

**County Council of Dorchester County
Regular Meeting Minutes
June 18, 2019**

The County Council of Dorchester County met in regular session on June 18, 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

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES- JUNE 4, 2019

The Council approved the minutes of June 4, 2019 with Councilman Nichols abstaining since he was not present at that meeting.

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 Nichols reported total cash and investments as \$3,641,838.24.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on June 18, 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 §3-305(b)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans. 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 June 18, 2019 at 5:31 p.m. to discuss the following items: 1) confirmed salary increases for grant funded employees for the Circuit Court by a 5 to 0 vote; 2) approved the request of the Emergency Services Director to hire an individual to fill a Paramedic vacancy by a 5 to 0 vote; 3) approved the request of the Airport Director to hire an individual to fill a vacant Airport Operations Technician position by a 5 to 0 vote; 4) the Council approved the request of the Economic Development Director to hire an individual as part time Incubator Manager by a 5 to 0 vote; 5) approved the request of the Director of Corrections to hire three individuals as Probationary Correctional Officers by a 5 to 0 vote; and, 6) discussed a matter regarding public security. 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

PUBLIC HEARING-COUNTY'S SCHEDULE OF FEES

E. Thomas Merryweather, County Attorney, said a public hearing is being held on the revision of the County's Schedule of Fees which will become effective July 1, 2019. He said no one signed up to speak. He summarized the revisions as follows: 1) removal of the Landing fee for the Airport; 2) changes under the Recreation and Parks "Community Program and Activities" for drama classes; 3) for the Planning and Zoning Department an increase in the Electrical Exam fee and new fees under "Business Licenses and Permits" as well as under the "Building Code Fee Schedule"; 4) removal of the Livability fee based on a County Code amendment; and, 5) new fees for Public Works for pipe installation fees. He asked if anyone present has any comments. There was no response. The Council adopted the resolution to revise the County's Schedule of Fees.

UPDATE-REDUCTIONS-SENIOR MEAL PROGRAM-SENIOR INFORMATION & ASSISTANCE PROGRAM-DELMARVA COMMUNITY SERVICES

Santo Grande, President/CEO, referenced funds the Council provided Delmarva Community Services (DCS) during its FY2020 budget process. He explained that after the County's budget was adopted, the Maryland Department of Aging (MDA), using a new formula based on senior population, reduced funding for the Senior Meals Program for Dorchester County and Maryland Senior Information and Assistance monies earmarked for the County. He expressed his understanding some urban and suburban jurisdictions, such as Prince George's County, Montgomery, Baltimore and Baltimore City, received additional funding. He said the funding for the Senior Meals Program for Dorchester County was reduced from \$46,228 to \$18,523, effective July 1st which includes meal delivery to the senior centers and residential homes. Mr. Grande noted that additional resources are necessary to cover transportation costs due to

Dorchester County's size. He advised that Maryland Senior Information and Assistance monies earmarked for Dorchester County have been reduced from \$10,931 to \$7,737. He said some of the services provided under this program are assisting seniors with problems, health related issues including dental and Medicare Part D. He asked the Council for funding towards offset the reductions which will go directly to services not for administration.

Councilman Nichols questioned the reason the Maryland Department of Aging reductions were not implemented prior to the adoption of budgets by local jurisdictions. Mr. Grande explained that DCS receives funding through Maintaining Active Citizens (MAC) which provided notification to the aging agencies in the State it serves after receiving an email from MDA of the reductions. He said he does not know the date MDA received the notification. In response to a question posed by Councilman Travers, Mr. Grande advised that Western Maryland and the Eastern Shore Counties received the most reductions.

Councilman Pfeffer stated that he spoke with Delegate Sheree Sample-Hughes who said she and the other members of the local delegation were surprised about the reductions, which she learned about through the media. Mr. Grande advised that he is not aware of any discussions or public hearings that were held prior to the decision to reduce the funds. Pursuant to an inquiry from Councilman Travers, Mr. Grande said they are letting MAC take the lead on this matter; however, they will be contacting Governor Lawrence "Larry" Hogan. He explained that DCS staff has already spoken to the local delegation who is working with them on this matter. Councilman Travers referred information Mr. Grande provided to the Council on the reductions for Dorchester County, Somerset County, Wicomico County and Worcester County. The Council deferred Mr. Grande's request and asked for information on the impact the reductions/increased allocations had on all of the rural counties and in particular, Prince George's County, Montgomery County, Baltimore and Baltimore County. Mr. Grande advised that he will provide a list showing which local jurisdictions received increases and those who received decreases. He said he believes other affected counties are also seeking monies from their local elected officials.

Councilman Pfeffer said he spoke to Lisa Hartman, Director, Dorchester County Social Services, at the Social Service Advisory Board meeting today who would like to provide assistance relating to the service portion. Mr. Grande said a fundraiser is being held to garner funds to offset the reduction for senior meals, which is being led by Mary Handley, Senior Program Manager. Ms. Handley said a "Singing for Their Supper" concert will be held on June 30th at which 14 local residents will be singing, noting the money collected will go directly to the meals program. She said MAC asked that coin jars be distributed to those interested in contributing. She invited the public and the Council to attend the event. Mr. Grande said a non-resident heard about the reductions from a Dorchester Banner article and sent in a donation. He thanked the Council for their consideration of his request.

MANAGERS COMMENTS

REQUEST TO ADVERTISE FOR PROPOSALS-NETTING-SOUTH HANGAR-AIRPORT

The Council approved the request of Meighan “Chis” Chisholm, Airport Director, to advertise for proposals for the installation of netting and closure plates to keep birds out of the South Hangar.

HANGAR LEASE-B&B SPORT AVIATION-AIRPORT

The Council approved the request of Mr. Chisholm to enter into a new lease with Ted Bryant trading as B&B Sport Aviation for a five year period beginning July 1, 2019 and ending on June 30, 2024 at the monthly rent of \$950. The Council acknowledged that: 1) the rent is the same per month each year due to the advanced age of the hangar to which only essential maintenance can be performed; and, 2) this hangar is scheduled for demolition pursuant to the County’s Airport Layout Plan. In response to queries from Councilwoman Nagel, Mr. Chisholm: 1) explained that the County is responsible for exterior maintenance and the tenant is responsible for the interior; and, 2) Airport staff will also work with him regarding maintenance.

REQUEST TO ADVERTISE FOR PROPOSALS-ELECTRICAL REFURBISHMENT-T HANGARS 1 TO 8-AIRPORT

The Council approved the request of Mr. Chisholm to advertise for proposals for electrical refurbishment for T-Hangars 1 to 8.

NORTH HANGAR LEASE-DAVE NICKERSON-AIRPORT

Mr. Chisholm asked the Council to approve: 1) a new five year lease with Dave Nickerson for a 2,500 square foot portion of the North Hangar, containing 14,000 square feet located upon land referred to as “Section B (hangar floor space only),” for a five year period beginning July 1, 2019 and ending on June 30, 2024 at a monthly rate that escalates each year; and, 2) a lease with Mr. Nickerson for a 4,400 square feet portion of the North Hangar referred to as “Section C”, which he currently leases, for a five year period beginning July 1, 2019 and ending on June 30, 2024 at a monthly rate that escalates each year. He explained that the new lease is for a corner space which Mr. Nickerson would house an airplane that he does not use often. Mr. Chisholm explained that this space is currently not being rented. In response to an inquiry from Mr. Merryweather, Mr. Chisholm expressed his preference to have two leases rather than a consolidated one in case Mr. Nickerson does not want to lease both spaces. The Council agreed to enter into both leases.

REQUEST TO ADVERTISE FOR PROPOSALS-INSTALLATION-LIGHTED WIND SOCK-AIRPORT

The Council approved the request of Mr. Chisholm to advertise for proposals for the installation of a lighted Wind Cone adjacent to the Airport runway, which was provided to the County by the Maryland Aviation Administration through a long-term loan.

MAPLE DAM WETLAND MITIGATION PURCHASE AGREEMENT-FAA AND MAA GRANTS-AIRPORT

The Council approved the requests of Mr. Chisholm to:

- submit grant applications to the Federal Aviation Administration (FAA) for \$179,158.50 and to Maryland Aviation Administration (MAA) for \$9,953.25 for phase one, obstruction removal Wetland Mitigation credits, at the expected cost of \$199,065 which includes a County cost of \$9,953.25 that is included in the adopted budget; and,
- enter into a Maple Dam Conservation Wetland Mitigation Bank Agreement of Sale of Wetland Mitigation Credits to ensure credits are reserved for the County contingent upon the receipt of the grant funds which are needed in order to complete the permitting phase of the design scope of work for the removal and mitigation of obstructions.

In response to a query from Mr. Merryweather, Mr. Chisholm said phase one of the obstruction removal is on County property and phase two is on the easement property.

AIRPORT LEASE DISCUSSION

Mr. Adkins said Katie Rhea, Kay Rhea's daughter, has expressed an interest in running Kay's restaurant at the Cambridge-Dorchester Regional Airport. He noted that Mr. Merryweather's comments regarding this matter have been provided to the Council. Based on a motion made by Councilman Newcomb, the Council agreed to pursue a one year lease with a 60 day termination clause with Katie Rhea.

GRANT AWARD-DEPARTMENT OF NATURAL RESOURCES-WATERWAY IMPROVEMENT FUND-PUBLIC WORKS-FINANCE

The Council accepted the below Department of Natural Resources (DNR) Waterway Improvement Fund grants in the total amount of \$530,000 with a grant period of July 1, 2019 to June 30, 2022, to consolidate the projects and advertise a request for proposals.

- Hoopersville Boat Ramp and Bulkhead construction - \$90,000
- Elliott Island Marina Jetty and Shoreline - \$350,000
- Tyler's Cove Boat Ramp and Bulk head construction - \$90,000

In response to inquiries from Councilman Newcomb, Ms. Smith said: 1) once the projects are completed reimbursement of the monies will be sought from DNR; and, 2) the projects can be bid together which may be beneficial since usually the same companies bid on these types of projects.

FY20 DESTINATION MARKETING ORGANIZATION ACCEPTANCE-TOURISM-GRANT ADMINISTRATOR-FINANCE

The Council agreed to accept a FY20 Destination Marketing Organization grant from the Maryland Department Tourism Development Board in the amount of \$83,889 for marketing expenditures which are reimbursed at 100% or 50% based on guidelines provided by the granting entity.

TAX LIEN FORECLOSURE PROPERTY BID AWARD-FINANCE

Based on the recommendation of Cindy Smith, Assistant Finance Director, the Council awarded the following tax lien foreclose properties: 1) Property No. 07-167318 602 Hubert Street, Cambridge, to Antoine Brook for \$500; 2) Property No. 15-001674, 333 Pine Street, Hurlock, to Anthony Potter, for \$550.

Ms. Smith noted that minimum bids were not received for 321 West End Avenue and Earle Street so these properties will be readvertised. Councilman Nichols said Tavonya Chester, resident and the adjacent property owner, spoke with him regarding her interest in obtaining the property and demolishing the existing structure which she has been maintaining. He noted that he toured it the other day. Ms. Smith explained that she contacted Ms. Chester since no bids were received and she will be providing a letter and proposed bid for the Council's consideration. She advised that the taxes and foreclosure costs are approximately \$7,000. In response to a question from Mr. Merryweather, Ms. Smith said if the \$1,000 a day City of Cambridge municipal infraction against the property is included in the tax certificate amount then the minimum bid includes that cost. She noted that there have been several times in the past where a property was sold for taxes only.

HAMBROOKS BOULEVARD LIVING SHORELINE BID AWARD-FINANCE

Ms. Smith said the Hambrooks Boulevard Living Shoreline project is to prevent the encroachment of the water to save the road. She said the project is being funded by a no interest loan from the Department of Natural Resources. She advised that Delmarva Resource Conservation and Development (RC&D), which is managing the project, is recommending the second lowest bidder since the first removed their proposal from consideration. Councilman Travers queried as to when the work will be completed based on the current deterioration of the road surface. Ms. Smith expressed her belief that all of the permits have been obtained so once she advises RC&D of the Council's approval they can prepare a notice to proceed. In response to a question posed by Councilman Pfeffer, Ms. Smith said it is her understanding that each bidder is experienced with this type of project, noting that RC&D vets each bidder. The Council agreed to award the project to Unity Landscape in the amount of \$101,263.21.

CANNERY PARK MAINTENANCE MEMORANDUM OF UNDERSTANDING-CITY/COUNTY-FINANCE

Ms. Smith said: 1) the County, City of Cambridge and the Eastern Shore Land Conservancy are partners in the installation of an asphalt 1/3 mile "Rails to Trails" trail in the Cannery Park between Washington and Cedar Streets, Cambridge; 2) several grants, including a State Highway Administration Grant under the Transportation Alternatives Program (TAP), have been obtained for this project; 3) SHA will not provide the TAP grant agreement for acceptance without the execution/submission of a Memorandum of Understanding (MOU) between Dorchester County, Maryland and the Commissioners of Cambridge regarding the maintenance of the Cannery Park "Rails to Trails" trail; 4) the County will only maintain the trail for the term of the lease, including annual routine maintenance, such as hole patching and crack sealing; and, 5) the City will maintain signage, trash cans (to include weekly emptying) and be responsible for snow removal.

Pursuant to queries from Mr. Merryweather, Ms. Smith advised that grant funds are being used to install the trail which will run overtop the rail. She confirmed that the County is only responsible for the maintenance of the trail. Mr. Merryweather said he only has one comment that the County's maintenance responsibility is for a fifty year period. He noted that it will need to be replaced during that time period. Councilman Nichols concurred and expressed concern about the deterioration of the asphalt, noting that the application of salt for snow removal will cause damage. Ms. Smith said the trail will be used by walkers and bicyclists.

The Council agreed to enter in the MOU. Councilman Nichols opposed. He said he while he is in favor of the project, he is concerned about the inequity between the County and the City in the sharing of costs for this and other projects for which both entities are partners.

REQUEST TO ENCUMBER FUNDS-LAND PRESERVATION PARKS AND RECREATION PLAN DEVELOPMENT-RECREATION AND PARKS

The Council approved the request of Frank Stout, Recreation and Parks Director, to submit an application to the Board of Public Works to encumber \$25,000 for the purpose of developing Dorchester County's next Land Preservation Parks and Recreation Plan due in 2022. There is no required County match.

BUDGET REAUTHORIZATION REQUEST-PROGRAM OPEN SPACE FUNDS- RECREATION AND PARKS

The Council approved the request of Mr. Stout to reauthorize a \$16,000 PAYGO match from the FY2017 Capital budget designed for Phase 3 of the Busick Tennis Court renovation so that it may be available for use as matching funds for new projects since the Busick Foundation paid this match.

2019 PROGRAM OPEN SPACE PROJECT FUND REQUEST-RECREATION AND PARKS

The Council approved the request of Mr. Stout to seek, in writing, authorization from the Department of Natural Resources to revert unspent balances from the following Program Open Space projects: Busick Tennis Courts, Phase 1; Busick Tennis Courts, Phase 3; Christ Rock Park; Dorchester County swimming pool; and J Edward Walter Park. The Council acknowledged that the funds will be maintained for Dorchester County in a separate account.

REQUEST TO EXTEND EXISTING CONTRACTS-PIPE-FUEL-BITUMINOUS MATERIAL- PUBLIC WORKS

The Council agreed to extend the following existing contracts for one year with: 1) Lane-Bealeton (Lane Enterprises) for the supplying of Aluminized Type 2 Metal Pipe or HDPE Drainage Pipe; 2) Cato Gas & Oil, Inc. for fuel; and 3) Slurry Pavers, Inc., dba Asphalt Emulsions, for bituminous materials.

LEASE EXTENSION REQUEST-QUEVERA LLC-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to enter an Eastern Shore Innovation Center License Extension Agreement with Quevera, LLC for 12 months commencing on June 7, 2019 and ending on June 7, 2020 for a fourth year under the same terms and conditions. As requested specific goals have been provided to Economic Development staff in order to be eligible for the fourth year extension.

SENIOR CARE ANNUAL PLAN-DORCHESTER COUNTY SOCIAL SERVICES

Based on the written request of Clare Spillane, Assistant Director of Services, Dorchester County Social Services, the Council agreed that this entity will continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding for the period of July 1, 2019 to June 30, 2020.

LETTER OF SUPPORT REQUEST-CLIMATE CHANGE PROJECTION TOOL-UNIVERSITY OF MARYLAND HORN POINT LABORATORY

Pursuant to the request of Carin Starr, Assistant Director, Development and Outreach, Horn Point Laboratory, the Council agreed to send a letter of support for Dr. Ming Li's pre-proposal, entitled "Probabilistic Projections of Coastal Inundation for the State of Maryland in the 21st Century" to the Maryland Sea Grant.

POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, to send a response to Robert Murphy regarding the membership of the Board of Education by a 5 to 0 vote.

PUBLIC COMMENTS

Wendell Foxwell, resident, expressed support for Kay's Restaurant or another restaurant at the Airport to benefit the County and local economy. He also expressed concern about the condition of the old Hearn Building on Race Street.

Donald Willey, citizen, cited his concern about the use by University of Maryland Shore Regional Health in Easton of only two ambulances to transport which patients may delay patient care. Councilman Travers said he believes the proposed new location at Cambridge Marketplace for the Shore Regional Health's Dorchester County facility will improve patient care.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Pfeffer said at today's Social Services Advisory Board meeting he learned that the building in which the Department of Social Services is located is leased by State and there are 111 employees. He advised that Lisa Hartman, Social Services Director, has expressed a desire

to meet with Mr. Adkins and Dozia Rahilly, Emergency Services Director. He noted that he also represented the County at a National Association of Counties meeting and a Mid Shore Regional Council meeting. He said during a briefing and tour of the White House he obtained a list of intergovernmental sources and contacts which he has placed on in the Council's Office for the other Council members to review as well as information from the other meetings he attended.

Based on motions made by Councilman Newcomb, the Council agreed to send correspondence to: 1) Delegate Christopher Adams to obtain assistance with drainage and roadway issues including the expedition of Maryland Department of Environment permits on Andrews Road, Lakesville Road and Route 336 with copies to the local delegation and the State Highway Administration; and, 2) Kenneth Holt, Secretary, Department of Housing and Community Development, for an update on the Hearn Building.

Councilwoman Nagel encouraged the public to take cooking classes offered through Recreation and Parks. Based on her motion, the Council agreed to the following Board appointments: 1) Robert Powell to the Building Code Appeals Board; 2) Rodney Travers to the Electrical Examiners Board; and, 3) Robert "Bobby" Whaples to the Seafood Reconciliation Committee.

Councilman Nichols said the next meeting will be held on July 2, 2019 at 6 p.m.

With no further business to discuss, the Council adjourned.

ATTEST:




Keith Adkins
County Manager

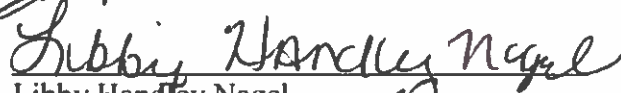
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:




William V. Nichols, President




Jay E. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.



Ricky C. Travers

Approved this 2nd day of July, 2019.