

**County Council of Dorchester County
Regular Meeting Minutes
September 18, 2018**

The County Council of Dorchester County met in regular session on September 18, 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 F. 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- SEPTEMBER 4, 2018

The Council approved the minutes of September 4, 2018 with Councilman Nichols abstaining since he was not present at this meeting.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with additions.

FINANICAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$4,272,100.31.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on, 2018 at 5:45 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 September 18, 2018 at 5:46 p.m. to discuss the following items: 1) confirmed the hiring by the Circuit Court Judge of an individual as Truancy Court Project Case Manager by a 5 to 0 vote; and, 2) approved the request of the Finance Director to hire individuals to fill two Fiscal Clerk positions 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

PRESENTATION-LEASING VEHICLES

Erick T. Armbruster, Account Executive, Baltimore, Enterprise Fleet Management, presented a proposal for a managed vehicle program for Dorchester County. He advised that: 1) he has had meetings with Jeremy Goldman, County Manager, and Michael Spears, Finance Director, over the last couple of months regarding the County's fleet of vehicles, holding patterns, operating expenses as well as whether there is a more efficient way to operate the fleet; 2) Enterprise Fleet Management ("Enterprise") is the sister company of Enterprise Rent-A-Car and has the same buying power and infrastructure relating to managing maintenance expenses, fuel expenses, resale channels; 3) both companies are privately held therefore able to deliver any manufacture of vehicle with impartiality.

Mr. Armbruster provided the following information regarding the proposal which is specific to the Sheriff's Office vehicles: 1) the goal is to reduce holding length of vehicles; 2) the average holding length is eight years; 3) Enterprise is proposing a four year replacement strategy with the oldest vehicle, once fully implemented on Enterprise, being replaced every four years; 4) due to the decreased time there will be a reduction in maintenance expense, fuel expense, increased fuel efficiency; 5) replacing vehicles more frequently will result in a reduction in operating costs and an uptake on the resale value; 6) consideration is being given to spreading costs over a certain period of time through an equity lease with no wear or tear restrictions; 7) there are 47 vehicles in the Sheriff's Office fleet with an average of operating expenses, including purchase, maintenance and fuel, of \$500,000; 8) reducing the purchasing cycle from eight years to four equals a total savings over an eight year window of \$417,415 with an average sustainable savings of \$40,414 per year; and 9) there will be a reduction in downtime and an increase in safety.

Mr. Goldman advised that the Sheriff's Office closed fleet was chosen first since costs for light duty vehicles is a larger portion of that entity's budget than any County Department.

In response to a question from Councilman Travers, Mr. Armbruster said: 1) the County will be responsible for maintenance costs; 2) the Sheriff's Office can patron the same shops currently being used; 3) an invoice broken down per vehicle will be submitted to Enterprise who will in turn send it to the County for payment on a monthly basis; and, 4) Enterprise, as the County's Account Manager, can review the document to determine maintenance trends in order to avoid expensive repairs such as engine replacements. Pursuant to an inquiry from Councilman Travers, Mr. Goldman said he believes there has been one engine and some transmission replacements for Sheriff's Office vehicles this year.

Mr. Goldman recommended that Council accept the proposal for a managed vehicle program. In response to queries from Councilman Satterfield and Mr. Goldman, Ryan White, Public Works Director, said the last several vehicles were sold as scrap for \$100 to \$200. Pursuant to a question posed by E. Thomas Merryweather, County Attorney, Mr. Goldman said if Council accepts the proposal Enterprise will purchase the Sheriff's Office vehicles that have been ordered and lease them to the County. Mr. Armbruster noted that the Council can then use those funds for an additional eight vehicles in the same budget which will result in a reduction in operating costs. He explained that over the next three years the remainder of the fleet will be slowly phased in. He noted that gains from re-sale of vehicles will also increase due to less mileage and wear and tear. In response to a question from Councilman Satterfield, Mr. Armbruster confirmed that the oldest eight vehicles in the fleet are the next proposed purchase. Mr. Goldman explained that vehicle replacement will continue until all of them are less than four years at which point Enterprise will let the County staff know when the optimum time is to sell them based on resale cost.

Mr. Armbruster said the main components to the fleet today, which are maintenance, fuel and depreciation expense, will be utilized to determine the optimal time to replace a vehicle. He stated that resale is based on the retail and commercial markets, noting that there may be incidents where a vehicle will be sold for the amount of its purchase or over and above the original sale price. Based on a query from Councilman Bradshaw, Mr. Armbruster confirmed that maintenance history will be utilized to determine which vehicles to sell. He confirmed for Councilman Satterfield that a vehicle can rotate out earlier based on that history. Mr. Armbruster said an account team will meet with County staff at least quarterly to discuss the data collected and to make recommendations.

Mr. Goldman noted that since the preferred procurement method is piggybacking on an existing contract and Enterprise has a Maryland State contract a request for proposals was not advertised. He said several other counties are using Enterprise with success. In response to a question from Councilman Bradshaw, Mr. Goldman said Kent County recently contracted with Enterprise and according to its County Manager their experience so far has been good.

Mr. Armbruster explained that about 15 months ago the company was not able to do business with governments because purchases were funneled through Enterprise Rent-A-Car and; therefore, the County would have been required to still pay State tax. Mr. Armbruster advised that Wicomico County signed a contract with the company earlier this year and discussions have commenced regarding the first vehicle orders. In response to questions from Councilman Bradshaw, Mr. Armbruster said: 1) Wicomico is looking at its fleet outside of the Sheriff's Office; 2) Enterprise can provide vehicles up to 333,000 pounds; and, 3) a proactive four year replacement strategy is not financially feasible for heavy duty work bodied vehicles since they do not retain their value as well as other vehicles. Mr. Goldman noted that proposal does not include ambulances. He explained that a replacement strategy for Public Works vehicles was discussed; however, staff felt doing so for the Sheriff's Office vehicles will result in a larger savings.

Councilman Travers noted that the Council has considered leasing vehicles before and questioned the difference between past proposals and this proposal. Mr. Spears said the maintenance and data management components as well as Enterprise's purchasing power are the primary reasons he supports this proposal. He explained that he would not advocate using a bank lease to acquire vehicles.

In response to Councilman Travers' inquiry, Mr. Armbruster reiterated that the proposed saving is \$417,000 over an eight year window. He explained that a review of the four year phase in and the five to eight model showed a sustainable and soft benefit of a younger, fresher fleet in addition to financial savings.

Councilman Nichols queried about the types of vehicles. Mr. Armbruster said Chevrolet Tahoe's are targeted for the Sheriff's Office. He explained that Enterprise can purchase any type of vehicle and can also provide comparisons on like vehicle classes.

Based on a question from Councilman Travers, Mr. Armbruster advised that Enterprise will acquire vehicles and their recommendation is to order them directly from a manufacturer. He said while it will be a couple of months for each vehicle to be built, all unnecessary features can be eliminated which will achieve a savings. He noted that there will be no advertising or marked-up fee. Pursuant to an inquiry from Councilman Travers, Mr. Armbruster advised that the cost for mounting equipment and radios will be borne by the County and Enterprise will handle the logistics. He explained that Enterprise will cap the cost of aftermarket equipment within the cost of vehicle itself to generate a monthly payment for County. He said an Enterprise drive team will transport the vehicle to shops for equipment installation and then deliver them, fully equipped to the Sheriff's Office. Mr. Goldman stated that Motorola radios which cost \$6,500 and computers will be installed locally. Pursuant to an inquiry from Councilman Satterfield, Mr. Goldman said the emergency lighting package to the Sheriff's Office specifications is included in the cost of a vehicle as well as the cage and graphics.

Mr. Goldman advised Council that there will be a significant reduction of Sheriff's Office staff time since Enterprise will purchase the vehicles and ensure that the equipment is

installed prior to delivery. Mr. Spears said Sheriff Phillips is pleased about this aspect. Mr. Goldman noted that the Sheriff is very supportive of the proposal. In response to a question posed by Councilman Nichols, Mr. Armbruster said the Chevy Tahoes with lights cost the same with Enterprise as the County's cost. Mr. Goldman noted that the total cost with all equipment is about \$55,000.

Based on questions from Councilman Travers, Mr. Armbruster explained that Enterprise will set up the purchase in the trust of Dorchester County. He advised that: 1) the County will still be qualified for incentives available now; 2) there will be no mark up from Enterprise; 3) payment will be spread over a certain period versus providing cash up front.

Pursuant to an inquiry from Councilman Price, Mr. Armbruster advised that the Sheriff will be responsible for moving vehicles to and from maintenance shops. He explained that Enterprise will pay the invoice and compile data as well as audit the service to ensure that part and labor hours are correct and items under warranty are repaired without cost. He stated that the expenses will be recorded and all maintenance history will be logged. He noted that Department Heads can access Enterprise's website to view what maintenance was performed and the cost for their department's vehicles only. In response to another query from Councilman Price, Mr. Armbruster said warranty is included in the proposal. He explained that Enterprise also may be able to obtain goodwill assistance from the manufacturer if maintenance was performed properly.

Mr. Armbruster, pursuant to inquiries from Councilman Travers advised that: 1) Kent County signed a contract with Enterprise in May, the first round of orders have been placed and the second order is on its docket tonight; 2) he can provide references; 3) in Maryland the company also works with the Prince George's public school system and the Harford County Sheriff's Office; 3) Other areas that utilize Enterprise are Lackawanna County and Lancaster County in Pennsylvania, the City of York, the City of Norfolk.

Mr. Goldman advised that there is an option for the Council to terminate the agreement. Mr. Armbruster noted that there is not a non-compete provision. He explained that: 1) there will be a contract for each vehicle; 2) there is straight-line depreciation; 3) there will be no amortization/interest front loading; 4) a significant amount of the principal will be paid each month; 5) the County has the option to buy out a vehicle at depreciated value or Enterprise can sell it and retain the profits; and, 6) the Council can decide not to lease with Enterprise. Mr. Goldman stressed that the Council approves the purchase of vehicles and can decide to either expand or terminate the program. He noted that vehicles can be fitted to Department Head specifications. He said this proposal will provide the Council the opportunity to right size the County's fleet.

Based on a question posed by Councilman Travers, Mr. Goldman said the vehicles included in the FY 19 Capital Budget for the Sheriff's Office can be part of the program since although they have been ordered they are not in the County's possession. Mr. Spears explained that the vehicles will be financed, PAYGO funds are currently allocated

in the budget for their purchase and instead 14 vehicles can be acquired if the proposal is accepted, in response to a query from Councilman Travers. Pursuant to questions posed by Councilman Nichols, Mr. Goldman: 1) expressed his belief that there are 42 Deputies; 2) said although there are 47 vehicles included in the proposal the Sheriff's Office has more vehicles; 3) some specialty vehicles will not be covered by this agreement; 4) some of the vehicles that are included are patrol vehicles, the vehicle used by the Sheriff, and vehicles for administrative staff, i.e. detectives, Sergeants; and, 5) the funding in the FY19 Capital budget equates to the purchase and outfitting of six vehicles. Mr. Spears noted that \$349,000 was included in the FY19 budget for Sheriff's Office vehicles.

Councilman Nichols questioned the reason the proposal was not presented during budget deliberations. Mr. Goldman said staff was not made aware about the possibility of entering into such a proposal until afterwards. Mr. Spears explained that the proposal was pitched to him three times and he received about a dozen phone calls before he met with Enterprise staff two times. He advised that he then discussed the proposal with Mr. Goldman. Pursuant to a question from Councilman Travers, Mr. Spears said he is confident that entering into the proposal will achieve a cost savings. He noted that the County will end up with a better, younger and managed fleet and maintenance costs will be reduced. He said although the rounded sustainable number is \$40,000 in savings he is more interested in a younger, better, safe fleet with less maintenance. He said the rest of the operating costs for the fleet should trend down with the Sheriff's Office.

The Council asked Mr. Armbruster to provide references which County staff will verify and agreed to place this proposal on the next agenda.

LEGISLATIVE SESSION

The Council convened into Legislative Session.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND DECLARING THAT A CERTAIN PARCEL OF LAND SITUATE ON THE NORTH SIDE OF SHORTERS WHARF ROAD, CONTAINING 21,780 SQUARE FEET OF LAND, MORE OR LESS, AND KNOWN AS 3186 SHORTERS WHARF ROAD AND ALSO KNOWN AS GOOTEE'S NECK SCHOOL PROPERTY, IS NO LONGER NEEDED FOR PUBLIC USE BY THE COUNTY AND PROVIDING FOR THE SALE OF THE PROPERTY BY PUBLIC AUCTION SALE BY SEALED BIDS.

Mr. Merryweather advised that scheduled for introduction is legislation to declare a certain parcel of land containing 21,780 square feet of land, more or less, and known as 3186 Shorters Wharf Road as well as the Gootee's Neck School property, is no longer needed for public use by the County and providing for the sale of the property by public auction sale by sealed bids. He explained that the bill will authorize a public hearing and at the same time as the acceptance of public bids. The Council agreed to proceed with publication of a public hearing on this matter.

REGULAR SESSION

The Council adjourned into Regular Session.

MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION-SECOND DISCUSSION

Councilman Travers noted that this is the second discussion regarding legislative initiatives for the 2019 Maryland General Assembly Legislative Session which will be held at the October 16, 2018 meeting.

Councilman Bradshaw said streamlining of the process pursuant to COMAR for the County's sale of property acquired from the Board of Education should be a legislative priority. Based on an inquiry from Councilman Travers, Mr. Goldman confirmed that efforts were made last year to change this process and will be pursued again this upcoming session. The Council discussed the duplicative process both the Board of Education and then the County Council must follow, including obtaining the approval of the State Board of Public Works. Councilman Bradshaw expressed dismay that the process to obtain authorization for the County to sell the Gootee's Neck School property has resulted in the further deterioration of the building on that property, particularly since a while back an individual expressed interest in acquiring the property and rehabilitating of the structure. Mr. Goldman noted that the delay is because the State Board of Public Works needs to ensure that no public debt was assessed against a property. He noted that this can be added as a step in the process the Board of Education must follow which will then allow the County to sell the property upon finalization of that process.

Councilman Travers noted that the Board of License Commissioners (BOL) will be considering proposed legislation at its next meeting. Donna F. Lane, Executive Administrative Specialist, advised that she has asked Roger Short, Liquor Inspector, to provide a copy so that it may be included in the Council's October 16, 2018 meeting pack. She explained that this way, if the BOL agrees to provide a recommendation to the Council to pursue the legislation, the Council can consider doing so at that meeting. Mr. Goldman noted that Frederick County in addition to Montgomery County is seeking authorization to sell wine and beer in grocery stores. He referred to the Council's pursuit of such legislation during the last legislative session.

The Council acknowledged that the final discussion regarding legislative initiatives will be held at its October 16, 2018 meeting.

MANAGERS COMMENTS

REQUEST TO UTILIZE COUNTY PROPERTY-REST STOPS-NATIONAL MULTIPLE SCLEROSIS SOCIETY

The Council approved the request of William Rosser to use the Visitor Center and Dorchester County pool as rest stops for participants of the National MS Society

Challenge Walk on October 27, 2018. The Council acknowledged that: 1) they will be setting up a table, pop up tent, 2 portable toilets; 2) volunteers will park vehicles at these locations but only two to three parking spaces are needed; 3) Amanda Fenstermaker, Tourism Director, and Frank Stout, Recreation and Parks Director, are amicable to this use.

FY19 MARYLAND HERITAGE AREA AUTHORITY MANAGEMENT GRANT AWARD-TOURISM

The Council approved the request of Cindy Smith, Assistant Finance Director, to accept the FY19 Maryland Heritage Area Authority Management Grant to support the continued operation and management of the Heart of Chesapeake Country Heritage Area under the Dorchester County Tourism Department in the amount of \$100,000 which is matched with Tourism Operating Budget Funds.

TRAVEL REQUESTS

Tourism

The Council approved the request of Amanda Fenstermaker, Tourism Director, for approval for Julie Gilberto-Brady, Heart of Chesapeake Country Heritage Area Manager, to attend the Maryland Heritage Areas Authority quarterly meeting at 10 a.m. on October 11 in Cumberland, MD. Because of the distance, it will necessitate an overnight stay on October 10. Estimated expenses are: 1) \$230.05 - Round-trip mileage from Cambridge to Cumberland (430 miles round trip at 53.5 cents/mile); 2) \$4 - Bay Bridge Toll; 3) \$115.14 - Fairfield Inn (one night with MHAA block discount - \$101 plus taxes); and 4) per diem. The Council acknowledged that funds are in the Tourism budget to cover these costs.

Department of Corrections

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to attend the Wardens Roundtable for local Jail and Detention Center Administrators from October 22 to October 24, 2018 in Ocean City, which is funded by the Maryland Correctional Administrators Association and includes meals and accommodations.

BOND ANTICIPATION NOTE EXTENSION RESOLUTION-FINANCE

The Council adopted a resolution that allows for the extension of the maturity date of the County's \$8,491,354 bond application note, known as the 2017 BAN, from October 2, 2018 to a date no later than December 2, 2018. The reason for this extension is because the 2017 BAN will be paid off from the County's \$30.650 million (maximum amount) general obligation bonds currently scheduled to be issued on October 30, 2018. Councilman Nichols opposed.

BOND RESOLUTION-FINANCE

The Council agreed to adopt a resolution authorizing general obligation bonds in the amount of \$30,650,000 in order to finance or reimburse costs authorized by Bill No. 2017-6 as well as the costs of issuance which is \$150,000: replace North Dorchester High School, \$20,300,000; replace Finance Hardware/Software, \$700,000; and replace the emergency communications radio system, \$9,500,000. Councilman Nichols opposed.

FY18 BUDGET TRANSFER-FINANCE

The Council approved the request of Ms. Smith to approve FY 18 budget requests to balance line items in the Landfill and Highway Divisions with actual expenditures.

ACCEPTANCE OF ELEVATION GRANT AWARD-FINANCE

The Council approved the request of Ms. Smith to accept a grant award from the Maryland Emergency Management Agency under the Hazard Mitigation Grant Program for the elevation of 4916 David Greene Road. The Council acknowledged that: 1) the total approved project cost is \$111,085 with a federal share of \$83,314 and a non-federal share of \$27,771; 2) the property owner has acknowledged in their application documentation that he/she is responsible for the match; and, 3) the County is responsible for reporting and the administration of the grant.

BASEBALL TOMORROW FUND GRANT APPLICATION REQUEST RECREATION AND PARKS

The Council approved the request of Frank Stout, Recreation and Parks Director, to submit an application to the Baseball Tomorrow Fund for \$18,125 which along with Program Open Space and local funding will provide additional matching dollars for the Softball Field Lighting Project in Hurlock, which has been identified as a priority for FY19 in the Dorchester County Land Preservation Park and Recreation Program. Mr. Goldman noted that the project is also included in the County's FY19 Capital Budget. He explained that when a new five year plan was developed due to wording issues, the State said the County did not meet acquisition goals for open space in two areas. He advised that as a result the County's share was increased and the Baseball Tomorrow monies are to cover the gap. He explained that the wording in the plan will be revised to accurately reflect the County's completion of acquisition goals.

GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION GRANT AWARD- SAFE STREETS-LMB

The Council approved the request of Nancy Shockley, Local Board Management Director, to accept the Governor's Office of Crime Control & Prevention Safe Street Grant Award on behalf of the Maryland Criminal Intelligence Network Coalition (formerly Safe Streets) in the amount of \$164,060 for FY 2019. The Council acknowledged that: 1) the program will focus on high incidents of crime in the City of

Cambridge and surrounding areas; and, 2) there is no cash match and premium overtime will be paid for Sheriff's Office personnel.

CHESAPEAKE COLLEGE-BOARD OF TRUSTEES-DORCHESTER COUNTY REPRESENTATIVE

At Councilman Travers' request the Council deferred this item in order to provide him time to provide information to an individual interested in serving of the Chesapeake College Board of Trustees.

POLL CONFIRMATIONS

The Council confirmed its decisions, in the interim between meetings, via poll, by a 4 to 1 vote, to:

- approve the execution of a Memorandum of Understanding between the Dorchester County Health Department and County Tourism Department which are partnering to create three audio guide apps to complement heritage area guide brochures;
- declare a State of Emergency due to Hurricane Florence.

PUBLIC COMMENTS

There were no public comments.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Satterfield explained that during Hurricane Florence he visited the Emergency Operations Center twice and was very pleased with operations, personnel interaction, and staff's communication with other agencies. He commended Department Heads and staff for their hard work during this weather event. He thanked: 1) law enforcement personnel who provided up to date information on road and other conditions which aided Emergency Services; 2) Highway Division employees who worked diligently to ensure that pieces of equipment were staged in areas; 3) the National Guard for its response to the County; 4) Mr. Goldman; 5) the Council's Office staff; and, 6) Jeff Trice, Economic Development Director and the County's first Public Information Officer, who provided information that the Council could have utilized, if necessary, to make decisions if the hurricane changed its course. He said his prayers are with those dealing with the aftermath.

Councilman Price also acknowledged Public Safety and Public Works staff for their efforts during the weather event including keeping Council informed as well as the National Guard for its assistance. He advised that his thoughts and prayers are with those who were impacted by the storm.

Councilman Bradshaw commended Mr. Goldman, Department Heads and County staff for working well together throughout the event. He also recognized law enforcement as well as Public Works and Emergency Services staff as well as Mr. Trice.

Councilman Travers opined that staff performed like a “well-oiled machine,” noting that this was a good training exercise. He expressed relief that the hurricane did not directly hit Dorchester County. He announced that: 1) the next Council meeting will be held on October 2, 2018 at 6 p.m.; and, 2) the Public Opinion Survey for the Comprehensive Update is on the back table and can also be accessed from the County’s Website, dorchestercountymd.com.

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 2nd day of October, 2018.