

County Council of Dorchester County
Regular Meeting Minutes
April 16, 2019

The County Council of Dorchester County met in regular session on April 16, 2019 with the following members present: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present were E. Thomas Merryweather, County Attorney; Keith Adkins, County Manager, and Donna F. Lane, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The following items were added after publication of the agenda: Presentation of Rebate Check-Health Insurance Broker; Traffic Safety Committee Recommendation; and Clean Chesapeake Coalition-Executive Committee-County Representative.

OTHER

Councilman Nichols introduced and welcomed Keith Adkins, the new County Manager. Mr. Adkins said he is looking forward to serving Council and the citizens of the County.

APPROVAL OF MINUTES

The Council approved the minutes of March 5, 2019 and April 2, 2019.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers with additions.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Nichols reported total cash and investments as \$1,721,460.66.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on April 16, 2019 at 5:00 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; and, pursuant to §3-305(b)(7)

to consult with counsel to obtain legal advice on a legal matter. Present were: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present were E. Thomas Merryweather, County Attorney, Keith Adkins, County Manager; and Donna F. 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 April 16, 2019 at 5:01 p.m. to discuss the following items: 1) approved the request of an individual to remain on-call as a 911 Dispatcher by a 5 to 0 vote; 2) approved the request of the Director of the Department of Corrections to hire an individual as a Probationary Correctional Officer by a 5 to 0 vote; 3) approved the request of the Public Works Director to reclassify a current employee in the Landfill Division from a Motor Equipment Operator II to a Motor Equipment Operator III by a 5 to 0 vote; 4) discussed matters relating to a County Department; 5) agreed to hire an individual to fill the Emergency Services Director vacancy; 6) approved the request of an individual to remain on-call as a Paramedic by a 5 to 0 vote; 7) discussed potential salary changes for several County employees; and, 8) received legal advice regarding a potential conflict of interest. Present were: William V. Nichols, President; Jay L. Newcomb, Vice President; Libby Handley Nagel; George L. Pfeffer, Jr. and Ricky C. Travers. Also present were E. Thomas Merryweather, County Attorney; Keith Adkins, County Manager, and Donna F. 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

COMMENDATION-CAMBRIDGE SOUTH DORCHESTER HIGH SCHOOL SENIOR CLASS PLAY

The Council presented a Commendation to the Cambridge South Dorchester High School Senior Class Play participants.

COMMENDATION-TEACHER OF THE YEAR-CHARLENE ZINNEL

The Council presented a Commendation to Charlene Zinnel congratulating her on being named Dorchester County's Teacher of the Year 2019-2020.

WORKFORCE INNOVATION & OPPORTUNITY ACT LOCAL INTEGRATED PLAN-UPPERSHORE WORKFORCE INVESTMENT BOARD

Daniel P. McDermott, Executive Director, Upper Shore Workforce Investment Board, presented the Upper Shore Workforce Innovation and Opportunity Act Plan. The Council agreed to the execution of the Local Elected Official Concurrence sheet by the Council President.

MEETING WITH MUNICIPALITIES

An annual meeting with municipalities to provide them the opportunity to discuss proposed tax differential/tax rebates pursuant to Section 6-306, Tax Property Article, Annotated Code of Maryland was held.

Pursuant to an inquiry from Patrick Comiskey, Manager, City of Cambridge, Michael Spears, Finance Director, advised that he will provide him information on how the tax differential for the City of Cambridge was calculated. Mr. Comiskey said he is appreciative of the working relationship between the City and County. Stephen Rideout, City of Cambridge Commissioner, referenced State of Maryland regulations regarding municipal submission requirements. He expressed a desire for two Council members from the City and the County to meet prior to next year's preparation of the tax differential/rebate. Councilman Nichols suggested that City staff meet with Mr. Spears to discuss how the figures are calculated. Mr. Comiskey said that Mr. Spears has been very helpful as well as quick and efficient in providing him information regarding property taxes and other matters. Commissioner Dave Cannon noted that the City Council is in the middle of the budget process and reiterated that the members need information regarding the calculations for tax differentials/rebates. In response to a question from Councilman Travers, Mr. Spears said the proposed FY 2020 budget sets the County tax differential for the City at 7.33 cents with a value of \$547,799 for Cambridge residents and 8.21 cents for Hurlock residents which represents a value of \$96,143. He noted that these are the same rates as the prior fiscal year. Joanne Cooke, Commissioner, Town of Galestown, thanked the County Council for not raising the property tax, noting that the Town also did not raise its taxes.

Councilman Nichols, on behalf of the Council, thanked the municipal representatives for attending the meeting. Mr. Spears said tax rebates for the remaining counties also remain unchanged.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

INTRODUCTION

AN ORDINANCE CONCERNING: 2019-2020 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY

E. Thomas Merryweather, County Attorney, said the 2019-2020 Annual Budget Appropriation Ordinance of Dorchester County is scheduled for introduction. The Council agreed to proceed with publication of a public hearing on this matter. Councilman Nichols announced public comment will not be taken tonight on the budget. He said public hearings will be held on April 30, 2019 and May 7, 2019 followed by the Legislative Public Hearing/Adoption on May 21, 2019. Councilman Newcomb noted that copies of the draft FY2020 budget bill are on the back table. Michael Spears, Finance Director, provided an overview of the proposed budget, which is attached.

OTHER

Based on a recommendation from Mr. Merryweather, the Council requested that a bill to extend the residential sprinkler system tax credit for three years be prepared for introduction.

REGULAR SESSION

The Council convened into Regular Session.

PRESENTATION OF REBATE CHECK-HEALTH INSURANCE BROKER

Chet McWilliams, the County's Health Insurance Broker, provided an update on Dorchester County government's self-insured health insurance including reinsurance refunds and prescription rebates which is attached.

MANAGERS COMMENTS

TRAVEL REQUEST-AIRPORT

The Council approved the request of Meighan "Chis" Chisholm, Airport Director, to attend the Maryland Regional Aviation Conference from June 12 to June 14, 2019 at the cost of \$100 for registration utilizing Airport Budget funds and a County vehicle to commute daily to the conference.

REQUEST TO ADVERTISE FOR PROPOSALS-FOOD SERVICES-DETENTION CENTER

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to advertise a request for proposals for food services.

SECURUS TECHNOLOGIES CONTRACT-INMATE CALL MANAGEMENT SERVICE-DETENTION CENTER

Director Hughes spoke to his request for the Council to enter into a Second Amendment to the Master Services Contract between Securus Technologies, Inc. and the Dorchester County Detention Center to provide inmate call management services. He explained that the phone system at the Detention Center is being updated to meet Homeland Security and State of Maryland standards. He explained that kiosks will be installed that will allow inmates to obtain information from various sources, including the law library. Mr. Merryweather, referring to the proposed agreement with Securus Technologies, noted that it does not include a thirty-day termination clause. Director Hughes said the company has provided the inmate call management service to Dorchester County for over twenty years without any problems. Pursuant to an inquiry from Mr. Merryweather, Robert Johnson, Account Manager, Securus Technologies, Inc., said he would have to ask management if they are willing to accept a termination clause after 18 months. Mr. Johnson explained that the reason for not including the clause is because the company will be providing a significant capital investment to update the entire system, including adding touch screen kiosks, new products and equipment. Mr. Merryweather said the Council

can make an exception to the termination clause for this purpose. Director Hughes noted that inmate funds will be used for this service so there is no cost to the County. The Council asked Mr. Johnson to inquire as to whether the company is willing to include a termination clause after 18 months. The Council agreed to enter into the Second Amendment to the Master Services Contract regardless of whether the company agrees to the addition of the termination clause.

RURAL BROADBAND AGREEMENT-BAY COUNTRY COMMUNICATIONS

Cindy Smith, Assistant Finance Director, noted that at its April 2, 2019 meeting, she discussed with Council a request to sponsor a grant from the Department of Housing and Community Development (DHCD), which is a pass through to Bay Country Communications (BCC), for a project to move rural broadband to the Neck District. She noted that pursuant to Council's directive at that meeting, she and Mr. Merryweather worked with DHCD staff to limit the Memorandum of Understanding to the preparation of the grant application only for which BCC will hire someone. She stated that there is no risk to the County since funds will be provided whether or not there is a grant award. She explained that if the company needs cash flow funds, a request will be forwarded to the Council to enter into another agreement for this purpose. The Council agreed to enter into the Memorandum of Understanding.

TAX LIEN PROPERTY-309 S. MAIN STREET HURLOCK-FINANCE

Ms. Smith said the County is in the process of foreclosing on 309 S. Main Street, Hurlock, Maryland, a church owned by an individual who is delinquent on real property taxes. Mr. Merryweather advised that the filing of the deed is scheduled for Friday. Ms. Smith explained that since two offers have been received, the standard sale process for the tax lien property has been pre-empted. She advised that the offers are from the Ministers & Citizens for Change, a nonprofit organization, and Jeremy Trice, an adjacent property owner. She asked Council for direction on how to proceed. Due to the large size of the property, Mr. Merryweather suggested that the Town of Hurlock Mayor and Council be asked for their comments. Ms. Smith said she is in contact with John Avery, Town Clerk, on a regular basis. She advised that he is in favor of Mr. Trice purchasing the property. She explained that Mr. Trice has purchased the adjacent property and is renovating the house in which he and his wife will reside. She noted that he has started working on the church. She said she has not spoken to the Mayor or the Town Council about the disposition of the property. She stated that the proposed use of the property by the Ministers & Citizens for Change is for a community center. She explained that she and Nancy Shockley, Local Management Board Director, has worked with multiple groups regarding the pursuit of grants for such a facility in the northern area of the County. Ms. Smith said that it is necessary to develop a business plan that includes funding streams for operating costs and repairs as well as program costs. She recommended that the Council defer consideration of the two requests and seek additional information from the Ministers & Citizens for Change. In response to a question posed by Councilman Pfeffer, Ms. Smith said the Council can defer this matter for further consideration. Based on queries from Councilman Travers, Ms. Smith said both parties plan on saving the existing structures. The Council agreed to defer this item until its May 7, 2019 meeting in order to provide Ms. Smith time to contact the Ministers & Citizens for Change.

CAPITAL BUDGET EXPENDITURE REQUEST-SOLE SOURCE-FINANCIAL SOFTWARE-FINANCE

Michael Spears, Finance Director, presented his request to sole source and expend FY18 Capital Budget funds financed through the issuance of a bond. He explained that the financial and tax systems currently used by the Finance Department are older systems that do not integrate. He said the proposed vendor has a presence in Maryland and focuses solely on local governments. He stated that the proposed software is Cloud based with the following functions: Finance, Budgeting, Contracts Management, Personnel, Payroll with Electronic Timekeeping, Revenue, Project Tracking, Fixed Assets, Tax and Miscellaneous Billing, Business and Animal Licensing, Fleet Management, Permitting, Work Orders and Inventory Control, Apps for Residents, Self Service functions for residents, Apps for inspectors, web based payment features and self service features for employees and visitors. He explained that the bond monies will cover first year of funding from Capital budget and future years' funding will be from the Finance Department's existing budget. He said he is seeking a formal waiver of bids and to sole source with the company he provided to the Council. A motion was made by Councilman Newcomb to sole source and expend the funds which Councilman Travers seconded.

In response to a question posed by Councilman Pfeffer, Mr. Spears said the price includes the modules he previously referenced. Councilman Pfeffer noted that this system will benefit multiple departments. Mr. Spears stated that backups are also Cloud based. Cindy Smith, Assistant Finance Director, advised that she sent a link to Department Heads and the Council's Office. She said Ryan White, Public Works Director, has been very vocal about obtaining interactive software with Finance and has talked directly to the company who answered his questions. She noted that Donna F. Lane from the Council's Office also viewed the software and indicated that it will benefit multiple departments. She noted that Planning and Zoning inspectors can be out in the field and use Apps to link up to the system. The Council approved Mr. Spears' request to sole source with Edmonds Software for a first year installation Cost of \$136,695.

GRANT AWARD-SECURITY UPGRADES-CIRCUIT COURT

The Council approved the request of Brett Wilson, Circuit Court Judge, to accept a grant award from the Administrative Office of the Courts to upgrade/install card access to Room 203A, panic button, camera replacement system throughout the building and ballistic walls on the entrance in the amount of \$54,466.22 with no County match.

STREAMING AND VIDEO ARCHIVING COUNTY COUNCIL MEETINGS

Keith Adkins, County Manager, said prices for the streaming and video archiving of County Council meetings were sought from four companies with only three providing quotes. He advised that pursuant to Don Keyes, Information Technology Director, one company provided the best quote based on the following features that best suit the County's needs: 1) equipment; 2) the ability to start and stop the recording manually; 3) the ability to pause live streaming and post a custom message (if there was a need to go into closed session); and, 4) sufficient storage for archiving videos. He explained that the quote is for \$7,000 for the first year, which includes equipment costs, and an annual fee of \$6,000 for the second year with technical support, backups

and upgrades being included in these costs. Councilman Pfeffer' motion to sole source and contract with Civic Plus failed with Councilwoman Nagel and Councilmen Newcomb and Nichols opposing.

DELMARVA WATER TRANSPORT COMMITTEE, INC. MEMBERSHIP

Mr. Adkins stated that: 1) for the past year or so Brian Soper, Environmental Planner, has been attending Delmarva Water Transport Committee, Inc. meetings on Council's behalf; 2) during these meetings dredging, the moving of markers and other information relating to the waters in the County are discussed; and, 3) in the past the County Engineer and/or Public Works staff have attended on behalf of the County. The Council agreed to renew the County's membership and asked staff to inquire whether Mr. Soper is willing to continue to attend these meetings.

SURPLUS PROPERTY DECLARATION REQUEST-SHERIFF'S OFFICE

The Council agreed declare a 2005 Ford, Title No. V932989, Vehicle Identification Number 2FAFP71W95X120914, a Sheriff's Office vehicle, as surplus property.

USE OF BLEACHERS-RECREATION AND PARKS

Frank Stout, Recreation and Parks Director, said he is seeking Council's direction on handling requests for temporary bleacher use. He advised that: 1) for years the Recreation and Parks Department has provided, and staff has delivered and picked up bleachers for community events; 2) there were 11 events for which bleachers were requested last year; 3) there are now requests being submitted from interest groups on smaller scale; 4) the Department absorbs the cost of the staff time and transportation expenses; 5) he is concerned that the additional requests will comprise the Department's ability to take care of its own facilities; and, 6) increased use will result in additional wear and tear on the bleachers. He suggested developing a policy under which events that require the additional presence of one of more County government department of agency to include Emergency Medical Services, law enforcement as well as the Dorchester County public school system are able to use the bleachers. The Council deferred this matter to allow Mr. Stout the opportunity to draft a policy for its review and consideration at a future meeting.

FY20 CRITICAL AREA GRANT AGREEMENT

The Council approved the request of Brian Soper, Environmental Planner to accept a FY 2020 Critical Area Grant Agreement in the amount of \$10,000 which is \$3,000 less than prior years, which monies will be used to pay a portion of the Environmental Planner salary.

PROPOSED CORRESPONDENCE-PLAN REVISION REQUEST

Mr. Adkins said farmers and citizens have expressed concern about the revision of the U.S. Fish and Wildlife Service (Service) to engage the public in completing required revisions to Blackwater Refuge's Comprehensive Conservation Plan (CCP) and the accompanying Land Protection Plan (LPP) in conjunction with the County's Comprehensive Plan. The Council

agreed to send correspondence to Marcia Pradines, Refuge Manager, Chesapeake Marshlands National Wildlife Refuge Complex, encouraging concurrent comprehensive planning and a request for a written response on how and when the Service plans to proceed with the CCP/LPP revisions.

POLL CONFIRMATION

The Council confirmed its decision, in the interim between meetings, by means of a poll, approved the request of Dozia Rahilly, Emergency Services Director, to lease to own a 12x24 storage shed with insulated double front/side doors using Homeland Security funding for the storage of the 800 radio system and consoles until a decision is made how/if they will be disposed of by a 5 to 0 vote. Mr. Adkins explained that after concerns were expressed, a request was made to use a storage facility for climate control purposes.

TRAFFIC SAFETY COMMITTEE RECOMMENDATION

Mr. Adkins said: 1) the Traffic Safety Committee met on April 8, 2019. Pursuant to a resident's request the Committee members are recommending that "Children At Play" signs and 35 mph speed limit signs be placed on Blackwater Road in Golden Hill, Maryland; and, 2) one sign will be placed immediately upon entering the road from Route 336 and the other immediately upon entering from Liners Road. The Council approved the Committee members' recommendation.

CLEAN CHESAPEAKE COALITION-EXECUTIVE COMMITTEE-COUNTY REPRESENTATIVE

Mr. Adkins advised that: 1) a request has been submitted for the appointment of an individual to represent Dorchester County on the Executive Committee of the Clean Chesapeake Coalition; 2) in the past a Council Member served on this Committee; 3) the plan is to schedule an Executive Committee meeting in Cecil County in May. The Council asked staff to obtain information including how often the Committee meets and the location of the meetings.

PUBLIC COMMENTS

Pursuant to an inquiry from Bill Windsor, resident, Councilman Pfeffer confirmed that the motion to contract with a company for the streaming and archiving videos of County Council meetings was denied. Mr. Windsor expressed concern about not being able to hear the Council Members and Mr. Adkins from the back of the meeting room. Councilman Newcomb explained that Information Technology staff are order new goose neck microphones.

COUNCIL'S COMMENTS/ADJOURNMENT


Councilman Pfeffer acknowledged that it is Public Safety Telecommunicators Operators Week (April 14 to April 20, 2019). He thanked the County's telecommunicator operators. He referenced his motion to stream and archive videos of the County Council meetings, noting that in the past Bay Country Communications has broadcast meetings but only to its customers.

The Council agreed that Mr. Stout can proceed with ordering a utility vehicle for the Recreation and Parks Department for which funds are included in the FY2020 budget provided monies are not expended until the beginning on that fiscal year. He wished everyone a Happy holiday.

Councilman Nichols said Susan Banks was appointed by the Council as the Economic Development Director. He announced that: 1) Members of the Dorchester County Council will attend a roundtable discussion with Senator Van Hollen at New Revived United Methodist Church on Thursday, April 18, 2019 at 2:30 p.m. in Taylor's Island, Maryland; 2) the next Council meeting will be held on April 30, 2019 at 6:02 p.m. for the first public hearing on the proposed FY 2020 budget only; 3) a second public hearing will be held at the Council's May 7, 2019 meeting; and, 4) the Budget Legislative Hearing/Adoption will be held at its May 21, 2019 meeting.

With no further business to discuss, the Council adjourned.

ATTEST:



Keith Adkins
County Manager

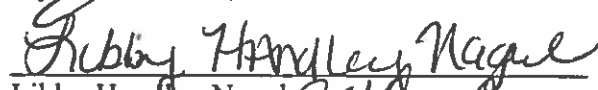
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



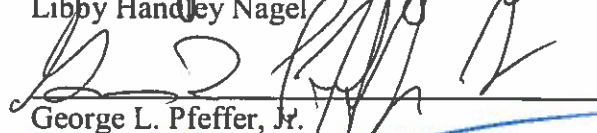
William V. Nichols, President



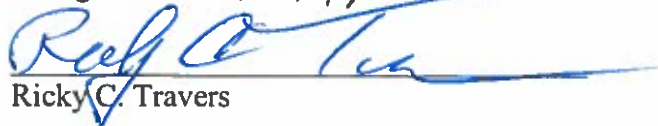
Jay L. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 30th day of April, 2019.