

**County Council of Dorchester County  
Amended Regular Meeting Minutes  
June 4, 2019**

The County Council of Dorchester County met in regular session on June 4, 2019 with the following members present: 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 Pfeffer led the invocation and the pledge of allegiance.

**OTHER**

Councilman Newcomb advised that Councilman Nichols is not present due to an illness in his family.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Keith Adkins, County Manager, said after publication of the agenda the following item was removed: Request To Apply-Department Of Housing and Community Development Demolition Funds-Finance. The Council approved the amended agenda.

**APPROVAL OF MINUTES**

The Council approved the minutes of May 7, 2019 and May 21, 2019.

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers with additions as presented with Councilman Travers abstaining for payments made to Simmons Center Market.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Newcomb reported total cash and investments as \$3,557,792.74.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on June 4, 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto. Present were: 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 June 4, 2019 at 5:01 p.m. to discuss the following items: 1) approved the request of the Emergency Services Director to hire an individual to fill a vacant Administrative Specialist position by a 3 to 0 vote; 2) discussed personnel matters relating to a County department; 3) discussed a matter relating to the termination of a County employee; 4) denied a request to hire an individual as an intern for the Emergency Management Division of the Emergency Services Department by a 3 to 1 (abstention) vote; 5) approved the request of the Acting Planning and Zoning Director to hire an individual to fill a vacant GIS Specialist position by a 4 to 0 vote; 6) discussed the acquisition of properties for the Airport; and, 7 ) received information regarding the acquisition of properties.

Present were: 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-LIFE SAVING EVENT THROUGH EARLY CPR**

The Council presented a Commendation recognizing the following individual's actions that led to the saving of a victim in cardiac arrest: Mandy Gullion, Cindy Gullion, BJ Gullion, Chief Brian Kimmey, Chief Jason Trego, Mike Bramble, Jason Loble, Rob Layfield, Ben Shannon, Elizabeth Stacey, and Justin Koshar and the Hurlock Volunteer Fire Department.

### **PROCLAMATION-CPR AND AED AWARENESS WEEK**

The Council presented a Proclamation declaring June 1 to June 7, 2019 as CPR and AED Awareness Week.

### **U.S. CENSUS BUREAU PARTNERSHIP AND OPERATIONS ACTIVITIES PRESENTATION**

Jillian Cordova, Partnership Specialist, U.S. Census Bureau Partnership, Eastern Shore representative, provided information regarding the U.S. Census Bureau's partnership and operations activities. Ms. Cordova stated that it is her job to assist local communities to ensure an accurate and complete count is obtained for the 2020 Census, noting it begins in April 2020. She expressed her understanding that Dorchester County agreed to form a Complete Count Committee. Based on an inquiry from Council, She said she will obtain the name of the person/entity which agreed to form this Committee. Ms. Cordova explained that they are moving to an electronic format so individuals can fill out a survey online as well as request a paper copy. She noted that the questions have been reduced from 30 to 10 or 11. She stressed the importance of participating in the census in order to increase resources for citizens. She stated that there are multiple job openings locally, full or part time at \$18.50 an hour. She said she appreciated the opportunity to speak about the 2020 Census.

The Council thanked Ms. Cordova.

## COMMUNITY DEVELOPMENT BLOCK GRANT PRE-APPLICATION HEARING- CRITICALLY ILL POPULATION

Brittany Palmer, Grant Administrator, said she is present to conduct a pre-application hearing to obtain views of citizens on needs of the critically ill population to be considered as part of the submission of a grant application to the Maryland Community Development Block Grant (CDBG) Program.

She provided a brief summary of the activities for which CDBG funding are available, noting that there is \$5.1 million available statewide. She said the request before Council is to sponsor the application of Moveable Feast, a non-profit organization, which delivers food to those living with chronic life threatening illnesses who are undergoing medical treatment and are food insecure. She stated that the organization can also provide food to dependent children of the critically ill. She advised that the Susan G. Komen Foundation and the United Way of Lower Eastern Shore have committed funds for this purpose.

Laura Shriver, Grants and Communications Coordinator, Moveable Feast, said individuals are referred to the program by a physician. She advised that 62 clients were served over 27,000 meals in 2018 and under the proposed grant approximately 52 clients can be served which equates to 20,000 meals. She stated that Moveable Feast has been in existence for 30 years and has served Dorchester County for 20 years.

In response to inquiries from Councilman Pfeffer, Ms. Shriver explained that: 1) the meals are produced in east Baltimore; 2) a satellite distribution center is located in Federalsburg from which meals are distributed to Dorchester as well as other counties; 3) deliveries consist of 12 frozen meals and a bag of fresh produce which are delivered weekly at no cost to the citizens; and, 4) delivery drivers maintain the same route for consistency purposes.

The Council adopted a resolution to support the submission of an application for CDBG funds of \$79,969 for home delivered meals for approximately 52 critically ill County residents by Moveable Feast. There was a public sign-up sheet and no one signed up to speak.

## LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

## PUBLIC HEARING

**BILL NO. 2019-4 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 9-232 OF THE TAX PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL AND REENACT SECTION 144-56(C) AND SECTION 144-57(F) OF ARTICLE XVIII OF CHAPTER 144 OF THE DORCHESTER COUNTY CODE TO PROVIDE THAT RESIDENTIAL PROPERTIES CONSTRUCTED BETWEEN JULY 1, 2019 AND JUNE 30, 2022, AND INCLUDE A COMPLETE AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM, AND ARE USED AS THE PRINCIPAL RESIDENT OF THE HOMEOWNER, ARE QUALIFIED FOR THE RESIDENTIAL SPRINKLER SYSTEM TAX CREDIT, AND TO PROVIDE THAT THIS**

ACT SHALL EXPIRE ON JUNE 30, 2023, AND TO PROVIDE THAT THIS ACT SHALL APPLY TO THE REAL PROPERTY TAX BILLINGS AS OF JULY 1, 2019.

E. Thomas Merryweather, County Attorney said a public hearing is being held on Bill No. 2019-4 that extends the residential sprinkler system tax credit, which currently expires on June 30, 2019, for an additional two years, from July 1, 2019 to June 30, 2022. He noted that no one signed up to speak. There was no response to his inquiry as to whether anyone wished to speak. The roll call on the enactment of Bill No. 2019-4 was as follows: Newcomb-aye; Nagel-aye; Nichols-absent; Pfeffer-aye; Travers-aye.

## PUBLIC HEARING

BILL NO. 2019-5 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO THE LAND USE ARTICLE OF THE MARYLAND ANNOTATED CODE, WHICH ENTRUSTS LOCAL JURISDICTIONS WITH LAND USE PLANNING AUTHORITY TO GUIDE GROWTH AND DEVELOPMENT, AND PURSUANT TO AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY MARYLAND TO AMEND THE USE CATEGORY OF "UTILITIES" CONTAINED IN CHAPTER 155 ENTITLED "ZONING" OF THE DORCHESTER COUNTY CODE IN ATTACHMENT 1 ENTITLED "TABLE OF PERMITTED USES BY ZONING DISTRICT DORCHESTER COUNTY, MARYLAND", CITED AS 155 ATTACHMENT 1:16. TO ADD COMMUNICATION TOWERS AS A SPECIAL EXCEPTION USE IN THE V, VILLAGE ZONING DISTRICT, AND TO ADD A MINIMUM LOT OR PARCEL SIZE FOR A COMMUNICATION TOWER IN THE VILLAGE ZONING DISTRICT.

Mr. Merryweather said a public hearing is being held on Bill No. 2019-5 which is sponsored by the Neck District Volunteer Fire Company, for a text amendment to the Zoning Ordinance to allow communication towers in a Village zoning district, the district the company is in, which will allow them to proceed with obtaining a communication tower in the Neck District.

Rodney Banks, Acting Planning and Zoning Director, said: 1) the Neck District Volunteer Fire Company submitted a request; 2) the purpose of the amendment is to permit the use of communication towers as a Special Exception in the V, Village Zoning District; and, 3) the Zoning Ordinance currently allows communication towers as a permitted use in the B-2, I-1, and I-2 districts, and as a Special Exception use in the RC, RR-C, and AC zoning districts; and, 4) the Dorchester County Planning Commission at their March 6, 2019 meeting voted unanimously to recommend Council's approval of the amendment. He stated that the proposed legislation includes a five acre minimum requirement to obtain a special exception in this district. He explained that the purpose of the inclusion of this requirement is to limit the amount of acreage that can be used for this purpose since 90% of the County properties are either zoned appropriately for this use or for which a special exception can be obtained. He noted that there are less than 2,000 acres in the Village Zoning District and 856 parcels of land.

Bernie Dryden, resident of the Neck District, and a Trustee at the volunteer fire company said he supports this amendment, noting the entity owns more than five acres which he feels will benefit residents.

The roll call on the enactment of Bill No. 2019-4 was as follows: Travers-aye; Pfeffer-aye; Nichols-absent; Nagel-aye; Newcomb-aye.

## **REGULAR SESSION**

The Council convened into Regular Session.

## **MANAGERS COMMENTS**

### **REQUEST TO USE PARKING LOT-ELECTRICAL OUTLETS-CUBMOBILE DERBY**

The Council approved the request of Michael O'Connor, Chair, Cubmobile Committee, to: 1) use the parking lot at the County Office Building for a Cub Scout Cubmobile Derby on October 6, 2019; 2) to place two sets of bleachers from Recreation and Parks on the sidewalk in the front of the building; and; 3) to use outlets on the outside of building. Councilwoman Nagel abstained. The Council acknowledged that a Certificate of Insurance will be provided.

### **REQUEST TO EXPEND CAPITAL FUNDS-BEULAH LANDFILL OUTBOUND SCALE REPLACEMENT-PUBLIC WORKS**

The Council agreed to accept the lowest quote from Advance Scale and expend FY19 Solid Waste Capital Budget funds for the replacement of an outbound scale at the Beulah Landfill to include the removal of the old scale and guide rails at the cost of \$61,911.50.

### **SUPPLEMENTARY APPROPRIATION REQUEST-HANGAR IMPROVEMENTS-AIRPORT**

The Council approved the request of Meighan "Chis" Chisholm, Airport Director, for a supplementary appropriation to apply FY17 Capital Budget funds from projects "Old Paint Hangar Roof and Siding," and "Ground Power Unit" totaling \$40,609 to Hangar improvements to render the South Hangar suitable for leasing.

### **LEASE OF TERMINAL BUILDING OFFICE SPACE-DALCOM ENGINEERING, LLC-AIRPORT**

The Council approved the request of Mr. Chisholm to enter into a lease with Dalcom Engineering, LLC for two offices in the north end of the Airport Terminal building for a three year initial term and three one-year extension options beginning August 1, 2019 at \$496 per month.

### **REQUEST TO UTILIZE FY17 STATE HOMELAND SECURITY GRANT FUNDS-EQUIPMENT-EMERGENCY SERVICES**

The Council approved the request of Dozia Rahilly, Emergency Services Director, to utilize FY17 State Homeland Security Grant funds to purchase the following: 1) ALS full-body trainer, \$4,018.70; 2) four Scott SCBA One Hour Cylinders for the Hazmat Team, \$4,904; and 3) a Lion Fire Simulator with accessories which can be used by all volunteer fire companies for community outreach, CERT and County employee training, \$12,000.

#### TAX LIEN FORECLOSURE PROPERTY RE-AWARD-VIENNA BACK STREET-FINANCE

The Council approved the request of Cindy Smith, Assistant Finance Director, to re-award 4929 Back Street, Vienna to Jeff Foglesonger, second highest bidder, at the cost of \$1,000, since the original bidder is unable to acquire the property.

#### DISCUSSION-POTENTIAL RELOCATION-HEALTH DEPARTMENT

Mr. Adkins noted that discussions have been held regarding the potential relocation of the Health Department. He said if Council intends to pursue this matter, he suggests that two Council Members be appointed as part of a Committee in order to proceed with investigations and feasibility studies to provide a recommendation to the full Council. The Council agreed to move forward with the Committee. The Council appointed Councilman Travers and Councilman Pfeffer to the Committee.

#### AMENDED RESOLUTION-HEART OF CHESAPEAKE COUNTRY HERITAGE AREA MANAGEMENT BOARD MEMBERSHIP-TOURISM

The Council adopted a resolution amending the Heart of Chesapeake Country Heritage Area Management Board membership from two Council representatives on this Board appointed by and from the Council to one Council member and the County Manager. The Council appointed Councilman Travers as the Council representative.

#### LETTER OF SUPPORT REQUEST- SINGLE FAMILY RESIDENTIAL FIRE SPRINKLER WAIVER PROVISION LEGISLATION-WORCESTER COUNTY

The Council discussed the request of Commissioner Diana Purnell, President, on behalf of the Worcester County Commissioners, for the Council's support of legislation to remove the mandatory requirement of automatic fire sprinkler systems in all new single-family dwellings in the State, upon introduction during the 2020 Maryland General Assembly Legislative Session. Councilman Travers expressed opposition to the legislation, noting that sprinkler systems save lives. He suggested sending them a copy of the County's legislation providing a sprinkler system property tax credit. In response to a query from Mr. Merryweather, Councilman Travers expressed his understanding that in some municipalities in the County the cost is lower for the installation of a sprinkler system than the credit. He noted that those residents who have a sprinkler system receive a reduced insurance premium. Councilman Pfeffer noted that the property tax credit is \$5,000 or the cost of a sprinkler system, whichever is less. The Council agreed not to support this legislation and to include with its response the legislation which established the property tax credit for Dorchester County.

#### LEASE DISCUSSION-COUNTY OWNED PROPERTY

The Council acknowledged that a lease for a County owned property will not be renewed and agreed to send correspondence to this effect.

#### COUNTY COUNCIL FY19/20 FIRST AND SECOND QUARTER MEETING SCHEDULE

The Council agreed to adopt the FY19-FY20 First and Second Quarter Meeting Schedule.

## **SOCIAL SERVICES-COUNTY COUNCIL REPRESENTATIVE**

Pursuant to the request of Lisa Hartman, Social Services Director, the Council agreed to appoint Councilman Pfeffer as an ex-officio member to the Dorchester County Social Services Advisory Board.

## **MARYLAND ASSOCIATION OF COUNTIES SALARY SURVEY PARTICIPATION INQUIRY-HUMAN RESOURCES**

The Council acknowledged that the Maryland Association of Counties (MACo): 1) conducts a salary survey annually the cost of which has been included in the County's dues; 2) MACo now wishes to charge for this survey; and, 4) Dorchester County's cost is \$440. The Council agreed to participate in the salary survey with Councilwoman Nagel opposing.

## **PUBLIC COMMENTS**

Belinda Galanek, a Dorchester County Health Department employee, stressed that she is not representing the Health Department nor the Local Health Officer. She referenced the action taken this evening regarding the potential relocation of the Health Department. She expressed her belief that her health issues may be related to the building's condition. She underscored the need for a new facility. She said she hopes Council will consider its relocation as a high priority. Mike Wheatley, resident, representing the Chamber of Commerce invited the Council to attend the Celebrate Dorchester 12<sup>th</sup> Anniversary event on June 18, 2019 at 5:30 p.m.

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

Councilwoman Nagel commended the high school graduates in the County, noting she attended both ceremonies. She said many of the North Dorchester High School graduates received grant monies for college. Councilman Pfeffer, who also attended the NDHS graduation, expressed his belief that the total was \$2.5 million.

Councilman Newcomb advised that at the NDHS graduation the future goals of the graduates were provided to attendees as well as whether or not they were going to obtain a job, go to college or serve in the military.

Councilman Pfeffer congratulated the graduates from both high schools. He said today he attended the fifth grade commencement at Warwick Elementary.

Councilman Travers said he had the pleasure of representing the County at the American Post Legion 91's Memorial Day Service at Long Wharf. He noted that the Celebrate Dorchester event Mr. Wheatley referenced is on a Council meeting date.

Councilman Newcomb referenced comments and calls about residents' concerns about the current school board. He explained that several years ago the Board members were appointed and after a referendum of voters in the County it became an elected Board. He said if the public

wants to change the process back they must ask the legislators for an amendment to State law. He announced that the next Council meeting will be held on June 18, 2019 at 6 p.m.

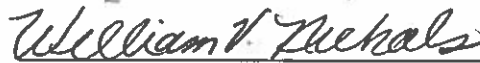
With no further business to discuss, the Council adjourned.

ATTEST:



Keith Adkins  
County Manager

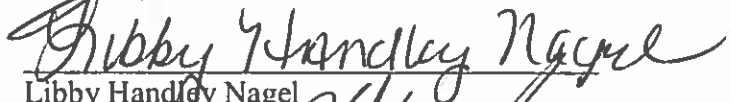
THE COUNTY COUNCIL  
OF DORCHESTER COUNTY:



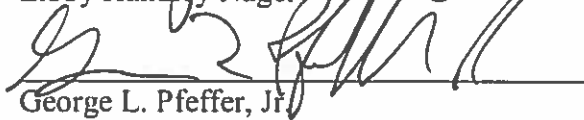
William V. Nichols, President



Jay L. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.

*absent*

Ricky C. Travers

Approved the 2<sup>nd</sup> day of July 2019.