

**County Council of Dorchester County
Regular Meeting Minutes
March 6, 2018**

The County Council of Dorchester County met in regular session on March 6, 2018 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Price led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES- FEBRUARY 20, 2018

The Council approved the minutes of the February 20, 2018 meeting.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$12,111,845.00.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on March 6, 2018 at 5:30 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 and motioned to adjourn into 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. Present were: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist. Voting in favor of the Closed Session were all of the present Council Members.

The Council convened in a Closed Session on March 6, 2018 at 5:31 p.m. to discuss the following items: 1) approved the request of the Public Works Director to promote an individual to fill a vacant Shop Foreman position by a 5 to 0 vote; 2) approved the request of the Emergency Services Director to change a Paramedic from full time to on call status by a 5 to 0 vote; 3) approved the request of the Airport Director to hire an individual as an Airport Operations Technician I by a 5 to 0 vote; and, 4) approved the request of the Information Technology Director to hire an individual to fill an IT Network Technician II position by a 5 to 0 vote. Present were: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist. 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

Councilman Travers said no campaigning shall be conducted during County Council meetings by either the public or the current Council members.

FY19 ANNUAL TRANSPORTATION PLAN PRESENTATION-DELMARVA COMMUNITY SERVICES

Andrea Waters, Transportation Grants Specialist, provided the Council with an amended grant summary for FY 2019 Annual Transportation Plan funds from the Maryland Transit Administration and the Federal Transit Administration. She summarized Delmarva Community Services' request for operating funding totaling \$1,000,579 which consists of: Federal, \$417,054, State, \$322,045 and Local, \$261,480.

Ms. Waters advised that DCS' capital request for funds is for: 1) preventive maintenance; 2) 20 radios and installation; 3) a diagnostic tool for the shop; and, 4) two gas engines and transmissions to keep in stock.

She advised that only two of their current radios will work with the radio system that will be installed in the County in the future. She said they are waiting to ensure that the agency has permission to be a part of that system before purchasing new radios. Jeremy Goldman, County Manager, noted that the old system will not go offline for a long period of time. Councilman Travers expressed his understanding that DCS has approval to go onto the new system.

Councilman Nichols thanked DCS and staff for providing medical transportation for residents. He shared with Jerome Stanley, Transportation Manager, a citizen's statement to him about her appreciation of the courtesy he extended to her on the telephone.

Councilman Travers questioned whether there are reduction in transportation requests for dialysis since there is a center in the City of Cambridge. Ms. Waters said some

individuals are still choosing to use the regular DCS medical bus every day. Ms. Waters explained that it is their personal preference. Mr. Stanley noted that some of them are more comfortable continuing to receive treatment at the same location. He expressed his understanding that the new center is often full. Ms. Waters advised Council that legislation is being pursued in the Maryland General Assembly to allow dialysis centers to pay for transportation for patients. Councilman commended DCS and its staff for the assistance they provide to veterans.

The Council approved the submission of a grant application to the Maryland Transit Administration for FY19 annual transportation plan funds for operating from the Mass Transit Administration (MTA) and the Federal Transit Administration (FTA) for the following programs: 1) the Statewide Specialized Transportation Assistance Program; 2) Section 5311 Operating Assistance; and 3) the Americans with Disabilities Act. The Council also approved the submission of a FY19 Maryland Transit Administration grant application for capital transportation funding from MTA and FTA. The Council acknowledged that the local match will be funded through DCS.

MARYLAND DEPARTMENT OF PLANNING-A BETTER MARYLAND

Wendi Peters, Special Secretary of Smart Growth, Maryland Department of Planning (MDP), said she is joined by Rob McCord, Acting Secretary, Joseph Griffiths, Local Assistance and Training Manager and Pat Keller, Assistant Secretary. She referenced Governor Lawrence "Larry" Hogan's execution of an Executive Order in August directing MDP to work with local government and a number of stakeholders on a new State Development Plan. Ms. Peters explained that Governor Hogan's goal of working to enrich the lives of all Marylanders to use smart growth principles to ensure responsible growth in the State and to protect natural resources. She stressed that he believes it is important to obtain local input from stakeholders and citizens, particularly since actions, including planning, are taken at a local level. She stated that they are in the process of developing a plan and it is their intention to incorporate the information they obtain from conducting listening sessions with local government. She said she foresees a web portal with guidance, strategies and assistance in lieu of a book. She noted that they are present to listen to the Council's comments. She advised that they had a very successful meeting with County and municipality staff this afternoon and will hold a listening session tonight at the library. Mr. Griffiths said the information obtained from listening sessions will be on the MDP website.

Councilman Bradshaw recalled the previous administration and PlanMaryland, noting that no input was obtained from Council nor was any consideration taken on local level objectives. He expressed appreciation for Governor Hogan seeking input about local level objectives since many jurisdictions have developed their own tools, such as Comprehensive Plans, to guide growth.

Councilman Price echoed Councilman Bradshaw's comments, citing his belief local individuals should be involved in the planning process since they are more aware of present and future needs. Councilman Nichols expressed appreciation that the plan will

not supersede local planning or zoning. He referred to several incidents in the past in which State regulations overruled local regulations/decisions. He said local and State government should work together.

Ms. Peters stressed the need to be apprised of prior incidents during which there were conflicts between State and local regulations to ensure that they do not occur in the future. She said the current administration respects local control and understands that one size does not fit all when pertaining to local jurisdictions. She noted that Dorchester County is the 17th or 18th jurisdiction they have toured within the State. She explained that the goal is for the State to partner with local jurisdictions in the implementation of a vision. She noted that several jurisdictions are facing similar challenges and it is their intention to share success stories and strategies that may work in other areas.

Councilman Satterfield stressed that the one size does not fit all concept is particularly true when speaking about rural counties versus metropolitan areas. He said there is a lot of expertise, education and knowledge in Dorchester County that can be shared with State staff as they begin the development of a plan. Ms. Peters advised that they had a productive meeting with County staff and look forward to continued communication with them. She said it is their intention to finish meeting with all 24 jurisdictions by mid-April and to spend a couple of months reviewing information before drafting immediate and long term strategies. She asked Council to email or contact her or MDP staff if they have any questions or want them to return for another meeting.

Councilman Travers expressed appreciation for the working relationship with the State under the new administration, during which more cabinet secretaries have visited the County than in the past. He thanked Ms. Gordy and MDP staff for including the jurisdictions in discussions regarding a State development plan.

Acting Secretary McCord noted that comments obtained from other counties will be on the MDP website. He stressed that he and other MDP staff want to work with the jurisdictions to move from conflict avoidance to collaboration.

The Council thanked Acting Secretary McCord, Ms. Gordy, and Mr. Griffiths.

MANAGERS COMMENTS

FY2019 NON-RECURRING COST REQUEST-BOARD OF EDUCATION

Based on information provided from Jeremy Goldman, County Manager, the Council concurred with the Dorchester County Public School system submitting a FY 2019 Non Recurring Cost request for grant funding for the following items: 1) furnishings, fixtures and equipment for the new North Dorchester High School Project, \$3,301,144; 2) library book replacements at one elementary, one middle and one high school, \$100,000; 3) security camera systems for four schools, \$300,000; 4) replacement science lab tables and stools for three schools, \$57,600; 5) nine mobile computer labs for students instruction

and testing purposes, \$202,500; and 6) K-12 Instructional Student interventions (materials for reading and math), \$250,000.

WORLD TRIATHLON CORPORATION CONTRACT REQUEST-TOURISM

Mr. Goldman said the County's contract with World Triathlon Corporation (WTC) to hold IRONMAN Maryland events in the County is nearing its end. He recognized Gerry Boyle's for this hard work and dedication in ensuring the success of these events. He said athletes recently ranked Dorchester County number one in satisfaction out of 37 locations in the world. Councilman Travers advised that he, Mr. Goldman and Mayor Victoria Jackson-Stanley, City of Cambridge, met with McGonigal Keats, WTC's representative, who indicated they are willing to work with the County and City. The Council agreed to send correspondence to the WTC for the extension of the contract with this organization for the Ironman Maryland event with amendments to cover years 2019 – 2023.

AMENDMENT TO PUBLIC ROAD CONSTRUCTION AGREEMENT-PINE TOP VILLAGE-PLANNING AND ZONING

The Council approved the request of Steve Dodd, Planning and Zoning Director, for the Council to enter into an Amendment to a Public Road Construction Agreement with Delmarva Real Estate Management Group, LLC for a five year extension of the terms of the agreement, which will expire on April 1, 2023, for the Pine Top Village subdivision. The Council acknowledged that the amended agreement maintains the standard language which prohibits the owners from selling or offering for sale any lots in the subdivision until the public roads are built, inspected and accepted into the County system.

COMPREHENSIVE PLAN UPDATE-CONSULTANT SERVICES-PRICE CHANGE-PLANNING AND ZONING

Brian Soper, Environmental Planner, advised that after bids were received for consultant services for the Comprehensive Plan Update, a notification was sent to bidders that the scope of work should include in the Transportation Element: the potential Bay Bridge Crossing, Mid Atlantic Power Pathway, West Cambridge Bypass and a review of data of County road classification system. He said he is seeking Council's authorization to increase AECOM's original bid price of \$125,779 by \$1,350, which is still lower than the other two quotes that were received. Councilman Satterfield made a motion to approve the request. Councilman Bradshaw seconded the motion for discussion. In response to inquiry from Councilmen Bradshaw, Mr. Soper explained that the transportation utilities element will provide a description of the now dormant Mid Atlantic Power Pathway, will summarize previous objections from various entities and reiterate the County's objections in the event that the project is pursued in the future. Councilman Bradshaw expressed his understanding that the right-of-ways for MAPP are still active. The Council approved Mr. Soper's request and acknowledged that funds from the Planning and Zoning Operating Budget will cover the additional cost.

TRAVEL REQUEST-AIRPORT

The Council approved the request of Amber Hulsey, Airport Director, for authorization to attend the NASA Flight Operations Center-Unified Simulation (FOCUS) Lab in Murfreesboro, Tennessee on April 2, 2018 to April 6, 2018 with departure on March 30th and a return on April 9th, at no cost to the County. Pursuant to a query from Councilman Travers, Ms. Hulsey confirmed she will be a guest speaker.

REQUEST TO SURPLUS-DONATE NON DIRECTIONAL BEACON-AIRPORT

Ms. Hulsey presented her request to declare the Non-Directional Beacon (NDB) as surplus property and donate it to the Ocean City Municipal Airport. She referenced the Council's approval of her request to move forward with the process to decommission the beacon. She said last week, Patricia Graham, the County's Federal Aviation Administration contact, authorized the removal of the beacon. She explained that Ocean City Municipal Airport staff, one of two airports in the State with an active NDB, will remove and transport the beacon from the Cambridge-Dorchester Regional Airport. She advised that they will use it for parts, which are no longer available for purchase. The Council approved Ms. Hulsey's request.

PILOT PROGRAM-LANDING FEE REQUEST-AIRPORT

Ms. Hulsey presented her request to continue the Landing Fee pilot program study. She explained that she halted the four month study based on clarification from the last meeting that it should be presented to the Council. She stated that she chose a set fee of \$20 versus a fee calculated on certain variables, such as size. She advised that four individuals paid \$20 over the last two weeks. She explained that typically a ramp fee is more than a landing fee so if it remains there may be a need for an adjustment. In response to inquiries from Councilman Travers, Ms. Hulsey clarified that the fee will not apply to those pilots who are flying in for a meal, for the day or when dropping someone off nor to tenants. Pursuant to a question from Councilman Satterfield, Ms. Hulsey said the fee will be waived if a pilot purchases fuel. She noted that at surrounding airports, such as in Washington, DC, landing fees fluctuate based on the amount of gallons purchased. The Council approved the continuation of the pilot program study. Councilman Price opposed.

BID AWARD-WINGATE CULVERT PIPE REPLACEMENT-PUBLIC WORKS

Ryan White, Public Works Director, presented his request to award the bid for the Wingate Culvert Pipe Replacement project. A motion made by Councilman Satterfield was seconded by Councilman Bradshaw. In response to questions from Mr. Goldman and Councilman Travers, Mr. White said: 1) the County will purchase the fill material which will be stocked at the firehouse; 2) the company will be responsible for supplying the manpower and equipment to transport that material to the sites; 3) three locations will receive pipes; and, 4) a total of five pipes will be replaced. The Council approved Mr. White's request to award the bid to Russell Paving, lowest bidder, at cost of \$32,320.

REQUEST TO PURCHASE DUMP TRUCKS-PUBLIC WORKS

Mr. White presented his request to purchase three 2019 Tri Axle Dump Trucks from Kenworth of South Florida at the cost of \$156,528 per unit utilizing funds from FY16, FY17 and FY18. He and Mr. Goldman referenced prior attempts to purchase vehicles through alternative means, including at auction. Mr. Goldman said the County is exempt from paying the federal transfer tax which saves approximately \$19,000 per vehicle. Mr. White explained that under existing state contracts the cost of these dump trucks would be between \$180,000 to \$210,000. Mr. Goldman noted that there is no transport fee and staff will be sent to pick up the vehicles. He advised that plows will need to be installed. Mr. White said this will close out capital for 2016 and there are remaining funds in other capital budgets that can be used to purchase a 2 ton dump truck. The Council approved Mr. White's request.

MARINE FACILITIES TRASH SERVICE REQUEST TO SOLE SOURCE-PUBLIC WORKS

Mr. White expressed his belief that trash service for the County's marine facilities should not be put out for bid since historically only one from Waste Management has been received. He said although there are other trash disposal companies that provide this service, they do not cover the entire County. He explained that the company presented a three year contract option with a cost savings of \$4,229.28. He asked the Council to consider selection that option and sole sourcing with Waste Management. Mr. Goldman proposed an amendment to the contract that the company will pick up and remove the containers within two weeks of the end of the contract period or the last month's payment will be forfeited. The Council agreed to sole source with Waste Management for trash service for 11 County marine facilities for three years beginning with the 2018 season.

REQUEST TO EXTEND GRASS CUTTING BID-PUBLIC WORKS

Mr. White said last year's grass cutting season with Marshall Property Management was very successful, which included lawn maintenance for tax sale properties. He advised that the company's owner has agreed to extend the 2017 grass cutting bid for the 2018 season at last years' prices, which he thought were reasonable. He noted that lawn maintenance for the Eastern Shore Innovation Center is also included in the price quotes. Councilman Nichols expressed his belief that this task can be handled in-house. Mr. Goldman and Councilman Travers noted that after comparing the cost of mowers/repairs versus contracting out for lawn maintenance it was determined it was more cost effective to outsource this work. Councilman Nichols recollected that the Council advertised for this service in the past. Mr. Goldman said Marshall Property Management maintains the lawn at the Circuit Court House, library and the Dorchester County Office Building after hours or on weekends. He noted that County staff mow the inside of the fenced area at the Court House. The Council agreed to extend the contract which Councilman Nichols opposed.

TRAFFIC SAFETY RECOMMENDATIONS

Mr. White advised that on February 16, 2018 the Traffic Safety Committee met to discuss several issues. He presented the Council with those issues and recommendations.

Request for “One Way” signs at Hambrooks Blvd. and Glasgow Street/Sandy Hill

The Council approved the Committee’s recommendation to install “Do Not Enter” signs on both side of Hambrooks Boulevard near the Glasgow Street.

Request for “Slow Down Horse Area” sign in County right of way on Middleton Branch Road

The Council approved the Committee’s recommendation to install “Slow Down You Are Entering a Horse Area” signs on Middleton Branch Road.

Request for “Pedestrian Crossing” signs on Cokesbury Road

The Council approved the Committee’s recommendation to place “Pedestrian Crossing” signs on Cokesbury Road since signs were installed at that location previously.

Truck traffic damaging Creighton Road

The Council approved the Committee’s recommendation to install a “No Truck Traffic” sign due to narrow road on Creighton Road. Mr. White said the road, which is not wide enough for two tractor trailers to pass at the same time, is being used as a shortcut. Councilman Price referenced other requests for such signage. He explained that the difference is that a portion of the road is used as a landing area in emergency situations. Councilman Bradshaw stated that the shortcut does not save time. Councilman Travers noted that the road has been improved. Mr. White said it does not have the correct subbase for heavy truck traffic.

Traffic safety on Palmers Mill Road due to speeding and tractor trailers

Mr. White said the Committee’s recommendation is to post speed limit signs on Palmers Mill Road to address school bus loading concerns. He noted that they will also reach out to Sheriff James Phillips to request speed enforcement whenever possible. Councilman Price made a motion to approve the recommendation which was seconded by Councilman Bradshaw for discussion. Pursuant to a query from Councilman Bradshaw, Mr. White said he does not have available the specific area to install the signs nor the speed limit to be posted. The Council deferred this matter in order for this information to be obtained.

Request for “No Outlet” or “Dead End” for end of Jenkins Creek Road

The Council approved the Committee’s recommendation to install a “No Outlet” sign near the end of Jenkins Creek Road.

LETTER OF SUPPORT REQUEST-MARYLAND HERITAGE AREA-MARYLAND HISTORICAL TRUST-HISTORICAL SOCIETY

The Council approved the request of John S. Neild, Jr. Trustee and Chair, Building & Grounds Committee, Dorchester County Historical Society, for a letter of support for the organization’s grant applications to Maryland Heritage Area and the Maryland Historical Trust for monies to repair and paint the wooden section of the Meredith House that is located on its property.

SURPLUS PROPERTY DECLARATION REQUEST

The Council approved the request of Mr. Goldman to declare six chairs from the Room 110, which have been replaced, as surplus property.

FY19 HOLIDAY SCHEDULE

Mr. Goldman said the FY19 Holiday Schedule has been provided to the Council for consideration. He noted that New Year’s Day and Christmas are on Tuesdays and questioned whether Council wanted to make changes based on historical actions. The Council adopted the schedule and agreed to consider amendments later in the year.

POLL CONFIRMATION

The Council, in the interim between meetings, by means of a poll, agreed to:

- Schedule a public hearing on the acceptance of Blue Heron Drive in the Sunnyside Subdivision as a new County Road on March 20, 2018 by a 5 to 0 vote;
- Send a letter of support for the application of Shore Rivers for the University of Maryland to install a demonstration project on its campus with language noting the County is unable to provide funding by a 4 to 1 (1 no answer vote); and,
- Send a letter of support for House Bill 1389 “Home Sprinkler and Fire Safety Assistance Fund-Pilot Program,” which establishes a pilot program under the Department of Housing and Community Development to provide assistance to homeowners in the form of a grant to meet sprinkler system requirements, at the request of Delegate Sheree Sample-Hughes by a 4 to 1 (1 no answer vote).

PUBLIC COMMENTS

Henry Gootee, Gootee's Marine, asked the Council for assistance in seeking the replacement of Daymarker #10 in the Honga River by the Coast Guard. He referenced the amount of transfer tax that is collected and submitted to the government. The Council agreed to send correspondence to the Coast Guard seeking the marker's replacement with copies to the federal and local legislators. The Council also agreed to contact the Maryland Department of Natural Resources to seek another alternative, if necessary.

Michael Wheatley, resident, referenced the recent incident at the Cambridge South Dorchester High School. He urged the Council to work with the Board of Education to address safety issues for parents and students. He said he will ask the City Council to do the same.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Satterfield said he attended a Board of Education (BOE) meeting recently regarding the incident. He expressed hope that the school system will implement changes to ensure safety at the County's public schools. He thanked law enforcement and emergency services personnel for their assistance during the incident and their service to citizens

Councilman Price said he was unable to attend the meeting, noting that he has received numerous calls from parents. He also expressed hope for a peaceful resolution. He encouraged the BOE to work with parents and law enforcement to address safety concerns. He commended law enforcement for their involvement in the incident and Public Works employees that addressed issues due to the recent wind event. Mr. White noted that 63 calls were received for downed trees. Councilman Price relayed residents' joy about the Comprehensive Plan update and their concern about potential lack of public involvement in the process. He provided a summary of issues discussed at the recent Maryland Association of Counties Legislative Session including comments made by Deborah Cox, Legislative Director, National Association of Counties, about their legislative initiatives. He commended the North Dorchester High School senior play participants.

Councilman Bradshaw noted that aquaculture has been a main topic at the last several watermen caucus meetings. He said he provided the other Council members information from Chris Judy, Director, Shellfish Division, Department of Natural Resources about the language that was removed from the original 2009/2010 aquaculture bill. He expressed his understanding that if the language remained in the bill, there would not be a disparity between watermen and aquaculture. He stated that they are trying to find common ground. He explained that he will be submitting a resident's request to the Traffic Safety Committee for a determination of which areas are 35 mph on Thompsontown Road, noting he lost a pet due to a speeding motorist. He said he spoken to Sheriff Phillips who expressed his understanding that Thompsontown Road to Hawkeye Road to Route 14 is supposed to be 35 mph but there is confusion due to the current placement of signs.

Councilman Travers advised that the Cambridge South Dorchester High School senior play begins this Thursday. He stressed the need to deal with school issues as a result of the recent incident. He said he attended last night's meeting at which parents made comments about safety and respect. He noted that there is an excess of 400 individuals at the Choptank Elementary School meeting currently being held. Councilman Travers announced that the next budget work session will be held on March 8th and County Council meeting is scheduled for March 20, 2018.


With no further business to discuss, the Council adjourned.

ATTEST:



Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:




Ricky C. Travers, President



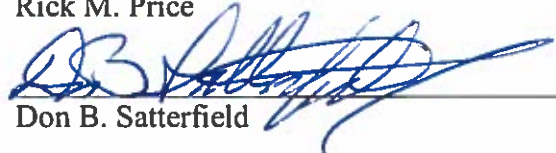
Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 6th day of March 2018.