

**County Council of Dorchester County  
Regular Meeting Minutes  
June 5, 2018**

The County Council of Dorchester County met in regular session on June 5, 2018 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; and Rick M. Price. 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 Bradshaw led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

The following was added to the agenda after publication: Sale of County Owned Property-Steele Neck Road. The Council approved the amended agenda.

**APPROVAL OF MINUTES- MAY 8, 2018 – MAY 15, 2018**

The Council approved the minutes of May 8, 2018 and May 15, 2018. Councilman Nichols abstained. Councilman Satterfield voted in favor via written proxy.

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented with Councilman Price abstaining for payments made to Hyatt. Councilman Satterfield voted in favor via written proxy.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Travers reported total cash and investments as \$7,280,768.00.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on June 5, 2018 at 5:45p.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. Present were: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; and, Rick M. Price. 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 into a Closed Session on June 5, 2018 at 5:46 p.m. to discuss the following items: 1) approved the request of the Emergency Services Director for an individual to remain in an on-call status as a 911 Dispatcher by a 5 to 0 vote with 1 vote by written proxy; and, 2) approved the request of the Public Works Director to hire two individuals to fill vacant Custodian/Maintenance positions by a 3 to 2 vote with 1 vote by written proxy. Present were: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; and Rick M. Price. 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 announced that Councilman Satterfield is absent; however, he provided votes by written proxy.

### **COMMENDATION-NAVONNE OWEN-COOPERATIVE EXTENSION YEARS OF SERVICE**

The Council presented a Commendation to Navonne Owen recognizing her years of service to the University of Maryland Cooperative Extension as Dorchester County's 4-H Agent.

### **RURAL LEGACY AREA-POTENTIAL CREATION-DEPARTMENT OF NATURAL RESOURCES**

Bill Crouch, Maryland Director, explained that The Conservation Fund (TCF), which is a national non-profit organization, protects the land and water resources of the United States. He recognized that Glenn Carowan, Farm Bill Coordinator, Department of Natural Resources (DNR); and Judd Vickers, Associate Director, Real Estate, DNR are also present. He advised that TCF's mission is different that DNR's and includes balancing land conservation with economic development, protecting resources for increased eco-tourism, working landscapes and to support the timber and agricultural industries. He said in Dorchester County since TCF's inception they have completed 73 projects and protected over 115,000 acres. He explained that the Maryland Rural Legacy Area Program provides funding for landowners to voluntarily keep their properties in working land while preserving large contiguous tracts of land important to historic heritage and natural resources. He asked the Council for a letter of support for the creation of a new Harriet Tubman Rural Legacy Area to be sponsored by TCF. He presented the attached power point presentation.

Mr. Crouch said the total acreage of the proposed Rural Legacy Area is 28,300 and within that area are existing lands already owned by DNR, under Maryland Agriculture Land Protection Fund (MALPF) easements, Blackwater Wildlife Refuge (BWR) lands

and the remainder, which is approved for fee acquisition by the National Park Service as part of the national monument or historic park. He said the borders are: Bucktown Road, Maple Dam, Egypt, Golden Hill, Harrisville and White Marsh Road and Route 16. He showed the Council this area. He advised that on May 14, 2018 a landowners meeting was held which was attended by 15 individuals. He noted that 11 of them provided letters of support which have been submitted to the Council. In response to inquiries from Councilman Travers, Mr. Crouch said: 1) he is unsure how many landowners are within the proposed borders, 2) easements can be tailored to each landowner; 3) the primary function of an easement is to extinguish development rights on a piece of property; 4) other rights can be sold including timber or hunting rights; 5) removing timber or hunting is permitted unless specifically extinguished in agreement with landowner; 6) an agreement would have to be obtained from every landowner. Councilman Bradshaw referenced the Nanticoke and Marshyhope Rural Legacy Areas. He explained that agricultural land easements basically prohibit development. He said it is his understanding that: 1) several acres may be set aside for family members; 2) the construction of agricultural buildings may be allowed; 3) the property cannot be subdivided; 4) the property will be kept on the tax rolls as private land; and, 5) farming harvesting, hunting and trapping rights can be retained.

Councilman Nichols expressed concern about the large amount of acreage included in the proposed Rural Legacy Area. Councilman Travers noted that it is about 28,000 acres. E. Thomas Merryweather, County Attorney, questioned how much acreage is located within this area, excluding land under a MALFP easement and property owned by DNR as well as BWR. Mr. Crouch said approximately half of the property is currently under easement. He confirmed for Jeremy Goldman, County Manager, that the land earmarked as acquirable by the NPS has not been acquired nor offered by sale by a landowner and NPS does not have the right of condemnation. Mr. Merryweather expressed his understanding that agreements will be subject to negotiations with each landowner. Mr. Crouch and Mr. Carowan stressed that participating in the Rural Legacy Program is voluntary. Councilman Travers referred to the previous comment made that 11 out of 15 individuals at the landowners meeting expressed interest. Pursuant to his question, Mr. Carowan said there are approximately 60 to 70 landowners in the proposed area. Councilman Travers expressed his belief that due to the size of the area a public hearing may be warranted. He inquired about the reason for the large area. Mr. Vickers explained that it brackets the historical landscape that is largely intact from Harriet Tubman's time and includes: 1) the Bucktown Store; 2) the Harriet Tubman National Park and Visitors Center; 3) some of the monuments to the western side; and, 4) Malone's Church. Councilman Price concurred with Councilman Travers about the need for a public hearing. He made a motion to schedule one which Councilman Nichols seconded. Councilman Bradshaw stated that the potential creation of this rural area coincides with the County's Comprehensive Updated. The Council agreed to schedule a public hearing.

## **MANAGERS COMMENTS**

### **FY19 CATEGORICAL BUDGET-BOARD OF EDUCATION**

The Council approved the requests of Dr. Diana Mitchell, Superintendent of Schools, to: 1) approve the Board of Education's FY19 Categorical Budget totaling \$62,543,797 based on the County's FY19 allocation to the Board of Education of \$19,252,162 for operating expenses and \$3,851,494 for capital expense; and, 2) execute the Annual Budget Certification Statement for the fiscal year ending June 30, 2019. Councilman Satterfield voted in favor via written proxy.

### **LETTER OF SUPPORT REQUEST-MACES LANE COMMUNITY CENTER PROJECT STEERING COMMITTEE**

The Council approved the request of Reverend Keith Cornish, on behalf of the Maces Lane Community Center Project Steering Committee, for a letter of support for the Committee's request to the African American Heritage Preservation Program for funds to develop the Maces Lane High School building into a public community center facility. Councilman Satterfield voted in favor via written proxy. The Council acknowledged that: 1) the last time this Committee sought these grant funds their proposal was to keep the building intact instead of demolishing a portion; and, 2) the proposal has been revised to include renovations as well as a museum and other areas.

### **REQUEST TO USE COUNTY OFFICE BUILDING PARKING LOT-COURT HOUSE GROUNDS-ELECTRICAL OUTLETS-DORCHESTER CENTER FOR THE ARTS**

The Council approved the written request of Brittany Andrew, Education and Program Coordinator, Dorchester Center for the Arts, to use the County Office Building parking lot, Courthouse grounds and electrical outlets for the Dorchester Showcase on Sunday, September 23, 2018 from 12:00 p.m. to 5:00 p.m. with the understanding that the parking lot must remain public. The Council acknowledged that Brett Wilson, Circuit Court Judge, supports this use. Councilman Satterfield voted in favor via written proxy.

### **ACCEPTANCE OF FY19 WATERWAY IMPROVEMENT FUNDS-PUBLIC WORKS**

Ryan White, Public Works Director, presented his request for acceptance of a FY19 Waterway Improvement Fund grant award from the Governor's Office as follows: 1) \$150,000 for the replacement of the Elliott's Island Marina Jetty; and, 2) \$80,000 for the replacement of the bulkhead and restoration of the parking area at Taylors Island Landing. Councilman Satterfield voted in favor via written proxy. In response to a question from Councilman Bradshaw, Mr. White confirmed that the jetty replacement includes the continuation of the stone wall which will be completed later as part of this multiple phase project.

#### REQUEST TO AWARD-COURT HOUSE REPLACEMENT DOORS-PUBLIC WORKS

The Council approved the request of Mr. White to award a bid for the replacement of doors at the Circuit Court House to Hill-Kimmell, lowest bidder, at the price of \$72,795. Councilman Satterfield voted in favor via written proxy. Pursuant to queries from Councilman Travers, Mr. White advised that discussions have been held with the Historical Commission. Mr. Goldman noted that Judge Brett Wilson agreed to take the lead on this matter. In response to a question from Councilman Bradshaw, Mr. White said Judge Wilson has approved the plans and he, Sheriff Phillips and staff will be responsible for changes in security. Councilman Nichols queried whether there will be one or two entrances. Mr. White explained that until a handicapped ramp is installed at the front entrance, there will be two entrances. Mr. Goldman noted that the installation of the ramp at the front entrance is another project in response to Councilman Travers' question.

#### REQUEST TO RESTORE COURT HOUSE FOUNTAIN-PUBLIC WORKS

Mr. White presented his request to restore the historic fountain and basin at the Circuit Court House at an estimated cost of \$30,000. Mr. Goldman noted that Transfer Tax Fund monies are available for this work. He said due to safety concerns the fountain and basin were removed from the grounds and are being stored at another location. In response to inquiries from E. Thomas Merryweather, County Attorney and Councilman Travers, Mr. Goldman said the fountain and basin will be listed as an asset and covered under the County's insurance policy with Local Government Insurance Trust after restoration. Councilman Bradshaw made a motion to approve Mr. White's request which Councilman Nichols seconded. Councilman Nichols questioned the reason for not seeking requests for proposals. Mr. White explained that only two companies in the United States restore fountains of which only one was responsive. In response to queries from Councilman Travers, he said: 1) there is only one company in Maryland that restores basins; and 2) certain missing pieces will have to be cast, with the majority of the fountain being restored. The Council approved Mr. White's request with Councilman Satterfield voting in favor via written proxy.

#### REQUEST TO ADVERTISE FOR PROPOSALS- EMERGENCY REPLACEMENT OF CULVERT AT PINKS POND-PUBLIC WORKS

Mr. White presented his request to advertise for proposals for the emergency replacement of the culvert at Pinks Pond. In response to questions posed by Councilman Travers he advised that: 1) the pipe at the intersection will be upsized; 2) the bulkhead restricts the size of the pipe in the pond; and, 3) the bulkhead and the pond are failing; and, 4) the living shoreline is separate from this project. Pursuant to an inquiry from Councilman Bradshaw, Mr. White expressed his understanding that the County assisted with the pond. He said the responsibility for fixing the bulkhead and pond is up for discussion. The Council approved Mr. White's request with the following amendment: to seek quotes for the bulkhead and pond.

#### TIPPING FEE WAIVER-507 RACE STREET DEMOLITION-CITY OF CAMBRIDGE

Mr. Goldman suggested that the Council provide a tipping fee waiver of “not to exceed” 200 tons (\$12,800) to the City of Cambridge for the demolition of 507 Race Street only. In response to questions posed by Councilman Travers, Mr. Goldman said: 1) the Council approved a waiver of \$24,000 for the demolition of the Hearn Building, of which only \$16,000 was used; 2) five or six roll offs may be needed; 3) the bricks and steel will be recycled. In response to an inquiry from Councilman Travers, Mr. White said bricks can be used by the County for shoreline projects. Mr. Goldman noted that the company performing the demolition will report the number of tons recycled to the County. Councilman Nichols questioned the reason for the waiver, noting that the City of Cambridge authorized the demolition. The Council agreed to the tipping fee waiver with Councilman Satterfield voting by written proxy and Councilmen Nichols and Price opposing.

#### TAX LIEN PROPERTY BID RECOMMENDATIONS-FINANCE

Based on the recommendation of Cindy Smith, Grants Administrator, the Council agreed to award bids to 808 Pine Street, LLC to purchase the following properties acquired by the County through tax sale: 1) 728 Race Street, Cambridge for \$2,500; and, 2) 811 Pine Street for \$1,000. Councilman Satterfield voted in favor via written proxy.

#### REQUEST TO ADVERTISE FOR PROPOSALS-TRANSITIONAL HOME PROJECT-DELMARVA COMMUNITY SERVICES-FINANCE

The Council approved the request of Ms. Smith to advertise a request for proposals for the project at the Academy Street Women’s and Children’s transitional home funded by the Department of Housing and Community Development through the Community Development Block Grant Homelessness Initiative. Councilman Satterfield voted in favor via written proxy. The Council acknowledged that: 1) since the County is sponsoring the grant for Delmarva Community Services, County procurement must be followed; 2) there is no County match; and, 3) the grant includes County in-kind project administration costs in the form of the Grants Administrator’s salary and benefits.

#### FY18 BUDGET TRANSFER REQUEST-FINANCE

The Council approved the FY18 budget transfer request for the Recreation and Department to transfer \$42,000 from the Salaries/Supervisor line item and into the pool Contractual Services line item to fund the outsourcing of the management of the pool for the 2018 summer season. Councilman Satterfield voted in favor via written proxy.

Pursuant to a question posed by Councilman Nichols, Mr. Goldman stated that management company, Coastline Pool Services, hired all of the lifeguards that were previously employed by the County who submitted applications and completed the required training. He expressed his understanding that they were still looking for two lifeguards. He noted that some of the individuals are receiving more hours. Mr.

Goldman advised that seven individuals were hired by the County for the snack bar and front desk, the majority of which were employed at the pool last year.

#### PURCHASE OF COUNTY OWNED PROPERTY-JONES THICKET-FINANCE

Mr. Goldman said pursuant to the inquiry of Cindy Smith, Grants Administrator, Judd Vickers, Associate Director, Real Estate, expressed an interest on behalf of the Department of Natural Resources (DNR) in purchasing a ¼ acre lot adjacent to property this entity owns on Jones Thicket. He explained that this is a Board of Education lot that has not been producing tax revenue; therefore, there will be no loss to the tax base. He stated that DNR will obtain appraisals and pay fair market value. Councilman Bradshaw noted that the Council sold piece of property that abuts up to this one and that property owner was also interested in this property, which he planned to exchange to DNR. The Council agreed to defer this matter in order for the County to pursue the required process to obtain authorization to sell this property pursuant to State regulations. Councilman Bradshaw said efforts were made during this year's legislative session that would have allowed the County to sell the property without going through the same process as the Board of Education when it sought permission to transfer it to the County. He noted that these efforts were unsuccessful.

#### UPDATED TRAINING REQUEST-DORCHESTER COMMUNITY PARTNERSHIP FOR CHILDREN & FAMILIES

The Council approved the request of Nancy Shockley, Local Management Board (LMB) Director, for Joseph Hughes, Director of Corrections, and herself for authorization to attend the National Association of Counties (NACo) Conference in July 2018 in Nashville, Tennessee using money from the LMB budget. Councilman Satterfield voted in favor via written proxy.

#### FY18/19 FIRST/SECOND QUARTER COUNTY COUNCIL MEETING SCHEDULE

The Council agreed to adopt the FY18/19 First/Second Quarter County Council meeting schedule. Since November 6<sup>th</sup> is Election Day, the first meeting in November will be held on Monday, November 5<sup>th</sup>. Councilman Satterfield voted in favor via written proxy.

#### POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, approved the request of Amber Hulsey, Airport Director, to attend the Annual Maryland Airport Managers Association (MAMA) Conference held in Ocean City, Maryland on June 6 to June 8, 2018 at the cost of \$733.61 which is included in the Airport budget by a 4 to 1 (1 no answer) vote. Councilman Satterfield confirmed via written proxy.

## **SALE OF COUNTY OWNED PROPERTY-STEELE NECK ROAD**

Mr. Goldman said: 1) at its November 21, 2017 meeting, Council agreed to sell 2.30 plus or minus acres on Steele Neck Road, to the Maryland Department of Natural Resources (DNR); 2) DNR has obtained two independent appraisals of \$20,000 and its offer is to purchase the property for \$18,000; 3) the price is \$2,000 below the appraisal to cover the cost to remove an existing building and other junk on the lot which is less than the estimated cost to perform this work; 4) this offer is equal to 59 years of taxes at \$303 per year; and, 5) this property is adjacent to DNR land. The Council accepted the offer. Councilman Satterfield voted in favor via written proxy.

## **PUBLIC COMMENTS**

Pursuant to questions posed by Donald Gray, resident, Councilman Travers: 1) confirmed that the vote to provide a tipping fee waiver to the City of Cambridge for 507 Race Street was three to two, with Councilman Satterfield voting via proxy; 2) expressed his understanding that the brick will be recycled and resold; and, 3) said the County is not involved in the bidding process; 4) he believes the waste will mostly be wood; and, 5) the contractor, who also performed demolition at the Cambridge Marketplace is an advocate of recycling.

Glen Payne, resident and Board of Education member, questioned who owned 507 Race Street. Councilman Travers said Historic Cambridge, Inc. owned the property and had a letter of commitment of sale from the Eastern Shore Land Conservancy. Mr. Payne expressed concern about waiving the tipping fee noting landfill space is valuable and costly.

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

Councilman Nichols recognized Glen Payne's term on the Board ends soon. He commended and thanked him for his service on the board and as a prior Council member. Mr. Payne recognized that Councilman Nichols is the longest service member of the County Council and thanked him for his service and assisting him when he was on the Council. Councilman Nichols noted that there is one more school board meeting until the end of summer. Tim Brooke, Controller, said the meeting will be held on June 14, 2018. Based on Councilman Nichols' motion the Council appointed Rosemary Johnson to the Board of License Commissioners. He recognized recent tribulations relating to the local public school system and expressed his understanding someone will offer some assistance to the Board of Education in the future.

Councilman Price referred to the recent rain which occurred in a short span of time that added to the existing conditions of ditches and right of ways on County properties including farm land and crops. He thanked Mr. Goldman for following up on some concerns he heard from residents. He made a motion to have staff identify ways to handle matters relating to ditches and culverts, particularly those impacting farmlands which Councilman Nichols seconded. Councilman Travers requested clarification of



Councilman Price's motion. Councilman Price stated that there are several specific areas of concern that have been brought to light during the last five and a half years, some of which are included in the minutes. He said before addressing locations discussions should be held to determine what actions can be taken. Mr. Goldman explained that approximately nine months ago he and the County staff met with Soil Conservation about the possible establishment of a program to address ditching and culvert issues. He asked Councilman Price to amend his motion to provide this group the opportunity to meet within 120 days and develop suggestions for Council's consideration. He expressed his understanding that some existing resources, including equipment and operation by famers can be utilized. Councilman Price amended his motion as Mr. Goldman suggested, which Council approved.

Councilman Price said he attended the Memorial Day Service at the Maryland Veterans Cemetery and visited the Vietnam Traveling Wall earlier today. He expressed his understanding that there are 58,000 names on the wall, noting that volunteers are still needed. He wished those who recently graduated from high school and college well. He stated that Department of Social Services staff will be visiting the northern part of the County every other Friday to inform residents about available programs. He echoed Councilman Nichols appreciation to Mr. Payne for his service on the Board of Education.

Councilman Bradshaw said in the 1930s during World War II there were two civilian conservation corps camps in the County, one at Blackwater and one north of Vienna. He explained that during that time outlet ditches were excavated for draining. He advised that according to John Willey, who has old records from those camps, there are 93 miles of tax ditches that were set up as public drainage area. He noted that each landowner paid a certain amount based on footage. He said in recent years Resource, Conservation and Development has been involved in couple of projects, the last one of which was on Texas Road in Quantico in community that had severe drainage problem, much like Rabbit town in Vienna. He expressed his understanding that there are tax ditches in Delaware. He said this may be a potential way to address drainage issues. Mr. Goldman noted that in Delaware a fee is only assessed when maintenance is required.

Councilman Bradshaw said he spoke with State Highway Administration and Mr. White about the amount of rain that fell during a short period of time, which made clearing ditches unfeasible. He advised that he has lived in both the southern and northern areas of the County, noting that the northern area has streams that are more susceptible to damage as a result of cross pipes and other matters. He thanked Public Works staff for their efforts during the recent rain event including keeping pipes clear of debris. Councilman Bradshaw said Mr. White spoke to him regarding swales and ditches in the woods being blocked with tracks and tree limbs due to logging. He advised that as a result of that conversation he reached out to Scott Daniels, Forester, who will work with forestry operators to ensure that they leave the woods free and clear of debris.

Councilman Travers said he and Councilman Satterfield represented the County at the American Legion Memorial Day Service. He said he viewed the Vietnam Traveling Wall, noting the multitude of those who passed away during that War. He recognized the

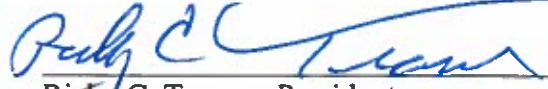
service of Vietnam veterans and the hardships they endured during and after the War. Councilman Travers announced that: 1) immediately following this meeting some of the Council members will attend the Celebrate Dorchester event; and, 2) next meeting is scheduled for June 19, 2018.

With no further business to discuss, the Council adjourned.


ATTEST:


  
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Jeremy Goldman  
County Manager

DORCHESTER COUNTY COUNCIL:

  
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Ricky C. Travers, President

  
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Tom C. Bradshaw, Vice President

  
\_\_\_\_\_  
William V. Nichols

  
\_\_\_\_\_  
Rick M. Price

  
\_\_\_\_\_  
Don B. Satterfield

Approved the 19<sup>th</sup> day of June, 2018.