

**County Council of Dorchester County
Regular Meeting Minutes
January 2, 2018**

The County Council of Dorchester County met in regular session on January 2, 2018 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; and Rick M. Price. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Bradshaw led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

OTHER

Jeremy Goldman, County Manager, advised that Councilman Nichols and Councilman Satterfield were unable to attend this meeting.

APPROVAL OF MINUTES- December 19, 2017

The Council approved the minutes of December 19, 2017 with Councilman Satterfield voting by written proxy.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$10,225,654.00.

REGULAR SESSION

COMMENDATION-RETIREMENT-RUSTY PHILLIPS

The Council presented a Commendation to Rusty Phillips congratulating him on his retirement and recognizing his 30 years of service to Dorchester County.

MANAGERS COMMENTS

LEASE MODIFICATION REQUEST-ECONOMIC DEVELOPMENT

Jeremy Goldman, County Manager, said DS Smith, Plc. is seeking a modification of the Amendment to Agreement of Lease dated August 15, 2012 between the County Council and Interstate Corrrpack, LLC, on behalf of this company, to reduce the monthly lease amount from \$833.33 to \$1.00. He explained that: 1) the company sought assistance from the County since it was disadvantaged when rail service was lost; 2) \$250,000 in County funds were set aside for paving assistance; 3) funding from the Department of Housing and Community Development grant monies were made available to the company in the amount of \$750,000; 4) the company is seeking a reduction in the monthly lease amount and is willing to forego the paving assistance and grant funding; 5) the company is expanding and remaining in the County; 6) automation will occur so there may be a variance in employment figures; 7) company funds will be used to pay for the expansion; and, 8) providing a reduction meets the Council's long term objective of retaining this company in the County. Jeff Trice, Economic Development Director, confirmed that the proposed reduction over the life of the lease is approximately \$89,000. The Council agreed to reduce the monthly lease amount to \$1 per month with Councilman Satterfield voting in favor via written proxy. The Council acknowledged a change of the control of the company to DS Smith, Plc. E. Thomas Merryweather, County Attorney, asked Mr. Trice to provide organizational documents for DS Smith, Plc. so he may prepare a lease amendment.

AMENDED/SUPPLEMENTAL RESOLUTION-BOND ANTICIPATION NOTE-FINANCE

The Council agreed to enter into a Resolution amending and supplementing, Resolution No. 603 adopted by the County Council on September 19, 2017 and effective on that date, in order to authorize and empower Dorchester County to use and apply a portion of the proceeds of the Dorchester County Maryland Public Facilities Bond Anticipation Note of 2017 issued on October 2, 2017 for the public purpose of financing or reimbursing on an interim basis costs of the project identified in Bill No. 2017-6 as "replace radio system" in addition to the project identified in Resolution No. 603 as "replace NDHS" and reallocating proceeds of the 2017 note to such two projects; authorizing, directing or empowering County officials and employees to take certain actions with respect to the 2017 Note; and otherwise generally relating to the use of the proceeds of the 2017 Note. Councilman Satterfield voted in favor via written proxy. The Council acknowledged that the total cost of the portions of the above referenced projects to be financed or reimbursed on an interim basis, from the proceeds of the Note, will not exceed \$8,491,354.

TRAVEL REQUESTS-EMERGENCY SERVICES-ECONOMIC DEVELOPMENT

Emergency Services

The Council approved the requests of Anna Sierra, Emergency Services Director, for: 1) her to travel to Miami, Florida to attend the Hurricane Preparedness for Decision Makers from January 28 to February 2, 2018, which is held at the National Hurricane Center at Florida International University with airfare, lodging and a portion of the required rental car being covered by Federal Emergency Management Agency and meals and other expenses which total \$352 or \$652 depending on rental care availability from existing budget allocations; and, 2) three 911 Center Lieutenants to attend the International Academies of Emergency Dispatch Emergency Telecommunicator Instructor Course in Gaithersburg, Maryland on January 29 to January 31, 2018 at the cost of \$2,118 which includes lodging and meals using existing budget allocations. Councilman Satterfield voted in favor of these travel requests via written proxy.

Mr. Goldman said the third request submitted by Ms. Sierra is for the following individuals to attend the International Academies of Emergency Dispatch Navigator Conference in Las Vegas, Nevada on April 24 to April 26, 2018 at the cost of \$8,384 which includes airfare, conference fees, lodging and food from existing budget allocations: Ms. Sierra; Kim Vickers, Communications Chief; Lieutenant Loreal Vaughn and Lieutenant Brian Stevanus. Pursuant to an inquiry from Councilman Price, Mr. Goldman said this conference is held in different locations each year. The Council approved Ms. Sierra's request. Councilman Satterfield voted in favor via written proxy and Councilman Price opposed.

Economic Development

The Council approved the request of Jeff Trice, Economic Director, to attend the International Economic Development Council Federal Economic Development Forum in Washington, DC on March 25 to March 27, 2018 at an estimated cost of \$1,255 which includes registration, lodging, meals and mileage. Councilman Satterfield voted in favor via written proxy.

AMENDED PUBLIC ROAD CONSTRUCTION AGREEMENT-SUNSET COVE- PLANNING AND ZONING

The Council agreed to enter into an amended Public Road Construction Agreement for the Sunset Cove Subdivision between the County Council and Edward J. Kaye and Linda Sue Kaye. Councilman Satterfield voted in favor via written proxy.

GRANT AGREEMENT ACCEPTANCE-FY18 DESTINATION MARKETING GRANT-TOURISM

Based on the request of Amanda Fenstermaker, Tourism Director, the Council agreed to accept a FY18 Destination Marketing Grant award from the Maryland Office of Tourism

for funds of \$48,687 with the match being provided through the FY18 Tourism Department's Operating Budget. Councilman Satterfield voted in favor by written proxy.

REQUEST TO SURPLUS VEHICLES-EMERGENCY SERVICES

The Council approved the requests of Ms. Sierra to surplus a 2009 Chevy ambulance and a 2005 Ford Explorer assigned to the Emergency Services Division. Councilman Satterfield voted in favor via written proxy. Mr. Goldman said the ambulance may be repurposed and used by Public Works Department; however, the Ford Explorer is not usable.

AMENDMENT TO COUNTY RULES AND REGULATIONS-SOCIAL MEDIA-HUMAN RESOURCES

Mr. Goldman said Kevin Karpinski, the County's labor counsel, reviewed the proposed language he was provided and does not recommend any changes to the draft amendment to the County Rules and Regulations to establish a Social Media Policy.

Councilman Price made a motion to not adopt the policy as written which Councilman Travers seconded for discussion. Councilman Travers noted that he had some concerns as well as some employees about the proposed policy. Mr. Goldman explained that it is Mr. Karpinski's belief that the language in the policy is defensible in court based on case law that currently exists surrounding this topic and should not be modified. Mr. Goldman said Mr. Karpinski is well versed in labor law. He noted that the Council will have latitude regarding enforcement.

Mr. Merryweather said the Council can adopt and if necessary rescind the policy. Pursuant to an inquiry from Mr. Merryweather, Mr. Goldman confirmed that Mr. Karpinski believes: 1) it is desirable for the County to have this type of policy; and, 2) it is defensible based on current case law. He explained that the language is from a policy originally developed for a New York Fire Department based on available case law, including some from this region. He noted that in Anne Arundel County a high level officer was relieved of his service based on such a policy which resulted in a court proceeding.

Councilman Travers expressed concern about an employee being found in violation of this policy due to posting something that is not derogatory. Mr. Merryweather cautioned that under this policy each person should be treated equally. Mr. Goldman said this policy can be used as a tool to alert an employee when they are posting something inappropriate so they can take corrective action.

Councilman Bradshaw expressed his preference to defer this matter since two Council members are not present. Councilman Price rescinded his previous motion. The Council agreed to defer this item.

BOARD APPOINTMENTS

The Council reviewed a list of vacancies for County Boards and Committees. The Council requested that staff contact those whose terms have expired to inquire as to whether they wish to continue to serve. The Council members recognized that: 1) Dave Whitten was nominated for the Property Tax Assessment Appeals Board based on the recommendation of the State; 2) pursuant to Mark Dennis, Supervisor, Dorchester County, Maryland Department of Assessments and Taxation, he is not officially a member since he has not submitted paperwork to the State; and, 3) it has been one year since the initial nomination.

POLL CONFIRMATIONS

The Council, confirmed its following actions by means of a poll in the interim between meetings:

- Agreed to send a letter of support for the request of Eastern Shore Wellness Solutions, formerly known as Associated Black Charities-Dorchester, for grant funds from the Quality Health Foundation to support the continued work of the Community Health Outreach Workers by a 4 to 1 (1 no answer) vote. The workers work directly with parents of young children aged birth through 5th grade and pregnant women, on managing asthma and asthma related illnesses generated from secondhand and third party smoke. The support letter does not obligate the County to provide current or future funding.
- Agreed to send a letter of support for the request of the Eastern Shore Area Health Education Center for the Sheldon Goldgeier Award Controlling Asthma through Home Intervention program (CAHI) by a 4 to 1 (1 no answer) vote. It is a one year pilot program that will provide asthma management education, a home assessment to identify asthma triggers and advocate for home repairs in order to provide a safer home environment for "all" school aged children. The support letter does not obligate the County to provide current or future funding.

PUBLIC COMMENTS

There was no public comment.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price questioned whether a barrier is needed to prevent motorists from traveling off of Gravel Branch Road by the adjacent landfill property that is being mined for soil. He said one resident advised him of skid marks in that area. Mr. Goldman said a three foot earthen berm along 10 or 12 feet of the road was erected. He said he will view the area tomorrow to determine if the berm has been modified due to the movement of material.

Councilman Price wished everyone a Happy New Year. He said he is looking forward to positive things occurring this year. He referenced the extreme cold weather and reminded the public to be mindful of shut-ins and the less fortunate.

Councilman Bradshaw said on December 19, 2017 the State of Maryland recognized the Accohannock tribe which is located in Somerset County. He noted that the Piscataway Nation and the Piscataway-Canoy tribes were previously recognized. He encouraged the public to bundle up, be mindful of others, and bring pets indoors.

Councilman Travers noted that the Cold Weather Shelter is now also open during the day due to the current weather conditions. Pursuant to his request, Mr. Goldman said he will ask staff to inquire about any potential need for assistance. Councilmen Travers and Bradshaw noted that local churches provide the shelter with food.

Councilman Travers announced that the next Council meeting is scheduled for January 16, 2018.

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 16th day of January, 2018.