

**County Council of Dorchester County
Regular Meeting Minutes
May 21, 2019**

The County Council of Dorchester County met in regular session on May 21, 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.

OTHER

Councilman Nichols made the following statement:

“The news media reports that the Court issues relating to County Council member Libby Nagel and the Maryland Election Laws have been concluded. Council will not accept any comments relating to that issue.”

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

Keith Adkins, County Manager stated that there is an addition to the Agenda, a Planning and Zoning Improvement Plan. He said after publication of the agenda the following items were added: Continued Discussion-309 S. Main Street, Hurlock-Church-Tax Lien Property; Proposed Paving List; Council Member Appointments-Joint County/City Committee. He noted that the following item was also removed from the agenda after publication: Request to Carry Forward FY17 Capital Funds-Airport.

APPROVAL OF DISBURSEMENTS

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

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Nichols reported total cash and investments as \$3,703,846.84.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on May 21, 2019 at 5:30 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 obtain legal advice from legal counsel. 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. Councilwoman Handley Nagel was not present at the beginning of the meeting, but joined later. Voting in favor of the Closed Session were all of the present Council Members.

The Council convened in a Closed Session on May 21, 2019 at 5:31 p.m. to discuss the following items: 1) approved the request of the Public Works Director to reclassify an employee in the Highway Division to a Motor Equipment Operator II by a 4 to 0 vote; 2) agreed to change a part time position in the Planning and Zoning Department to full time by a 4 to 0 vote; 3) discussed personnel matters relating to a County department-agreed to discuss in open session; 4) approved the request of the Emergency Services Director to hire two individuals to fill vacant 911 Dispatcher positions by a 4 to 0 vote and an individual to fill a vacant 911 Dispatcher position by a 3 to 1 (no abstention) vote; and, 5) received legal advice from legal counsel regarding legal obligation for maintenance of a property prior to the ownership of the County of the property. 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

PROCLAMATION-EMERGENCY MEDICAL SERVICES WEEK

The Council presented a Proclamation declaring May 19 to May 25, 2019 as Emergency Medical Services Week.

BOARD OF HEALTH

Roger L. Harrell, Health Officer, said the Council meets as the Board of Health in May and October of each year. He provided a brief update on the Opioid Intervention Team and its efforts to combat the opioid epidemic. He said there was a 40% reduction in deaths in 2018 and as of last week zero deaths. Beth Spencer, Program Manager, School-Based Wellness Centers, Healthy Families Dorchester, School Health Services, & Connecting For Success, provided information regarding the Connecting for Success Program for children of incarcerated parents that is a collaboration between the school system, Health Department, Department of Corrections and in partnership with the Local Management Board. Mindy Black-Kelly, Program Coordinator, said there are three

main service areas: 1) mental health with students of incarcerated parents; 2) a psychoeducation program which was developed in partnership Joseph Hughes, Director, Department of Correction for incarcerated fathers; and, 3) outreach and case management. Mr. Harrell said Director Hughes has been instrumental in the implementation of programs. He thanked the Council.

SHORE REGIONAL HEALTH UPDATE

Ken Kozel, CEO/President, Shore Regional Health, provided an update on the proposed University of Maryland Shore Regional Health freestanding medical facility in Dorchester County through the attached power point presentation. He thanked the Council and the community for its support. He said they are working with Cambridge Waterfront Development to negotiate the sale of property on the Choptank River. Mr. Kozel explained that the current plan is to temporarily relocate the behavioral health inpatient beds to the current Shore Regional Health Easton facility and then the new facility upon completion. He advised that they are now considering the relocation of these beds to the University of Maryland Shore Medical Center at Chestertown in order to ensure long term viability at that facility. He said he will keep Council updated on this potential endeavor. He expressed his belief that this will not impact the current process.

In response to a question posed by Councilman Newcomb, Mr. Kozel said Shore Regional Health will contract outpatient transports with the goal of not utilizing the County's Emergency Medical Services units unless absolutely necessary. Mr. Kozel again thanked the Council for its support.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2019-3 AN ORDINANCE CONCERNING: 2019-2020 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY

E. Thomas Merryweather, County Attorney, said this is the third and final public hearing on the 2019-2020 Annual Budget and Appropriation Ordinance. He advised that no one signed up to speak. There was no response when he asked if anyone in the public wished to speak. The roll call on the enactment of Bill No. 2019-3 was as follows: Pfeffer-aye; Travers-aye; Nichols-aye; Nagel-aye; Newcomb-aye.

REGULAR SESSION

The Council convened into Regular Session.

MACE'S LANE SCHOOL ALUMNI ASSOCIATION-PROPOSED COMMUNITY CENTER

Keith Cornish, Chairperson, Mace's Lane Community Center Steering Committee, said the Mace's Lane Alumni Association and the Good Shepard's Association combined their efforts towards the repurpose of the old Mace's Lane School as a Community Center about two years ago. He said they have obtained the following funding: 1) \$200,000 bond bill last year which they matched this week; 2) a \$200,000 bond bill this year; 3) \$40,000 from Rural Maryland; and, 4) a \$30,000 grant from the Maryland Heritage Area Authority. He advised that they have a completed museum interpretive plan.

Mr. Cornish said they are applying for a \$2 million grant from the Department of Housing and Community Development (DHCD) with a projected completion date of five years.

He advised that he spoke to Anthony Reed, Deputy Secretary, DHCD, who indicated Secretary Kenneth Holt may support an effort to do the project in phases. He explained that in the past funding agencies have been willing to accept correspondence from the County regarding the potential transfer of the property to the Mace's Lane Alumni Association. He expressed his understanding that by June 12th, the submission date for the DHCD grant, a more definitive response regarding the future use of the property by the Association must be provided by the Council in order for this to be a viable million dollar per year project for the next four or five years. He said they are reapplying for Rural Maryland funding this year. He expressed his hope that business owners will support this project. He stated that thanks to the Council, an appraisal of the property was performed, which equates to \$130,000 towards the match for last year's bond bill as well as the \$70,000 they received from the City. He advised that: 1) there is two year period in which a match has to be obtained for the bond bill; 2) the funds must be spent within seven years; 3) their goal is to have everything completed within a year and spend the money within two and a half to three years.

Councilman Travers made a motion to either lease or transfer the property to the Association which Councilman Newcomb seconded. He noted that a reverter clause should be included so if the project does not move forward the property will be reverted back to the County. Councilman Nichols noted that the Association would be responsible for the property once transferred. Mr. Merryweather said the County may have to obtain approval from the IAC Interagency Committee of Public School Construction and/or Maryland Board of Public Works to transfer the property. Pursuant to an inquiry from Charles Cephas, Council asked staff to review files relating to the old Mace's Lane School to ascertain whether there has been an environmental assessment and to locate information regarding the removal of a tank from the property.

The Council agreed to: 1) proceed with the process to obtain any necessary approvals to transfer the property; and, 2) to provide a letter of support for the grant application noting that subject to the legislative process and Board of Public Works approval, if required, the property will be transferred to the Association.

REQUEST FOR LETTER OF SUPPORT-EXTENSION OF DEER COOPERATOR PERMIT

Bill Malkus, resident, referenced the Council's January 15, 2019 decision to send letters of support for the Agricultural Deer Cooperator Permit applications of the following individuals to help control the deer population which is significantly contributing to damage in the County: Bill Malkus, Lee Lyons, Phil Jackson, Sr., Phil Jackson, Jr., Curtis Windsor and Shawn Hall. He explained that it was for February and March only and after completing the training and equipment registration requirements they only had a limited time to utilize the night time permit. He said for this reason and because the majority of the damage to crops by deer are later in the year they will be seeking an extension from the Maryland Department of Natural Resources for additional months. Pursuant to a query from Councilman Pfeffer, Mr. Malkus said one of the permit requirements are that the deer meat must be used either by the permit holder, given to individuals or donated to a food bank. The Council agreed to send a letter of support for an extension of the Deer Cooperator Permits to August 31, 2019 for the individuals above.

MANAGERS COMMENTS

FEDERAL AVIATION ADMINISTRATION-MARYLAND AVIATION ADMIN. GRANT REQUEST-OBSTRUCTION REMOVAL DESIGN-AIRPORT

The Council approved the request of Mr. Chisholm to submit an Airport Capital Improvement Program Grant Application to the Federal Aviation Administration (FAA) and Maryland Aviation Administration (MAA), for a total of \$149,156 to fund the completion of the design effort for Phase 1 of the Obstruction Removal Program by the County's Consultant, AECOM. The Council acknowledged that: 1) \$134,240 will be reimbursed by the FAA while MAA and Dorchester County will each remain responsible for \$7,458; 2) Obstruction Removal Phase 1 addresses those obstructions that the County already has access to for removals (two properties); 3) phase 2 will take up those obstacles for which the County does not have access yet; and, 4) the County's portion is in the Airport Capital budget.

FAIR HOUSING AND EQUAL OPPORTUNITY PLAN APPROVAL REQUEST- FINANCE

The Council approved the request of Cindy Smith, Assistant Finance Director, to approve an updated Fair Housing and Equal Opportunity Plan for Dorchester County for a three year period ending May 20, 2022.

MARYLAND HUMANITIES GRANT ACCEPTANCE REQUEST-AUDIO TOURS-TOURISM-FINANCE

The Council approved the request of Brittany Palmer, Grant Administrator, to accept a Maryland Humanities Grant to support the Heart of Chesapeake Country Heritage Area with audio tours of Dorchester County for \$1,200 with a third party contribution of \$20,000 consisting of a \$15,000 grant from the Health Department and a \$5,000 grant from the George B. Todd Fund, to be administered by the Mid-Shore Community Foundation.

COPS SCHOOL VIOLENCE PREVENTION PROGRAM-GRANT APPLICATION REQUEST-SHERIFF'S OFFICE-FINANCE

Mr. Adkins presented the request of Sheriff James Phillips to submit to the U.S. Department of Justice a Community Oriented Policing Services (COPS) School Violence Prevention Program grant application for \$17,500 for a bomb detection canine as well as training (\$15,000); and for a vehicle cage with an automatic door pop up system (\$2,500). He noted that the in-kind match will be running the canine bomb detention program. The Council approved Sheriff Phillip's request.

REQUEST TO EXPEND RURAL BUSINESS DEVELOPMENT GRANT FUNDS-GENERATOR TRANSFER SWITCH-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to expend Rural Business Grant funds for the purchase and installation of an automatic generator transfer switch from F.L. Travers & Son, the lowest bidder at the cost of \$31,482 which is required in order to install a backup generator at the Eastern Shore Innovation Center. The Council acknowledged that any additional cost for electrical work will be covered through Economic Development's FY19 Budget.

PROPOSED AMENDMENT-MEMORANDUM OF UNDERSTANDING-HOUSING OF ADVANCED LIFE SUPPORT UNITS

Mr. Adkins stated that: 1) recently a Memorandum of Understanding for the housing of County Advanced Life Support units was sent to the three volunteer fire companies who provide space; 2) paragraph 16 provides the County the right to terminate this agreement with 60 days prior written notice; and, 3) the President of one of the volunteer fire companies has expressed a desire for them to have the same option. He said Mr. Merryweather has provided proposed language to include a termination clause for the volunteer fire companies and advised that if the Council chooses to include this clause rent should be paid monthly. The Council agreed to: 1) change the termination clause to provide the fire companies the right to terminate the Memorandum of Understanding; 2) pay monthly; 3) add language to permit the County and its employees to use the amenities at the firehouse to cook and eat; and, 4) add language to include the repair, replacement and maintenance of heat and air conditioning in a good and safe condition by the fire company. The Council asked Mr. Adkins to contact the volunteer fire companies

about the amendments. In response to a question from Councilman Pfeffer, Dozia Rahilly, Emergency Services Director, said internet service is provided by the County.

MEMORANDUM OF UNDERSTANDING-SECURITY FUNDING-BOARD OF EDUCATION

The Council agreed to enter into a Memorandum of Understanding (MOU) with the Board of Education for the use of the \$100,000 from the County's FY19 budget to be spent only on the safety initiative of implementing and installation of district wide school security cameras in Dorchester County Public Schools with an amendment. The Council acknowledged that pursuant to this MOU: 1) the funds will be controlled and monitored by the County; and, 2) the use of the monies after a thorough and complete security plan is developed and adopted in conjunction with the Board of Education. The Council also recognized that the Board of Education has received a grant award from the Maryland Center for Safe Schools for the implementation of school security cameras in the elementary schools.

REQUEST FOR SPONSORSHIP-LOCAL GOVERNMENT INSURANCE TRUST-SANITARY DISTRICT

The Council approved the request submitted by K.D. Applegarth, Dorchester County Sanitary District, Projects Manager, for the Council's sponsorship of the Sanitary District as a "Public Entity" into the Local Government Insurance Trust so they can utilize its insurance savings and programs.

MARYLAND BICYCLE MAP INCLUSION REQUEST-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to grant the State Highway Administration, Maryland Department of Transportation, permission to include in the State of Maryland Bicycle Map up-to-date route information for all locally designated recreational bicycle routes in Dorchester County.

FY19 NOXIOUS WEED CONTROL COOPERATIVE AGREEMENT-MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Julianne A. Oberg, Deputy Secretary, Maryland Department of Agriculture (MDA), to execute a FY19 Noxious Weed Control Cooperative Agreement between MDA and the County with no funds being provided by the County or the Maryland Department of Agriculture for the control and eradication of specific noxious weeds for the period of July 1, 2019 through June 30, 2020.

POLL CONFIRMATION

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

- approve the Wings & Wheels Event to be held on May 25, 2019 with the understanding that there will be no fly overs, B&B Sport Aviation has met all requirements and there will be \$1 million in insurance with a \$2 million umbrella by a 5 to 0 vote. Mr. Adkins said since this approval, a request has been submitted for approval of helicopter rides which is under review by the County's insurance company and underwriter. He said once information is obtained from them a poll will be conducted.
- send a letter supporting Maryland DC Audubon's proposal to the National Fish and Wildlife Foundation to work with the U.S. Army Corps of Engineers to use dredged material from the lower Wicomico River to elevate the marsh along the Nanticoke edge of the Fishing Bay WMA by a 4 to 1 (no answer) vote.

CONTINUED DISCUSSION-309 S. MAIN STREET, HURLOCK-CHURCH-TAX LIEN PROPERTY

Mr. Adkins said pursuant to the Council's directive Ms. Smith requested and received a package of information regarding the Ministers and Citizens for Change and Growth, which did not include confirmation of its 501c3 status. He noted that Ms. Smith verified the 501c3 but could not find the organization as a registered charity in Maryland or at the Internal Revenue site. The Council acknowledged that in addition to the Ministers and Citizens for Change and Growth, Jeremy Trice has submitted an offer to acquire the property. The Council agreed to advertise this property for sale.

PROPOSED PAVING LIST

The Council approved a paving list with the understanding alternative methods may be utilized. Councilwoman Nagel and Councilman Nichols opposed.

COUNCIL MEMBER APPOINTMENTS-JOINT COUNTY/CITY COMMITTEE

Mr. Adkins noted that at its May 7, 2019 meeting, the Council agreed to the formation of a joint committee with the City of Cambridge Council to address issues relating to the public school system on which two Council Members and two City Commissioners will serve. The Council appointed Councilman Pfeffer and Councilman Nichols as representatives.

PLANNING AND ZONING IMPROVEMENT PLAN

The Council approved an improvement plan for the Planning and Zoning Department with the understanding Mr. Adkins will provide an update.

PUBLIC COMMENTS

The Council approved the request of Michael Wheatley, resident and Rotarian, on behalf of the Cambridge Rotary, to use the Sailwinds Amphitheatre for the 2019 Flags for

Heroes. He encouraged those from the age of 21 to 40 or over to join the Young Professionals of Dorchester group.

Ted Bryant, B&B Sport Aviation, asked for the status of flyovers, helicopter rides and biplane rides for this year's Wings and Wheels event. Mr. Adkins said on May 9, 2019 the Certificate of Insurance for a static event was accepted. He stated that the helicopter ride request was submitted late Friday, May 17th and as soon as he hears from the insurance company Mr. Bryant will be contacted. He said the Council supports the event. He reiterated the Council's approval of the Certificate of Insurance was for a static event which does not include flyovers or biplane rides. Mr. Bryant said William Finnagan will not be performing aerobatic maneuvers at the event. He noted that helicopter rides and biplanes rides are offered at other airports without incident. He said this year money collected will be provided to Baywater Animal Rescue. He thanked the Council and welcomed Mr. Adkins as County Manager.

Reverend Charles Cephas, said Ministers & Citizens for Change and Growth is a religious organization and as such is exempt from the 501c3 requirement. He noted that he presented a plan for the use of the 309 Main Street property in Hurlock as the Community Center to Ms. Smith. He expressed concern that Mr. Trice has moved equipment on the property. Reverend Cephas said they will submit a bid for the property.

Monroe Quailes, Jr., resident, said he believes the strategic plan indicates that growth is moving towards Hurlock. He asked the Council to reconsider its decision noting that the community center is for the children in the area. He noted that the organization was a 501c3 but it may not be current.

Cederick Turner, President, Ministers & Citizens for Change and Growth said 309 Main Street in Hurlock has been vacant for over 15 years. He said the goal of the community center is to keep children off the streets. He said the following services can be provided at the center: Narcan training, an after school program, a first time homeowners program, and a feeding program for youth in the summer. He asked the Council to reconsider its decision regarding this property.

Reverend Dickerson, Ministers & Citizens for Change and Growth, asked Council to reconsider its decision and transfer the Hurlock property to the organization regarding main street program, benefit to seniors and other community members, see the need for a community center to help Town of Hurlock.

COUNCIL'S COMMENTS/ADJOURNMENT

Based on a motion made by Councilman Travers, the Council agreed to send a letter of no objection to George Brittingham hunting deer with a bow, shotgun or muzzle loader on the property he leases located at 5324 Bucktown Road. He said he is glad the FY 2020 budget has monies for the following: 1) an increase in teacher salaries; 2) employees raises; 3) a new ambulance; 4) vehicles for the Sheriff's Office; 5) a new gradall; and, 6) extra funds for paving.

Councilman Newcomb said "Happy Memorial Day." He thanked the County staff who assisted with the budget. He noted that the Council wishes to move forward with a building for Dog Control.

Councilwoman Nagel encouraged residents to attend the Wings and Wheels Event on May 25.

Councilman Nichols said this was his 24th budget. He recognized his fellow Council members for their hard work and input during the budget process. He said he supports of the allocation of funds in the budget for teacher's salaries. He expressed appreciation for those who assisted during and participated in the budget process. He stated that he is hopeful more money will be available for next year. He announced that the next Council meeting will be held on June 4, 2019 at 6 p.m.

With no further business to discuss, the Council adjourned.

ATTEST:



Keith Adkins
County Manager

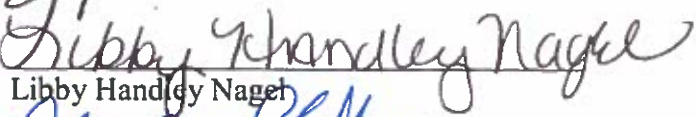
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:

absent

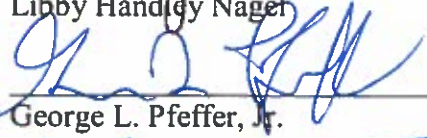
William V. Nichols, President



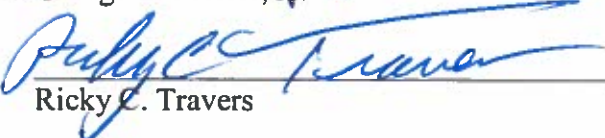
Jay L. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 4th day of June, 2019.