councilman Travers, the Council agreed to the placement of a City representative on that committee.

Councilman Travers explained that the athletes began arriving in the County at the beginning of race week. He expressed his understanding that the event enhanced the local economy. He said the owner of the Canvasback Restaurant stated that the week of the event was the best he has had since he opened the restaurant. He thanked Mr. Boyle and Ms. Fenstermaker for their hard work and assistance during this event. Councilman Travers said he worked in the medical tent, noting that athletes praised the race course, volunteer and community members for making them feel welcome. He showed the mock \$45,000 check he received on Thursday, September 18, 2014, on behalf of the Council, which represented the amount IRONMAN Maryland provided to nonprofit organizations in the County. He said the organization also gave restaurant vouchers to athletes.

The Council thanked Mr. Boyle for the update on the September 20th IRONMAN Maryland event.

MANAGERS COMMENTS

OBSERVANCE OF HALLOWEEN

The Council agreed to set the date and hours Halloween is to be observed by County residents on Friday, October 31, 2014 from 6 p.m. to 8 p.m. for children ages 12 and

under. The Council acknowledged that this policy will not supersede prescheduled times and dates set by municipalities.

LEADERSHIP OF MARYLAND CLASS OF 2015 PARTICIPATION REQUEST- ECONOMIC DEVELOPMENT

The Council approved the request of Ms. Haythe for approval to submit an application to participate in the the Leadership Maryland Class of 2015 and to utilize funding from the Economic Development budget to cover the cost, which is \$7,200. The Council acknowledged that the Maryland Economic Development Association Executive Director nominated her to become an applicant. The Council further acknowledged that Ms. Haythe will apply for tuition assistance, of which \$3,475 in scholarship funding is available.

REQUEST TO ACCEPT DREDGE MATERIAL-BEULAH LANDFILL-TOWN OF SECRETARY

The Council approved the request of Henry Short, Mayor, on behalf of the Town of Secretary Commissioners and himself, for the acceptance of dredged materials from the municipality's upcoming Warwick River dredging project at the Beulah Landfill with the understanding that the Town will be responsible for the following: all required testing and analysis, permitting and permit fees; design, construction and maintenance of all dewatering devices; design, permitting and construction of all sediment and erosion control and storm water management facilities as may be necessary; hauling of material to the site; spreading and any other required manipulation of the material; and final removal of devices and facilities. The Council acknowledged that the County will provide a designated site to be identified at the Beulah Landfill complex to be used for dewatering of the dredge materials; final use or stockpiling of dried material; and signatures on applications, if required for permitting, as owner of the property or final user. The Council also agreed that if dredge spoils are unsuitable for use as cover and must be buried within lined cells the Town of Secretary will be responsible for paying tipping fees at \$60 per ton for final disposal of any contaminated or unusable material which is brought to the site. The Council requested that Town representatives contact Tom Moore, Public Works Director, so that he may work with them and E. Thomas Merryweather, County Attorney, to develop a Memorandum of Understanding regarding the acceptance of this material at the Beulah Landfill.

STORM WATER MANAGEMENT AGREEMENTS-PUBLIC WORKS

The Council approved the request of Gregory LeBlanc, Engineer, to execute Storm Water Management Agreements for the following developments: the Thendara Subdivision of five lots on Cabin Creek-Hurlock Road; the Douglas G. Walker subdivision of three lots on 5305 Ragged Point Road; the Marshyhope Properties subdivision of two lots on 2918 Old Route 50; and the Delmarva Power and Light Company development on 2929 Ocean Gateway.

OLD BEULAH CAP DESIGN CHANGE ORDER REQUEST-LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Moore to execute a Change Order in the amount of \$6,944.76 to the contract between the County Council and Maryland Environmental Services for engineering and design services related to the capping of Old Beulah for the preparation of bid documents using United States Department of Agriculture formatting and to utilize funding from the operating budget contractual services line item to cover this additional cost. The Council acknowledged that the design has been completed and approved, permits have been obtained and Maryland Environmental Services is completing the contract specifications.

RESOLUTION-ADOPTION OF REVISION TO SOLID WASTE MANAGEMENT PLAN-PUBLIC WORKS

The Council approved the request of Mr. Moore and agreed to adopt a resolution revising the 10 year Solid Waste Management Plan to include Dorchester County's achievement of a 20% recycling rate by July 1, 2014; an Apartment Building and Condominium Recycling Program; and to revise the County's plan for proposed facilities to provide for additional capacity through vertical expansion of the existing Beulah Municipal Landfill facility over existing lined cells. Councilman Price opposed based on concerns about the proposed vertical expansion of the Landfill.

In response to a question from Councilman Price, Mr. Moore explained that the Solid Waste Management Plan must be revised to provide for the vertical expansion of the existing Beulah Municipal Landfill facility in order for the Maryland Department of Environment permit application process to continue and cannot be made contingent upon application approval.

TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS

Councilman Price said Mr. Moore, Mr. LeBlanc, Brian Chester, Highway Manager, and himself met as the Traffic Safety Committee on September 19, 2014.

He explained that the Committee members discussed the written request of Connie Payne, a Green Point Road resident, for additional 30 mph speed limits on a straight portion of the road (near the wastewater treatment plant) and visited the site. He said the road is posted with 35 mph speed limit signs at the beginning of the road heading west at the Route 14 end and heading east, immediately after Green Point split. Councilman Price noted that a traffic counter was installed in this location to record speeds the week prior to the Committee's meeting and that based on the the analysis of that data the Traffic Safety Committee members recommend that an additional set of speed limit signs be installed midway, to be placed in the area of the lagoons. The Council approved their recommendation.

Councilman Price referenced the concerns expressed by Donald Gray at the Council's September 16, 2014 meeting regarding motorists having difficulty identifying the edge of the road on parts of Elliott Island Road where there is flooding, in particular an area described as "ole ditch." He said the Traffic Safety Committee members inquired as to whether reflective markers can be installed in problem areas and asked Mr. Moore to obtain pricing. In response to a question from Councilman Price, Mr. Moore said the two to three feet high orange reflective markers, which are used by the State Highway Administration, cost \$22.50 each.

Councilman Bradshaw showed the Council a picture by Savannah Lake which showed the flooding of the road. He questioned whether markers should be placed on Elliotts Road from that lake to the shoreline restoration project on that roadway. He explained that even prior to the beginning of the school flooding has been an issue in this area and not just at "ole ditch."

In response to a question from Mr. Moore, Councilman Bradshaw estimated that the length of the troubled area is 6.5 miles. Mr. Moore expressed concern about the cost of placing the reflective markers on that length of roadway and upkeep since the area around the markers may need to be cut or sprayed to remove weeds and phragmites.

The Council agreed to place orange reflective markers in the "ole ditch" area on Elliott Island Road. The Council instructed County staff to compare the price to use snow sticks versus the reflective from Savannah Lake to the restoration project.

TRAVEL REQUEST-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to attend the Maryland Tourism and Travel Summit in Ocean City from November 12 to November 14, 2014 at the estimated cost of \$759 which includes the conference registration fee, \$425; lodging, \$263; and transportation, \$71.

FY15 MARYLAND HERITAGE AREA AUTHORITY MANAGEMENT GRANT AWARD-TOURISM

The Council approved the request of Ms. Fenstermaker to accept a FY15 Maryland Heritage Area Authority Management Grant award in the amount of \$100,000 to support the continued operation and management of the Heart of Chesapeake Country Heritage Area under Dorchester County's Tourism Department. The Council acknowledged that there is a \$25,000 in-kind match and a \$75,000 cash match which consists of \$60,000 from the FY15 County Budget under the Tourism salaries line item and Operating Budget, \$5,000 from a budget line item for the local match for this grant and \$10,000 from the private sector for mini-grants. The Council also acknowledged that the grant amount includes funds for the Program Administrator and Project Manager salaries including holiday pay. The Council recognized that the grant includes funding for a marketing intern and that prior to utilizing grant funds for this purpose Ms. Fenstermaker will submit a request to the Council for its review and consideration.

GRANT AWARD-MARYLAND SPORTS EVENT AGREEMENT-2014 MARYLAND SPORTS TOURISM GRANT-TOURISM

The Council approved the request of Ms. Fenstermaker to accept a 2015 Sports Tourism Grant award from the Maryland Department of Business and Economic Development, acting through the Maryland Tourism Development Board, in the amount of \$20,000 to support the IRONMAN Maryland licensing fee for the September 20, 2014 IRONMAN triathlon. The Council acknowledged that private donation matching funds for this grant have been paid to the County. Additionally, the Council acknowledged that the grant period is July 1, 2014 to June 30, 2015.

Councilman Newcomb said citizens have expressed concern about Dorchester County providing a \$100,000 licensing fee to World Triathlon for the IRONMAN Maryland event and their hope that it does not continue to be a commitment to the taxpayers. In response to a question from Councilman Newcomb, Ms. Fenstermaker said the \$20,000 closes the gap for the licensing fee.

In response to an inquiry from Mr. Merryweather Mr. Fenstermaker said this is an annual grant for which an application must be submitted each year.

FY15 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT PROGRAM APPLICATION-TRAINING-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, to accept a FY15 Hazardous Materials Emergency Preparedness Grant Program award for funds in the amount of \$9,500 for training with a \$2,375 match that is included in the Emergency Medical Services training line item. The Council also agreed to execute a Memorandum of Agreement between the Maryland Emergency Management Agency and Dorchester County Emergency Management Agency regarding this grant program. The Council acknowledged that the grant performance period is October 1, 2014 to September 30, 2015.

2014 HOMELAND SECURITY GRANT-EMERGENCY MANAGEMENT/EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to accept a Maryland Emergency Management grant award under the 2014 Homeland Security Program in the amount of \$85,241 for law enforcement and homeland security with no local match and to execute a 2014 sub-recipient agreement with a grant performance period of September 1, 2014 to May 31, 2016. The Council acknowledged that law enforcement funds will be distributed to the Dorchester County Sheriffs' Office, Cambridge Police Department and Hurlock Police Department while homeland security funds will primarily be used to pay for ongoing contractual obligations for emergency management.

Mr. Goldman expressed his belief that grant funds available to Dorchester County under this program will decrease next year and may be reduced to \$70,000.

TRAVEL REQUEST-EMS

The Council approved the request of Mr. Goldman to send four employees to 2014 Emergency Preparedness and Hazmat Response Conference sponsored by the Environmental Protection Agency from October 26 to October 30, 2014 in Valley Forge, Pennsylvania at the cost of \$5,300 which includes lodging, meals, registration fee and fuel/tolls utilizing FY14 Hazardous Materials Emergency Preparedness Grant Program funds. The Council acknowledged that the County has already met the 20% match.

911 PHONE SYSTEM REPLACEMENT RECOMMENDATION-EMERGENCY SERVICES

Mr. Goldman advised Council that three competitive bids were solicited to replace the County's primary 911 phone system. He said staff recommends that an upgraded version of the current system, Cassian Vesta, be chosen and also recommends that it be purchased through Carousel Industries, which submitted the lowest bid of \$1,011,657.91. The Council agreed that Mr. Goldman may submit this recommendation to the 911 Numbers Board, which will fully fund this replacement. The Council acknowledged that the Board will meet on October 30, 2014 meeting.

REQUEST TO SOLE SOURCE-ENGINEERING SERVICES-COMMUNITY DEVELOPMENT BLOCK GRANT-EMERGENCY SHELTER GENERATOR PROJECT-EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to sole source the engineering portion of the Emergency Shelter generator project at Cambridge South Dorchester High School (CSDHS) to Gipe Associates of Easton at the cost of \$24,000, utilizing Community Development Block Grant funding, which company is willing to extend an existing contract with the Board of Education and and its pricing to this project. The Council acknowledged that the Department of Housing and Community Development staff have approved this sole source for the engineering portion of this project only.

SPECIAL EVENTS AGREEMENTS-HORN POINT WALK/RUN-UNIVERSITY OF MARYLAND CENTER OF ENVIRONMENTAL SCIENCE-EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to execute a Special Events Agreement between the University of Maryland Center of Environmental Science (UMCES) and the County Council to provide emergency medical services in the form of one basic life support ambulance and two basic life support providers at the rate of \$150 at the 5K Walk/Run sponsored by UMCES to be held on October 11, 2014 from 8 a.m. to 11 a.m.

SURPLUS DECLARATION REQUESTS-EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to declare a diesel fuel storage tank, and various pieces of equipment, which are either nonfunctioning, incompatible with current systems or for which there is no reasonable expectation of further use, as surplus property. Councilman Newcomb advised that Department Heads and Elected Officials have been asked to provide any items they wish to be declared surplus by Thursday, October 16, 2014 so that they can be presented to the Council at its October 21, 2014 meeting for consideration.

SPECIAL EVENTS AGREEMENTS-HORN POINT OPEN HOUSE-UNIVERSITY OF MARYLAND CENTER OF ENVIRONMENTAL SCIENCE-SHERIFF'S OFFICE

The Council approved the request of Sheriff James Phillips to execute a Special Events Agreement between Jeff Miley, UMCES, the County Council and the Sheriff of Dorchester County to provide public safety services in the form of two vehicles and two Deputies at the rate of \$700 at the Horn Point Lab Open House to be held on October 11, 2014 from 7:30 a.m. to 2:30 p.m. The Council acknowledged that the fee is calculated on an overtime rate and there is an overtime threshold exemption for the Deputies who provide services under this agreement.

COMMUNITY RATING SYSTEM RECERTIFICATION ANNUAL PROGRESS REPORT-PLANNING AND ZONING

The Council approved the request of Steve Dodd, Planning and Zoning Director, to authorize Councilman Newcomb as Council President to sign the Community Rating System Recertification Annual Progress Report.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT REFERRAL-PLANNING AND ZONING

The Council approved the request of Rodney Banks, Assistant Planning and Zoning Director, to refer a Zoning Ordinance Text Amendment to add a retreat center or camp as a permitted use in certain zoning districts as well as supplementary use regulations and a definition to the Planning Commission for an investigation and recommendation.

MEMORANDUM OF UNDERSTANDING-VIDEO CONFERENCING-MD JUDICIARY ADMINISTRATIVE OFFICE OF COURTS-CIRCUIT COURT

The Council approved the request of Brett Wilson, Circuit Court Judge, for authorization to execute a Memorandum of Understanding between the Maryland Judiciary, Administrative Office of the Courts and Dorchester County government to implement video conferencing systems in the County's Detention Center for initial appearances and bail review hearings. The Council acknowledged that Maryland Judiciary shall identify the vendor to install the necessary equipment for a State-wide program and the County shall retain the selected vendor to install the equipment and then seek reimbursement.

The Council further acknowledged that for the first year of the agreement Maryland Judiciary will be responsible for paying for the equipment and installation as well as maintenance with the County being responsible for the second and future years.

LETTER OF OPPOSITION-RENEWAL OF MARYLAND DEPARTMENT OF ENVIRONMENT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

The Council agreed to send a letter to the Maryland Department of the Environment in opposition to the renewal of the Maryland Department Environment National Pollutant Discharge Elimination System Permit for Concentrated Animal Feeding Operations (NPDES) which, as currently drafted, will impose an annual fee on farmers who are seeking coverage under the permit of up to \$1,200 per farm or \$6,000 over the five year life of the permit. Councilman Bradshaw advised that the information regarding the proposed annual fee has been forwarded to the Clean Chesapeake Coalition, which is also opposed to establishing the fee.

FORMATION OF COMMITTEE-EMS BILLING

Based on Mr. Goldman's recommendations, the Council agreed to establish a committee, consisting of eight members, who will be mandated with developing a reasonable and equitable funding plan for volunteer ambulances for the Council's consideration during FY16 budget deliberations. Councilman Nichols opposed. The Council agreed that: 1) that the membership will consist of one representative from each of the six volunteer fire companies in the County that currently have an ambulance; a representative from Rescue Fire Company, which does not have an ambulance; and Mr. Goldman as the County's Emergency Services Director; 2) the Rescue Fire Company representative will be the Chair for this Committee; and 3) once the plan has been provided to the Council the committee will be dissolved. The Council instructed Mr. Goldman to work with the volunteer fire companies to select individuals to serve on this committee and provide a list of those representatives to the Council.

PICTURE PLACEMENT-ROOM 110

Councilman Price noted that on November 19, 2013 the Council presented a commendation to several individuals for seeking voting equity in the mid-1980s, which resulted in the division of Dorchester County into five voting districts. He explained that Dr. Carl Barham has asked if the Council will consider placing a 21x26 print which depicts each of the individuals' faces and another 13x8 print showing the Freedom Shrine monument which is located on Route 16 outside of the Beulah Landfill, in Room 110, of the County Office Building, which is the Council's meeting room. Based on a motion made by Councilman Price, the Council agreed to place the prints in Room 110.

REQUEST TO CONDUCT TAX SALE PROPERTY SEALED BID AUCTION- FINANCE

The Council approved the request of Michael Spears, Finance Director, to advertise and conduct a public sealed bid auction of 76 properties acquired through tax sale foreclosure contingent upon the documentation for this sale including the provision that the Council has the right to cancel any or all sales and reject any or all bids. The Council acknowledged that: 1) the sale of these properties is authorized by Section 14-825 of the Tax Property Article of the Annotated Code of Maryland; 2) Mr. Spears will make changes to the documents E. Thomas Merryweather, County Attorney, requested; 3) once the sealed bids are open Finance staff will prepare a report for the Council's review and consideration; and 4) Finance staff will notify winning bidders and take the necessary steps to finalize property sales.

COUNTY REPRESENTATIVE-MARYLAND BROADBAND COOPERATIVE

The Council requested clarification on whether Don Keyes, Information Technology Director, is able to represent the County on the Maryland Broadband Cooperative Board.

ANNUAL TRANSPORTATION MEETING TOPICS

The Council agreed to address the following topics with Maryland Department of Transportation officials at the November 3, 2014 Annual Transportation Meeting: 1) restoration of highway user funds; 2) the condition and need to replace Brookview Bridge; and 3) storm water management at the Vienna overpass. The Council also agreed to seek an update on the Route 392/Route 331 intersection in Town of Hurlock for which a study is underway.

Councilman Newcomb expressed his understanding that \$1.8 million for the design of the Church Creek Streetscape and funds for the construction of a new State Highway Administration facility in the City of Cambridge are included in the Maryland Department of Transportation FY 15 budget. In response to a question from Councilman Newcomb, Mr. Moore said the new facility will be constructed on the existing State Highway Administration property.

BOARD APPOINTMENTS

Based on the recommendation of Nicholette Smith-Bligen, Social Services Director, the Council agreed to appoint Dr. James McAnulty to replace Dr. Allen Peck and Beth Rule to replace Shirley Moore, a Lay Committee representative, who resigned and to reappoint the following individuals: Dr. Evangeline Garcia; Lorraine Caldwell, as a Senior Council representative; and Wendy Wilson, AARP, as a non-profit representative. The Council acknowledged that their terms will expire on August 30, 2017.

The Council agreed to reappoint Robert Jones and Jack Brooks to the Seafood Reconciliation Committee for a three year period. The Council acknowledged that Mr.

Jones' term will expire on November 8, 2016 and Mr. Brooks' term will expire on October 15, 2017.

The Council, based on the recommendation of Daniel McDermott, Executive, Upper Shore Workforce Investment Board, agreed to appoint Connie Overington to fill a vacancy on the Board as a private sector representative for a three year term.

The Council agreed to reappoint William Geise, Jr. to the Planning Commission and acknowledged his term will expire on September 30, 2019.

REQUEST FOR ASSISTANCE-INSTALLATION OF GAS WELLS-CELLS 4 AND 5-LANDFILL-PUBLIC WORKS

The Council acknowledged that Thomas T. Koch of Dorchester Renewable Energy, LLC has submitted a request for County assistance in installing additional wells in cells 4 and 5 at the Beulah Landfill to increase methane gas production. The Council, based on Mr. Moore's recommendation, agreed that the Public Works Department may provide Mr. Koch glass recyclables that have been collected on site since there is no market for these items. The Council acknowledged that this material can be used as aggregate in backfilling trenches. The Council also agreed to allow the use of a County excavator with no operator with the understanding that the County's use of the excavator for the operation of the landfill takes priority.

PUBLIC COMMENTS

The Council approved the request of Jane Devlin, Chairman, Cambridge Schooner Rendezvous Committee, Richardson Maritime Museum to reserve the County dock on Cambridge Creek in front of County Office Building for use by schooners attending the Annual Cambridge Schooner Rendezvous from October 23 to October 26, 2014. The Council also approved Ms. Devlin's request to use the parking lot at the County's Office Building on Saturday, October 25th and Sunday, October 26th with the understanding that the parking lot will remain open to the public. The Council acknowledged that Museum staff will place signs along the dock on October 23rd with removal on October 28th and that the Committee will provide the County with sufficient certification of liability insurance. Ms. Devlin invited the Council to attend the Cambridge Schooner Rendezvous welcome reception on October 24, 2014 at 6 p.m., noting that an invitation is forthcoming.

Mr. Foxwell referenced a recent news announcement regarding the availability of "free meals" at public schools under the U.S. Department of Agriculture Community Eligibility Provision and questioned whether any of the schools in Dorchester County are providing free meals to the students through this initiative. Councilman Newcomb said an inquiry will be submitted to the Board of Education.

Tom Hutchinson, a resident who lives on Mallard Cove Road, on behalf of himself and the other 20 residents who live in the Deep Water Subdivision in Woolford, Maryland,

expressed appreciation for the recent tar and chipping of a portion of Deep Water Landing Road and Long View Road. He inquired as to whether Mallard Cove Road on which six homes are located, was overlooked, noting that it was resurfaced with the other roads in the subdivision eight to nine years ago. Mr. Moore said he will look into this matter.

Bruce Coulson, a Dorchester County resident, expressed concern about shoreline erosion on Bay Shore Road. He also questioned if any repairs will be made to the road in front of the old post office in Elliotts Island which was damaged by flooding. Mr. Moore said he will have staff view those roads.

Mr. Coulson advised Council that the Mid Bay Island (James and Barren Islands) Restoration Project was included in the Water Resource Development Act (WRDA) of 2014 and asked Council to consider sending correspondence to the Federal Delegation requesting assistance in seeking the funding of this project.

Councilman Bradshaw said he has spoken to Congressman Andy Harris' staff regarding the passage of the WRDA of 2014 and the need to prioritize projects. He explained that two items relating to the WRDA that are being discussed are the dredging of Tyler's and the Tar Bay Gaps. He said Congressman Harris' staff advised that he will pursue the prioritizing of these projects.

The Council agreed to send correspondence to the Senators Benjamin Cardin and Barbara Mikulski and Congressman Harris requesting their assistance in seeking the funding of the Mid Bay Island Restoration Project.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Newcomb said residents in Church Creek and Madison have expressed their concerns about the Sanitary District paying for the construction of a new building, purchasing vehicles and hiring new personnel. He said they believe the current process, the hiring of a company to make repairs is sufficient. He explained that the Sanitary District is using \$500,000 in unused grant funds to cover these costs.

Councilman Bradshaw expressed dismay that the members of the Chesapeake Bay Foundation have been outspoken in their belief that the dredging behind the Conowingo Dam will have little or no effect on the health of the Chesapeake Bay despite information that disputes that claim.

Councilman Price said Maryland Association of Counties (MACo) Legislative Committee members met on October 1, 2014, noting that it was the last interim meeting of the committee before the January 2015 commencement of the 2015 Maryland General Assembly Legislative Session. He advised that the Committee members received information from Dr. Gail Jordan-Randolph, Deputy Secretary, Behavioral Health and Disabilities, Department of Health and Mental Hygiene regarding the Governor's Overdose Prevention Council, which included the following: efforts of data sharing

between health agencies and law enforcement on heroin use, expansion of training to administer Narcan, engaging and communicating with parents, expanding access to treatment and recovery and an increased emphasis on clinical treatment.

Councilman Price said the 2015 MACo Initiatives Subcommittee agreed to pursue the following legislative initiatives for the 2015 Maryland General Assembly Legislative Session: 1) the restoration of local transportation funding; 2) the pursuit of legislation to provide counties and the Board of Education the flexibility to work together to reduce overall costs through joint administration of programs or other collaborations; 3) the development of tools to combat the drug crisis; and 4) to improve pre-trial functions in District Courts. He said these initiatives are subject to change once the new Subcommittee is formed in 2015.

Councilman Price noted that they also received updates on Reinvest Maryland, a report of the Maryland Sustainable Growth Commission, in which the Commission members make recommendations for investment in Maryland's existing communities and a constitutional amendment to ensure that revenue going into the Transportation Trust Fund is used only for transportation purposes. He noted that pursuant to the proposed constitutional amendment, the Governor will be allowed to take funds from the Transportation Trust Fund after declaring a fiscal emergency and the Maryland General Assembly passes legislation approving the transfer by a three-fifths majority in the House and Senate. He explained that the Subcommittee members questioned the definition of emergency.

Councilman Price advised Council that he was contacted by a trapper who asked that consideration be given to using local trappers if efforts are undertaken in the future to control the rising beaver population in the County. He said he clarified with this individual that no action has been taken to address this issue. Councilman Newcomb noted that representatives from State agencies will provide information regarding beavers at the Council's October 21, 2014 regular session meeting.

Councilman Price thanked Mr. Spears for providing the Council real property tax revenue projections for FY16 and asked him to summarize those projections. Mr. Spears said based on current assessments net property taxes after the Homestead Tax Credit is applied are projected to be \$25.9 million FY16, which is 2.5% down from FY15. He stated that the next estimates will be released in November. Councilman Price explained that the Council uses this information during budget deliberations.

Councilman Travers commended fire, emergency medical services and 911 personnel as well as the City of Cambridge police for their efforts during the recent shooting and the passing of a community member.

Councilman Nichols said the Council, sitting as the Board of Estimates, strives to ensure that the needs of all County Departments are met and that taxpayers are not burdened with additional expenses, such as property tax increases, when developing a budget. He said it was brought to the Council's attention last week that despite its decision during FY15 budget deliberations to allocate funds to the Sheriff's Office for the specific

purchase of four Dodge Chargers and one Chevrolet Tahoe, five Tahoes have been ordered. He stressed that the Sheriff must adhere to the County's fiscal policies. Councilman Nichols made a motion to not pay for the purchase of the five Tahoes which Councilman Price seconded.

Councilman Travers pointed out the FY15 budget letter to the Sheriff only referenced the amount of funding that was allocated for the purchase of vehicles. He expressed his understanding that no action can be taken until the Sheriff exceeds his operating or capital budget.

Councilman Newcomb said he spoke to Robert Willey, Assistant Finance Director, who advised him that the Sheriff's Office capital budget will be overspent if the Tahoes are purchased. He noted that both Council's Office staff and Mr. Willey have sent emails on his behalf to Sheriff James Phillips to which he has not responded.

Councilman Bradshaw said he also believes the Council cannot take any action unless Sheriff Phillips overspends his budget. He noted that the interior of the Chargers is smaller than the Tahoes and there is limited visibility. Councilman Bradshaw expressed his understanding that Tahoes get better gas mileage. He opined that they will be easier for Deputies to use when traveling on flooded roadways or back roads. He said he believes the Council should not dictate what type of vehicle the Sheriff or County Department should purchase.

Councilman Nichols explained that pursuant to the County's Purchasing Policies and Procedures all purchases over \$5,000 must come before the Council. Councilman Newcomb said although the FY15 Capital Budget included funding for the purchase of ambulances, Jeremy Goldman, Emergency Services Director, had to submit a request to the Council for its approval to purchase those vehicles. He noted that Dodge Chargers have been used by the Sheriff's Deputies in the past.

Libby Nagel, resident, said she had a vehicle similar to the Tahoes and questioned whether those vehicles are fuel efficient. She referenced Councilman Bradshaw's comments about the Dodge Chargers regarding visibility and expressed her belief that tinting Sheriff's Office vehicle windows decreases visibility, noting that there are blind spots on all vehicles.

In response to a question from Councilman Newcomb, Mr. Willey said Sheriff Phillips has overspent the Sheriff's Office operating budget for the last several years. Based on another inquiry from Councilman Newcomb, Mr. Spears confirmed the Council's adoption of legislation to prohibit the making or authorizing of an expenditure from, or creating or authorizing an obligation under, any appropriation or fund in excess of the amount available in the appropriation or fund which the Sheriff must adhere to.

Council agreed to send correspondence to the dealership from which the vehicles were ordered noting that the County will not pay for any automobile for the Sheriff's Office of

until the purchase order for said vehicle(s) are approved by the County Council in advance, pursuant to law. Councilmen Travers and Bradshaw opposed.

Councilman Newcomb announced that the next County Council meeting is scheduled for October 21, 2014.

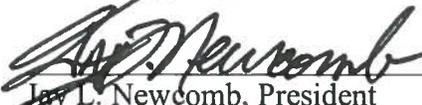
With no further business to discuss, the Council adjourned.

ATTEST:



Donna F. Lane
Executive Administrative Specialist

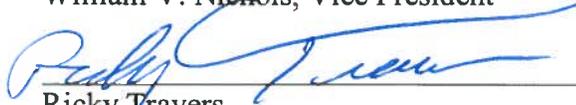
DORCHESTER COUNTY COUNCIL:



Jay L. Newcomb, President



William V. Nichols, Vice President



Ricky Travers



Rick Price



Tom Bradshaw

Approved the 21st day of October, 2014.