

County Council of Dorchester County
Regular Meeting Minutes
August 6, 2019

The County Council of Dorchester County met in regular session on August 6, 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

Keith Adkins, County Manager, advised that after publication, the following item was removed from the agenda: Request to Change Billing Company-Emergency Services. The Council adopted the amended agenda.

APPROVAL OF MINUTES

The Council approved the minutes of July 16, 2019.

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 \$3,260,225.05.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on August 6, 2019 at 4:30 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; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §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; pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter; and, pursuant to §3-305(b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation. 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 August 6, 2019 at 4:31 p.m. to discuss the following items: 1) agreed to extend annual leave for County employees who are in a “use or lose” status by a 5 to 0 vote; 2) approved the request of the Acting Planning and Zoning Director to hire an individual to fill a vacant Permit Technician position by a 5 to 0 vote; 3) approved the request of the Emergency Services Director to hire an individual to fill a vacant Emergency Medical Technician position by a 4 to 1 vote; 4) approved the request of the Director of the Department of Corrections to promote an individual from Correctional Officer I to a Correctional Officer II to fill a vacant Assistant Shift Supervisor position by a 5 to 0 vote; 5) agreed to hire an individual as a part-time Engineer for the Public Works Department by a 5 to 0 vote; 6) approved the request of the Emergency Services Director regarding compensation relating to training of Emergency Services personnel by a 5 to 0 vote; 7) approved the request of the Emergency Services Director to promote a current County employee to fill the 911 Center Manager position by a 5 to 0 vote; 8) discussed a matter relating to the acquisition of a property; 9) discussed the development and implementation of emergency plans; 10) received a legal opinion from the County Attorney regarding a matter relating to a lease; and, 11) consulted with legal counsel about potential litigation.

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

DORCHESTER GOES PURPLE PRESENTATION

Mark Starling, Manager, WHCP, Initiative Chair, provided information regarding the 2019 Dorchester Goes Purple September Public Awareness Campaign.

INTRODUCTION-UPDATE-IRONMAN 70.3 EAGLEMAN AND IRONMAN MARYLAND EVENTS

Angie Hengst, the new race director for IRONMAN 70.3 Eagleman and IRONMAN Maryland, provided an overview of her background and information regarding these events including their economic impact on the community. She said she hopes to change the bicycle course route to

eliminate the left turn at the Route 16 Dailsville intersection which will reduce traffic congestion and increase safety.

TOWN OF HURLOCK LIBRARY PRESENTATION

Councilman Nichols welcomed Michael Henry, Mayor, Town of Hurlock. Crystal Henningsen, the new Library Director, acknowledged that the following are present: Sara Sears, the new Branch Manager for the Hurlock library; Tim Crosby, Architect, and John Avery, Town Manager, Hurlock. She said she provided the Council a copy of a presentation regarding a proposed new location for the Hurlock branch prior to this meeting. She noted that this branch moved to its current location in 1999 and they are now experiencing challenges with the facility.

Ms. Sears explained that: 1) a seven foot seating area is utilized by patrons for reading newspapers, using their laptops, conducting research and for tutoring; 2) to provide in-house programs they must move furniture; 3) they are able to use the old library building which is limited due to space; 4) they are now unable to use the fire hall; and, 5) the lack of a meeting room prevents hosting movies, games such as bingo, meals in the summer family events, guest speakers and intergenerational programs job fairs.

Tim Crosby, Architect, noted that his company has been engaged with the library since March. He advised that: 1) physical and operational inspections of the existing 5,000 square foot building have been conducted; 2) although it is in good condition it does not meet current or future needs nor is there room for expansion; 3) 9,000 to 10,000 square feet is needed due to the amount of individuals served; 4) the Mayor and Town of Hurlock Council own three lots less than three blocks from the existing facility which they are willing to transfer to the library; 5) a preliminary sketch of the site plan for an approximately 9,600 square foot library had been completed; 6) an in-depth feasibility study is required in order for the Library to be eligible to apply for grant funds for capital needs in May 2020; and, 7) it will take four months to complete the study.

Mayor Henry expressed his understanding that the Hurlock library is the second oldest in the State and the first on the Eastern Shore. He stressed the need for a larger facility. He noted that the North Dorchester community has supported the library since 1898 and continues to do so. He explained that the Town considers the relocation of this facility as part of the revitalization of the downtown area. He said they are looking to repurpose the current building as a museum, noting that Hurlock is emerging as a new tourism area in the County.

Ms. Henningsen said since the Town has offered property for a new facility, the current location will not be closed during construction. She advised that the Town, Mr. Crosby and the Library are contributing \$7,000 each for the feasibility study which will cost \$28,000. She asked the Council to provide \$7,000. She noted that once the study is complete, they will present the findings to the Council with the hope that they will be willing to support the project. The Council agreed to provide \$7,000 from the Operating Contingency Fund.

2020 MARYLAND GENERAL ASSEMBLY LEGISLATIVE DISCUSSION

A discussion regarding legislative proposals for the 2020 Maryland General Assembly Legislative Session ensued.

Keith Adkins, County Manager, said at its May 7, 2019 meeting, since the local legislative delegation failed to act on its request to introduce legislation to allow the use of golf carts in the Upper and Middle sections of Hooper's Island during the prior session, Council agreed to pursue it again during the 2020 session. Pursuant to a question from Councilman Nichols, Councilman Newcomb explained that the response from the delegation was that the Maryland Department of Transportation had an issue with the request and they were unsure who to contact at the Council's Office. Councilman Travers said the Board of License Commissioners are working on two potential legislative items.

Donna Lane, Executive Administrative Specialist, confirmed for Councilman Newcomb that invitations for the legislators to attend the October 15, 2019 meeting to discuss proposed legislative initiatives and to the Annual Transportation meeting were sent. She said correspondence was also sent to Department Heads, Elected Officials and the municipalities in the County asking them to forward any legislative proposals. She advised that no requests were received.

The Council agreed to include the following local budget impact topics in the 2019 legislative packet: restoration of highway user revenues; cost of the shifting by the State of a portion of pensions for teachers; and maintenance of effort – statewide moving average and its impacts.

MANAGERS COMMENTS

FY20 CORE PUBLIC HEALTH SERVICES FUNDING AGREEMENT-DORCHESTER COUNTY HEALTH DEPARTMENT

The Council approved the request of Roger Harrell, Health Officer, to execute the FY 2020 Core Public Health Services Funding Agreement between the County and the Maryland Department of Health totaling \$698,250 to provide local health services at the Health Department. This amount is equal to the County's FY20 budget appropriation.

FEE ADJUSTMENT REQUEST -OVERNIGHT TIE-DOWN-SINGLE ENGINE AIRPLANES-AIRPORT

Based on the request of Meighan "Chis" Chisholm, Airport Director, to reduce the overnight tie-down fee for single-engine aircraft from \$25 to \$10, the Council agreed to proceed with the process to amend the County's Schedule of Fees. Keith Adkins, County Manager, noted that residents have expressed concern about pipe costs and that may be an item that can be addressed as part of the amendment. The Council requested that staff ask Department Heads if they have any proposed changes to fees.

BIRD NETTING BID AWARD-AIRPORT

The Council approved the request of Mr. Chisholm to award the bid for bird netting for the South Hangar to Orkin Pest Control, Commercial Services, the lowest bidder, at cost of \$23,621 using unanticipated FY17 Capital Funds from projects for hangar improvements. Pursuant to a query from Councilwoman Nagel, Mr. Chisholm said there is a ten year warranty and the netting, which is not heavy, is comprised of standard steel wires, turn buckles and hog rings.

BID AWARD-ELECTRICAL REFURBISHMENT OF T-HANGARS 1-8-AIRPORT

The Council approved the request of Mr. Chisholm to award the bid for the electrical refurbishment of T-Hangars 1 to 8 to Dennis E. Todd Electrical Contracting Services, LLC, the lowest bidder, at the cost of \$3,540 utilizing FY19 Capital Budget funding.

BID AWARD-INSTALLATION OF LIGHTED WIND CONE-AIRPORT

The Council approved the request of Mr. Chisholm to award the bid for the installation of a lighted wind cone to John W. Tieder, Inc., the only bidder, at the cost of \$6,755 using unanticipated FY17 Capital Funds from projects to hangar improvements.

HANGAR SPACE LEASE-AIRPORT

The Council approved the request of Mr. Chisholm to enter into a month to month Aircraft Hangar Space Lease with William Collier at \$50 a month with a 30 day termination clause contingent upon the inclusion of the description of the space to be leased as requested by E. Thomas Merryweather, County Attorney.

FY20 SANITARY SERVICE CONTRACT GRANT AWARD-MARINE FACILITIES-PUBLIC WORKS

The Council accepted a FY20 Sanitary Service Contract from the Department of Natural Resources Waterway Improvement Fund in the amount of \$5,000 for sanitary service for 12 of the County's marine facilities from May 1, 2019 to October 31, 2019. In response to an inquiry from Councilman Newcomb, Mr. Adkins said he has asked staff for clarification regarding the portable toilet at the Madison boat ramp which may have been removed due to damage.

REQUEST TO SOLE SOURCE-FUEL ISLAND AND CANOPY-PUBLIC WORKS

The Council agreed to sole source with Tanks Direct for a new Fuel Island at the cost of \$73,879.32 and Shelters Direct for a canopy at the cost of \$29,590 using FY20 Budget funding in the amount of \$104,000. The Council acknowledged that additional costs will be incurred for the pad, electric and removal of the old system at the approximate cost of \$7,500 for which funding from the following will be used: Shop Contractual Services line item or Public Works Administrative Contractual Services line item. Councilman Newcomb encouraged all Departments and the Sheriff's Office to fuel up their vehicles at the County's Fuel Island to

achieve a savings. Mr. Adkins said he sent an e-mail asking for their participation. He confirmed for Councilman Pfeffer that there is a regular gasoline pump and a diesel pump.

LANDFILL SKID STEER RECOMMENDATION-PUBLIC WORKS

The Council accepted a proposal from Alban Caterpillar to supply a Caterpillar Skid Steer due to its warranty, durability and service plan at the cost of \$108,000 utilizing FY20 budget funding. Councilman Travers opposed. The Council acknowledged that the machine that this equipment will replace will go to the Highway Division.

CAPITAL BUDGET EXPENDITURE REQUEST-EQUIPMENT ACCESSORIES-PUBLIC WORKS

Mr. Adkins said at its July 16, 2019 meeting, the Council agreed to sole source and purchase a Gradall for Public Works at the cost of \$404,806.87 using FY20 Capital Budget monies. Based on his request, the Council agreed to sole source with Gradall and using FY20 Capital Funding purchase the following accessories for the Gradall: 66" cleanout bucket; limb shear and a 5' rotary mower.

HIGHWAY PRIORITY LETTER DISCUSSION

The Council agreed to include in the Highway Priority Letter to Secretary Pete Rahn, Maryland Department of Transportation, the following priorities, which will also be presented to the Secretary on August 16, 2019 during the Maryland Association of Counties Conference.

- Traffic calming measures, i.e. circle, lights for Route 392/Route 14 Intersection at Dockins
- Extension of guardrail at Route 50 at Vincent Road, both east and west bound over Higgins Mill Pond
- Swap of Visitors Center and Woods Road
- Review of intersection of Beaver Neck Village and Route 50 due to amount of accidents in this area
- Extend west bound turn lane on Route 50 to Route 16 to Church Creek
- Arrow signal at Bucktown Road turn lane to 750 and Bucktown Road
- Potential new road outlet from Washington Street to Woods Road

Councilman Nichols expressed concern about the potential economic impact on the County if the Visitors Center and Woods Road are swapped. Based on inquiry from Councilman Travers, Mr. Adkins said per Jay Meredith, District #1 Engineer, SHA the cost for the Woods Road project is anticipated to be \$3 to \$4 million.

PRIORITY FUNDING AREA CERTIFICATION CORRESPONDENCE REQUEST- PLANNING AND ZONING

The Council approved the request of Brian Soper, Environmental Planner, to send correspondence to the Maryland Department of Planning certifying that the following properties meet the qualifications for designation as Priority Funding Area (PFA) under the Smart Growth Areas Act of 1997 and as amended by House Bill 1141: Moose Lodge Road 1, Moose Lodge Road 2, Tates Bank Road and Center and Suburban Drives.

GRANT AWARD ACCEPTANCE-FY20 MARYLAND CRIMINAL INTELLIGENCE NETWORK GRANT-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, to accept a FY20 Maryland Criminal Intelligence Network (MCIN) Grant application for funds of \$130,500; Heroin Coordinator, \$48,700 and gun grant for the Sheriff's Office, \$5,500. The Dorchester County Sheriff's Office will be exempt from County's overtime policy. The Council also approved the request to change the Heroin Coordinator position as an independent contract position to a contract employee with no benefits since roles and responsibilities have been expanded to include additional responsibilities under the MCIN program. The Council acknowledged that the grant will cover payroll taxes and the physical location of position will remain at the Sheriff's Office.

REQUEST TO ADVERTISE FOR PROPOSALS-SIGNAGE-REPLACEMENT OF PANELS- HARRIET TUBMAN-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to advertise for proposals for five Harriet Tubman byway signs, four interpretive signs in the Harriet Tubman Memorial Garden, along with 16 replacement panels for the maps. The Council acknowledged that funds for this project will be from a grant from the Federal Highway Administration of \$26,919; and, 2) the \$10,000 match is from the marketing line item in the Tourism Department. In response to a question from Councilman Travers, Ms. Fenstermaker said a sign for the mural in downtown Cambridge is not included in this round of signs. Councilman Travers cited his belief that a sign is needed.

REQUEST FOR FUNDING CONTRIBUTION-IRONMAN MARYLAND EVENTS- TOURISM

The Council approved the request of Ms. Fenstermaker to send correspondence to the Department of Commerce seeking \$25,000 towards the licensing fee for the IRONMAN Maryland event.

INTERLOCAL GOVERNMENT AGREEMENT-2019 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD-SHERIFF'S OFFICE

The Council accepted a 2019 Interlocal Agreement-Byrne Justice Assistance Grant Program Award in the amount of \$11,835 which will be shared between the Sheriff and the Cambridge Police Department.

MD ASSOCIATION OF COUNTIES LEGISLATIVE COMMITTEE-MD RURAL COUNTY COALITION-LETTERS OF SUPPORT/OPPOSITION

Mr. Adkins said currently Councilman Nichols is the County's representative and Councilman Pfeffer is the alternate on the MACo Legislative Committee. He stated that: 1) the Maryland Rural County Coalition is a chapter organization of the MACo Legislative Committee, has its own membership and must take the same stand on legislative matters; 2) in 2015 Councilman Don Satterfield was appointed the County's representative on the Maryland Rural County Coalition (also referred to as the "Rural Counties Coalition"); 3) since, during the 2019 Legislative Session, letters of support/opposition were sought from this Coalition, a County representative needs to be appointed so that Council member can provide these requests for Council's review and consideration; 4) whenever possible such requests will be placed on the agenda; and, 5) if necessary a poll will be conducted. The Council agreed to change Councilman Pfeffer to member on the MACo Legislative Committee and Councilman Nichols as alternate. The Council agreed to appoint Councilman Pfeffer to the Maryland Rural County Coalition.

GYPSY MOTH SPRAYING COST ESTIMATES-LETTER ACCEPTANCE- PARTICIPATION-MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Craig Kuhn, Program Manager, Forest Pest Management, to participate in the Maryland Department of Agriculture's Forest Pest Management Program for the identification and control of gypsy moth populations for Dorchester County and its citizens. The Council acknowledged that: 1) based on information relating to gypsy moth populations and trends in Dorchester County, up to 80 surveys will be conducted at an estimated County cost of \$1,200, which represents a 50% cost share on local costs to perform these surveys on non-State land; and, 2) this amount does not include additional funds that may be needed for aerial spraying.

POLL CONFIRMATIONS

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

- approved the request of the Sheriff Phillips to provide the Elks a Certificate of Insurance naming it as an additional insurer for an event being held by the Sheriff's Office at its location by a 5 to 0 vote;
- agreed to send a letter of support for the Town of Hurlock's use of USDA grant funds to purchase a police vehicle by a 4 to 1 (no answer) vote.

PUBLIC COMMENTS

Theresa Stafford, Executive Director, New Beginnings Youth and Family Services, reminded the Council members of her invitation to attend a summer program. As a citizen, she voiced her concern about individuals loitering at the complex formerly known as Bay Country Apartments as well as blocking residents' entrance. She also expressed concern about the period of time from when she calls for the Cambridge City Police, which calls are handled by County staff, and their response. Mr. Adkins asked Ms. Stafford to provide him the dates and times so he can speak with the Emergency Services Director regarding this matter.

Bill Outten, resident, referenced: 1) a discussion during a February 2019 Council meeting about addressing issues on Johnson and Kraft Neck Road; and, 2) statements made by Public Works employees two years ago about the placement of tiles to drain Kraft Neck, a dirt road. He advised that he owns a farm off of this road, which he does not expect to be paved but should be usable. He said that the road was scraped last week; however it still needs work. He referred to the miles of roadway in the County, many of which need work, and suggested hiring a contractor if a backload exists. He noted that he spoke with Mr. Adkins about this road. Mr. Adkins said, as he discussed with Mr. Outten that the County has rented a roller and once crosspipes are replaced on main County roads, it will be utilized to grade the road. He assured Mr. Outten the grading and the replacement of pipe on the road will be done. He noted that efforts are being made to outsource paving as well as tar and chip in order to free up employees to address other issues.

Councilman Nichols noted that the Council directed staff to make improvements on both roads. Mr. Outten said several loads of dirt were applied to the road. He said he spoke to the County employee who graded the road last week and expressed his belief to him that since the roadbed is dry the tile should be installed. Councilman Nichols advised Mr. Outten that the road will be addressed.

COUNCIL'S COMMENTS/ADJOURNMENT

Based on Councilman Newcomb's request, Mr. Adkins said staff will provide an update on the radio system at a future meeting.

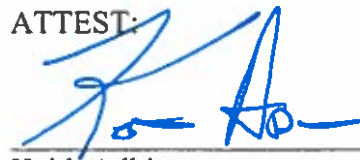
Councilwoman Nagel inquired about the status of advertising request for proposals for tree trimming, snow removal, ditching and culverts. Mr. Adkins said they have not been advertised. He explained that Public Works staff recently obtained a copy of an old requests for proposals for tar and chip/paving from 2007 and 2013 which have to be updated and submitted to a news publication. In response to a question posed by Councilwoman Nagel, Mr. Adkins said Public Works has contacted Caroline County, Talbot County, Somerset County and Worcester County. He noted that staff has obtained copies of requests of proposals for the work they outsource. He stated that each of these local jurisdictions handle grass cutting in-house with temporary employees and outsource paving and tar/chip. He said some also outsource driveway entry pipe installations, if necessary. Councilwoman Nagel stressed the need for the trimming of trees since school buses will be in operation soon.

In response to a question from Councilman Travers, Mr. Adkins said: 1) the Gradall, which has been ordered, should be received in two weeks; and, 2) a request to expend FY20 funds to purchase another one will be submitted to the Council soon. Councilwoman Nagel noted that damage can occur to equipment located on the tops of many farm vehicles due to low branches. She noted that some residents lost some of the vehicle antennas on Choptank Drive, a side street on Cedar Grove. Mr. Adkins said a crew has trimmed the trees on Cedar Grove Road and he will check about Choptank Drive. He advised that staff are now trimming trees on Indiantown Road.

Councilman Nichols announced that: 1) members of the Dorchester County Council will attend a tour of the New North Dorchester High School on Wednesday, August 14th at 4:00 p.m. in Hurlock; 2) members of the County Council will be attending the Maryland Association of Counties Conference from August 14 to August 17, 2019 in Ocean City, Maryland; and, (3) the next Council meeting will be held on August 20, 2019 at 6 p.m.

With no further business to discuss, the Council adjourned.

ATTEST:

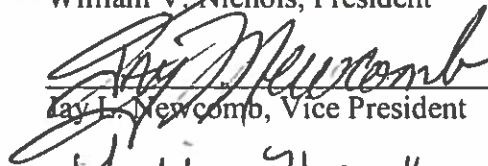


Keith Adkins
County Manager

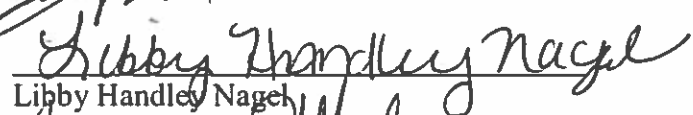
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



William V. Nichols, President




Jay L. Newcomb, Vice President



Libby Handley Nagel



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 20th day of August 2019.