

County Council of Dorchester County
Regular Meeting Minutes
May 8, 2018

The County Council of Dorchester County met in regular session on May 8, 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 Travers led the invocation and the pledge of allegiance.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Price abstaining for payments made to Hyatt.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$3,045,103.

REGULAR SESSION

Councilman Travers, on behalf of the County, noted that it is National Teacher Appreciation Week and acknowledged and commended the teachers that were present.

BUDGET PUBLIC HEARING

Councilman Travers advised that for this public hearing on the proposed FY19 budget there will be a three minute time limit per speaker. He said after those who signed up speak, other individuals will be provided the opportunity to speak if they wish to do so. Jeremy Goldman, County Manager, explained upon the conclusion of this hearing, the Council will adjourn into Legislative Session for a bill relating to the building excise tax.

E. Thomas Merryweather, County Attorney, said the first individual listed on the sign-up sheet is Linda Barnes.

Linda Barnes, resident, Vice President, Dorchester Educators and a Science teacher at North Dorchester High School, thanked the Council for recognizing the educators in the room. She said she lived in Wicomico County briefly and moved to Dorchester County based on her belief her children will get a better education. Ms. Barnes advised that she is saddened that the public schools will only receive Maintenance of Effort. She

expressed concern about disruptive students, school safety and minimal resources to purchase supplies which impact their ability to teach students. Ms. Barnes said some teachers hold fundraisers to obtain money for school supplies. She noted that several teachers are leaving the school system. She referred to the Correctional Officers Week Proclamation presentation at the last Council meeting and the statistics cited by Joseph Hughes, Director, Department of Corrections, regarding mental health, drugs and inmate behavior at the Detention Center. Ms. Barnes said the school system is dealing with those same issues. She expressed concern about losing educators to surrounding counties. Ms. Barnes referenced the proposed property tax increase, noting that as a taxpayer she is amicable to raising that tax to offset costs for education. She encouraged the Council to provide above maintenance of effort to the public school system.

Melissa Dennis, resident, said she is speaking as the mother of two and the co-founder Parents for Positive Change in Dorchester County Public Schools. She noted that this organization consists of parents, educators and school administrators. She advised that she is the newly elected Mayor of Secretary. She expressed her belief that providing above Maintenance of Effort is vital to the entire community's success. She said she moved to the County 13 years ago and began teaching. She expressed dismay about the struggles teachers face including hungry children and the rationing of paper by the ream which reduces educational opportunities. She said they are also using their own financial resources to supplement the ever changing curriculum. She referenced the loss of teachers and support staff. She thanked the Council for the opportunity to speak.

Kimberly Smith, resident, said she is present as a parent concerned about the County's educational system. She expressed her support for teachers and providing them a fair salary, noting her mother and sister have been teachers. She said her daughter, a senior at North Dorchester High School, was not accepted to the college of her choice, noting concern about potential missed educational opportunities in the public school system. She advised that her son, who is an eighth grader at North Dorchester High School, has ADHD and anxiety among other things. She explained that he does not have any behavioral issues, however, does require extra attention. She expressed dismay that she was unable to obtain a care plan for him until middle school. She noted that he had the same teacher for four classes since another teacher did not return after maternity leave as well as multiple substitutes. She said as a result she is concerned that he may not be prepared for high school. She asked the Council to consider providing additional funding to the public school system. Ms. Smith thanked the Council for their time.

Bonnie Vogel and Katie Tolley, said they mistakenly signed in to speak.

Mr. Merryweather asked if anyone else wanted to speak before the conclusion of this second public hearing on the 2018-2019 budget. There was no response. He said final adoption for the budget is scheduled for Tuesday, May 15th.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 20-805 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL AND REENACT SECTION 144-37 TO CHAPTER 144, ENTITLED TAXATION, ARTICLE X, ENTITLED BUILDING EXCISE TAX TO THE DORCHESTER COUNTY CODE TO PROVIDE THAT THE BUILDING EXCISE TAX IS SUSPENDED FOR A PERIOD OF TWO YEARS COMMENCING ON JULY 1, 2018 AND ENDING ON JUNE 30, 2020 AND TO PROVIDE THAT THE BUILDING EXCISE TAX DOES NOT APPLY TO BUILDING PERMITS FILED BETWEEN JULY 1, 2018 AND JUNE 30, 2020.

Mr. Merryweather said a public hearing is being held on the continued suspension of the County's building excise tax. He noted that two years ago Council passed a bill which suspended this tax to promote economic development in the County from June 1, 2016 to June 30, 2018. He explained that if no action is taken the tax will automatically be reinstated as of July 1, 2018. He advised that the proposed bill before the Council will suspend application of the building excise tax from July 1, 2018 to June 30, 2020. He noted that there are no names listed on the sign-up sheet. He asked if anyone present wants to speak about this proposed legislation. There was no response.

Pursuant to a query from Larry Windsor, resident, Mr. Goldman explained it is used to offset the infrastructure necessary as the result of new construction. Michael Spears, Finance Director, said this tax revenue can be used for items relating to schools, and public safety communications. Mr. Goldman advised that excise tax monies can be used to construct a new school building or a new road but not for security for existing public schools. He confirmed Councilman Bradshaw's statement that these funds can be used to augment public safety in a similar fashion. Mr. Goldman reiterated that they can only be used from infrastructure, not for more School Resource Officers or for a recurring cost in response to a question from Mr. Windsor.

In response to a question from Councilman Satterfield, Mr. Spears said minimal revenues were collected prior to the suspension of the building excise tax. Councilman Satterfield explained that the purpose of the suspension is to provide an incentive to build in the County. Mr. Merryweather stressed that building excise taxes can only be used for new construction. Mr. Goldman expressed his understanding that there has been an increase in the number of permits issued. He explained that statistics show that the gain in additional real property tax revenue is more than the amount of building excise collected prior to the construction of new structure. He said the City of Cambridge also has a moratorium on impact fees in effect that is for one more year. He explained that impact fees are similar to the building excise tax.

Mr. Windsor expressed his belief that the community will support a tax increase if the generated revenue will be applied towards security in the public schools in the County. He said he was not aware that the building excise tax revenues can only be used for infrastructure. Mr. Goldman explained that only property tax or income tax can be used for that purpose.

Evelyn Wise, resident, referred to a bill that was signed tonight by the Governor for increased funding for education and questioned the impact it may will have on the public school system. Robert Willey, Assistant Finance Director, said it is his understanding that the bill allocated funding to community colleges. Ms. Wise expressed her belief that a portion of the bill may be for other educational purposes. She noted that State funds were supposedly appropriated to enhance security. Councilman Satterfield expressed his understanding that \$300 million was appropriated and once divided among Baltimore City and four or five of the large counties Dorchester County will receive about \$57,000. Ms. Wise questioned whether stressing the need for such funding will result in a larger amount being allocated. She stated when she worked with the Health Department they were able to obtain school based wellness center funding from the State based on need. She said now 25% of the State's school based wellness funding is allocated to Dorchester County. She said as a grandparent and a prior school board member, she is concerned that so many teachers are going to work for other counties. She noted that this is the not the same school system as it was 30 years ago. Mr. Goldman clarified that the public hearing is on excise tax not the budget.

Bill Windsor, resident, questioned whether State law can be amended to allow building excise tax funds to be used for schools based on need. He said he was present at multiple meetings for which teachers were in attendance and spoke to them about their concerns about safety in the local schools. He noted that his daughter, a teacher, purchases her own supplies. He expressed his belief that teachers should have the ability to control their teaching environment.

Mr. Goldman stressed that this is a public hearing on the suspension of the building excise tax which is specific to new construction. He explained that pursuant to the Code of Maryland Regulations counties have the right to charge or not charge such a tax but cannot determine which category it must be spent. Mr. Merryweather said any changes to COMAR must be sought from the legislature.

Councilman Nichols said there is set of guidelines that must be met and a small group of items for which the building excise tax can be used. He concurred with Mr. Goldman and Mr. Merryweather's statements regarding the restrictive rules regarding the usage of the revenues from this tax.

The roll call on the enactment of Bill No. 2018-3 was as follows: Bradshaw-aye; Price-aye; Travers-aye; Satterfield-aye; Nichols-aye. Mr. Merryweather said the bill passes and will become effective within 60 days. He noted that unless any future action is taken the building excise tax will automatically be reinstated in 2020.

REGULAR SESSION

The Council convened into Regular Session.

PUBLIC COMMENTS

Katie Holbrook, resident, requested that Council consider raising any tax to increase the amount of money to be distributed to the educational system over and above Maintenance of Effort.

Larry Windsor said he is working with the Board of Education on security within the schools. He explained that there is a proposal to build a vestibule at Cambridge South Dorchester High School and Maces Lane Middle School, similar to those at North Dorchester Middle School and what will exist at the new North Dorchester High School. He estimated the cost as \$100,000 to \$110,000. He noted that there have been several discussions to determine the best solution at a reasonable price. He advised that there are private funds available. He recognized the need to ensure that funds are available to support the County. He expressed concern about public safety in schools based on recent and prior incidents in other areas. He said he is looking to the Council for leadership. He cited increased community involvement. Mr. Windsor implored the Council to earmark money to assist with security within existing buildings. He suggested providing money to the Board of Education and dictating the use of those funds. Councilman Satterfield explained that even if the Council provides the Board of Education additional funds earmarked for security they are not required to use it for that purpose.

Ms. Wise said she spent ten years on the Board of Education. She confirmed that the Council cannot line item the budget. She opined that educators should provide input on the line item budget and not Council. She expressed her belief that if the County allocates extra money for security, between the Council and the community, the Board of Education will use it for that purpose. She also expressed her belief that using the money for another bathroom in an office would create great havoc.

Councilman Satterfield made a motion as follows: 1) to move \$100,000 from the budget to an account specifically designated for the school security; 2) that it will be controlled and monitored by the County; and, 3) with the requirement that the principal or a designee work with security staff to determine the best use for these funds. Councilman Bradshaw seconded the motion for discussion.

Based on clarification provided by Mr. Goldman, Councilman Satterfield modified his motion as follows: 1) to amend the proposed FY19 budget to move \$100,000 from capital to a public safety line item for school security apparatus; 2) that it will be controlled and monitored by the County; and, 3) with the requirement that it can be used after a thorough and complete security plan is developed in conjunction with the Board of Education and adopted which will include a process regarding the allocation of monies in multiple years if money is available. Councilman Bradshaw seconded the amended

motion. Councilman Satterfield noted that security apparatus includes doors, windows, locks and cameras.

Councilman Travers said that the Council feels very passionate that all of the needs of teachers and students, particularly relating to security issues, should be addressed. He advised that the Council is disappointed with the Board of Education as it relates to the school system's budget and security issues. He encouraged the public to attend Board of Education meetings, and to push for transparency. He noted that there is funding in the public school system budget for raises. Councilman Travers said the County is providing 46% of the entire County budget to this entity and the remaining funds are to pay for Emergency Services, the Sheriff's Office, to run the government and to work on roads among other things. He advised that the Board of Education is aware of the Council's dismay that \$18,000 was used for a private restroom, particularly since there is a paper shortage. Mr. Windsor inquired as to whether the Board of Education budget can be audited. Mr. Goldman said the County does have the authority to require that an audit be conducted. Councilman Travers stressed that the Council and the public need to continue to seek a suitable solution. He advised that the Council wants to ensure that the money is being spent appropriately and wants accountability from the Board of Education. He and Councilman Satterfield noted that the public school system's budget is more than the County's operating budget.

In response to a question of Ms. Holbrook, Councilman Travers said the \$61 million public school system budget does not include the costs the County pays for School Resource Officers or for the wellness program. He advised that in 2009 the system's budget was \$48 million and there has been a \$13 million increase in that budget since then. He noted that during that same time frame there was an increase of only 114 students. Councilman Satterfield noted that the Council still provided an increase to County employees despite a \$1.3 million loss in revenues. Councilman Travers said he is appalled to learn that teachers have to purchase supplies and books, particularly when County funding is being provided to the public school system.

The Council approved the amended motion.

Mr. Goldman inquired as to whether the Council wished to make any other amendments to the proposed FY19 budget. No action was taken. He explained that although the figure for the replacement of the North Dorchester High School is included in the proposed budget under capital, the descriptive language was inadvertently left off. He said that will be corrected.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Nichols said he will contact Mr. Goldman regarding a matter relating to personnel in the proposed FY18 budget.

Jennifer McGlaughlin, resident, inquired whether documentation can be obtained detailing how the Board of Education budget is being spent. Mr. Goldman said he will

provide her the same information given to the Council. Councilman Travers explained that although the Council has asked for a line item budget for several years, the Board of Education has not provided such a document. In response to questions posed by Ms. Barnes, Councilman Travers confirmed that the Council has not viewed a line item budget for teacher's salaries and that the budget provided by the Board of Education does not include details, i.e. what expenses are paid from the instructional supplies line item.

Pursuant to a query from Larry Windsor, Councilman Travers said there is a County line item budget. Mr. Windsor expressed his belief that the Board of Education should also have its budget in the same format.

Ms. Holbrook recognized that the Council does not have any authority or control over how the Board of Education budget is utilized. She encouraged the Council Members and attendees to appear the next Board of Education meeting to hold them accountable for budget spending. She expressed her appreciation that the Council is collaborating with the union on this matter. She stressed that the Board of Education is the entity responsible for the public school system budget. Mr. Goldman said the next Board of Education meeting will be held on May 17, 2018 at 4 p.m. in response to a question from Councilman Travers.

Councilman Price said he appreciates those who spoke and shared their thoughts and feelings. He referred to the clarification that was provided this evening regarding the County's allocation of funding to the school system over which it has no control. He advised that school security will continue to be a priority. He noted that this is Correctional Officers Week and that he attended a luncheon at the Department of Corrections at which Kathryn Waller, a 14 year employee, was named Correctional Officer of the Year. He recognized that this is also Nurse's Week. He offered congratulations to Amber Aaron, a North Dorchester Middle School teacher who received a Middle School Teacher of the Year award from the VFW.

Councilman Bradshaw expressed admiration for teachers. He advised that this is the first time in nine and a half years he has not driven a school bus full time to and from Vienna Elementary. He said assists an individual by occasionally driving a bus in the morning. He explained that last year he wrote a referral for a couple of children based on their poor behavior on the school bus and was then advised he wrote too many. He said he learned from an older contractor that the former Superintendent of Schools moved \$1 million allocated by the State for transportation, from that line item to the General Fund. He noted that contractors and bus drivers are also leaving the school system. He stressed the need to reinstate discipline and accountability in schools. Councilman Bradshaw explained that prior to the hiring of Dr. Diana Mitchell as Superintendent of Schools, he joined Sheriff James Phillips several times when he conducted a walkthrough and security check of Vienna Elementary. He said the Sheriff advised him that the recent request is the first time in 10 years that he and emergency services personnel were asked to check security at each school and view security plans. He stressed the need to hold the Board of Education accountable.

Councilman Travers noted that if the Board of Education is willing to prioritize raises for teachers, \$1,000 a teacher will move them up the pay scale of surrounding counties to 16th place. He advised that the Council is troubled by the fact that many teachers are departing the school system. He expressed his understanding that a majority of them are seasoned teachers, who are leaving due to work conditions and leadership issues and not because of pay.

Larry Windsor expressed his understanding that Dr. Mitchell is unaware that the teachers are leaving due to work conditions and not the profession in general.

Councilman Travers encouraged citizens to continue to lobby the Board of Education for accountability. He noted that a majority of the problems being faced in the school system are not related to funding. He expressed the need for positive change. He announced that the next Council meeting is on May 15, 2018 at which a budget legislative hearing/adoption will be held.


With no further business to discuss, the Council adjourned.

ATTEST

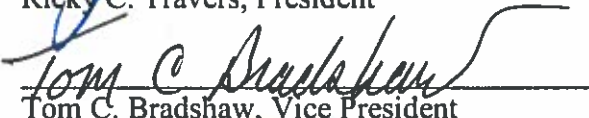


Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President

abstained



William V. Nichols



Rick M. Price

Don B. Satterfield

Approved the 5th day of June, 2018.