

**County Council of Dorchester County
Regular Meeting Minutes
October 1, 2019**

The County Council of Dorchester County met in regular session on October 1, 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

The Council approved the minutes of September 17, 2019.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Travers abstaining for reimbursements for expenses relating to the Maryland Association of Counties Winter Conference.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Nichols reported total cash and investments as \$11,210,191.02.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on October 1, 2019 at 5:15 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. Present were: William V. Nichols, 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. Jay L. Newcomb, Vice President, joined the meeting late.

The Council convened in a Closed Session on October 1, 2019 at 5:16 p.m. to discuss the following items: 1) agreed to hire an individual through a temporary agency for a two week period to provide coverage for an employee on leave at the Detention Center by a 4 to 0 vote; and, 2) discussed personnel matters relating to a County Department. Present were: William V. Nichols, 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. Jay L. Newcomb, Vice President, joined the meeting late. 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.

INTRODUCTION-STEVE BALL

Councilman Nichols introduced Steve Ball, the new Planning and Zoning Director. Mr. Ball said he is pleased to have the opportunity to act in this capacity. He encouraged the public to speak to him if they have any questions, issues and/or concerns and to be involved in the process currently being undertaken to revise the County's Comprehensive Plan.

REGULAR SESSION

PRESENTATION-350TH CELEBRATION

Councilwoman Nagel presented the following Proclamations and Citations which were given to the Council at the September 22, 2019 celebration in observation of Dorchester County's 250th Anniversary Celebration: 1) a Certificate of Special Recognition from Senator Benjamin Cardin; 2) a Citation from Senator Chris Van Hollen; 3) an Official Citation from Senator Adelaide Eckardt; 4) an Official citation from the Dorchester County Delegation; and, 5) a Governor's citation presented by Lieutenant Governor Boyd Rutherford. She commended Amanda Fenstermaker, Tourism Director, for spearheading the event. She noted that Keith Graffius presented her a commendation. Councilwoman Nagel said youth participated in the Art and Essay contest associated with the event, noting the artwork will be displayed at the County Office Building. She showed some of the artwork.

Ms. Fenstermaker commended Councilwoman Nagel who was the presenter. She said she and Julie Gilberto-Brady, Program Manager, worked with the Committee to develop the art and essay contest. Ms. Gilberto-Brady, in response to Ms. Fenstermaker's inquiry, said over 60 students participated in the contest. She explained that a sixth-grade category was created, since over 20 submitted entries. Ms. Fenstermaker advised that many of the children also attended the event and are excited that their work will be displayed. Councilwoman Nagel said it was a wonderful event. She noted that letters and a Leggett's box were among the items in the 1969 time capsule which was opened during this event. Ms. Fenstermaker confirmed that the items will be on display at the Visitor Center. She said: 1) some individuals have picked up letters with one of them opening it in front of them; 2) the Council received several packages which she will bring to the next meeting; and, 3) she is looking forward to preparing a new time capsule to be opened in another 50 years which she hopes will include items from the 1969 time capsule.

CHOPTANK ELECTRIC PRESENTATION-UPCOMING INITIATIVES

Doug Scott, the Dorchester County representative for the Choptank Electric Cooperative's (Choptank) Board and resident, introduced himself. He introduced Matthew Tefteau, Manager, Government Affairs, the first speaker. Mr. Scott said he has lived on Middletown Road for 20 years. He commended the Public Works employees who have been mowing grass in the area this year.

Mr. Tefteau provided an overview of Choptank, a non-profit organization, which is governed by a Board of Directors that only represents 3% of the electric users in Maryland. He provided the Council a packet of information which included an article based on the recent announcement by Federal Communications Commission about \$20 million being provided for rural broadband expansion next year.

Valerie Connelly, Vice President, Governmental Affairs and Public Relations, presented a power point regarding Choptank's proposed 2020 legislative initiative to seek Member Regulation of the Cooperative to allow members to control the use of assets and staff to deliver broadband. She said she is seeking a letter of support from the County, noting that a draft letter will be provided at a later date.

Councilman Pfeffer inquired about the time period during which Choptank ran fiber to different areas. Mr. Scott said it is his understanding that every switch and unit are connected to fiber. He noted that 650 miles of fiber are in place. He estimated that it was a 15 year time period in which the installation took place. Ms. Connelly advised that staff is currently in the process of dating and mapping the fiber and documenting its size at each location.

Pursuant to a query from Councilman Pfeffer, Ms. Connelly said Choptank is a dual organization because it is subject to policies instituted by its Board Members and to the Public Service Commission on rates. She stated that affiliate restrictions prohibit an electric company from having an affiliate that operates a business in the same business structure. Consequently, they are prohibited from letting their members know that Choptank is offering broadband nor are they able to use existing poles or employees. She expressed her understanding that these restrictions were put in place since the majority of the electricity in the State is provided by investor owned, for profit utilities. She said it was the intention of the Public Service Commission to ensure that customers are not being charged for electricity when the proceeds are utilized to support different for-profit businesses. Ms. Connelly said they are seeking an exception since Choptank is a cooperative, noting that other States recognize cooperatives are different entities than electric companies.

Councilman Newcomb questioned whether there will be opposition from the utility companies that serve a larger population. Ms. Connelly said they are working with the Public Service Commission and are focusing on this as a local issue, the lack of broadband access, which has spanned over a decade. Mr. Scott said the Board Members realize that this is a huge undertaking and are prepared to move forward. Ms. Connelly explained that the new Chief Executive Officer suggested pursuing an exception based on his prior experience of pursuing such a project at his last place of employment, a cooperative in Virginia. She explained that he started a company

named Rural Band, which delivered broadband services to all of the cooperative's customers. She said he has a business plan that demonstrates it is economically feasible to pursue this endeavor if the economy of scale of the cooperative can be used. She noted that Mr. Scott and the Board Members elected to move forward.

Councilman Newcomb said 80% of his constituents are Choptank Electric Cooperative members. He explained that he is using Choptank's fiber through an outside vendor, which is utilized by many at his restaurant. He noted that a South Dorchester K-8, a five star school, does not have internet service so about 80% of those students do not have access. Ms. Connolley stated that many on the Western Shore are not aware of this. Pursuant to inquiry from Councilman Newcomb, Ms. Connolley said if the legislation passes Choptank will be in position to apply for funds from FCC and if it receives them through next summer's auction the CEO believes they will be installing fiber and lighting it as early as January 2021. She stated that it will take time before all of the areas in Choptank's nine county region in that month. Councilman Newcomb noted that there is existing backbone fiber which will hopefully speed up the process. Ms. Connolley noted that they already have sufficient staff to perform this work as well as the ability to order equipment and fiber. Mr. Scott expressed his opinion that since it took twenty years to bring power it may take longer than two years for the broadband. In response to a question from Councilman Newcomb, Ms. Connolley said Choptank will be more competitive in providing services than others since fiber and electric are already installed. She noted that the business plan has not yet been fully developed.

Councilman Pfeffer questioned whether services will also be available to those who are not currently members of Choptank. Ms. Connolley explained that federal law does not identify territories for broadband service so they can legally do so; however, their immediate intention is to provide service to customers.

The Council agreed to send a letter of support. Councilman Pfeffer asked that the draft letter be provided to the Council prior to submission. Councilman Newcomb said he will speak to the local delegation about this legislative initiative at the October 15, 2019 Council meeting.

MARYLAND ASSOCIATION OF COUNTIES ANNUAL MEETING

Wilber Levengood, Caroline County Commissioner, and Second Vice President, Maryland Association of Counties (MACo) introduced Michael Sanderson, Executive Director. Mr. Sanderson provided an overview of MACo and its 2019 legislative session highlights which included: 1) the passage of the Next Generation 911 Initiative; and 2) solar siting and the location of such facilities. Mr. Sanderson said MACo's Legislative Committee guides MACo's positions. He recognized Councilman Pfeffer as the Dorchester County's representative. He explained that they focus on unfunded mandates to protect local governments. He said Maryland General Assembly legislators are focusing on how to address public education. He noted that Kirwan Commission has spent three years in developing a proposed plan which includes inspiring as well as expensive recommendations. He said this will be a major topic during the 2020 Legislative Session. He advised that he does not have a draft or preliminary funding formula nor has a funding formula been provided, noting that the expected cost is \$3.8 billion a year.

Pursuant to an inquiry from Councilman Newcomb, Mr. Sanderson said he is in favor of MACo providing Choptank Electric Cooperative assistance for its broadband initiative. Councilman Newcomb opined that electric companies may be in opposition of its pursuit of legislative relief. Mr. Sander said he believes technology companies may also be in opposition. Commissioner Levensgood advised that Caroline County and Queen Anne County support Choptank in this endeavor.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2019-6 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 1-1101, ET SEQ., OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO ADD NEW ARTICLE XX, ENTITLED "CLEAN ENERGY LOAN SURCHARGE – CLEAN ENERGY LOAN PROGRAM", TO CHAPTER 144, ENTITLED "TAXATION" OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF DEFINING CERTAIN TERMS; ESTABLISHING A CLEAN ENERGY LOAN PROGRAM FOR COMMERCIAL PROPERTY OWNERS; ESTABLISHING THE SCOPE OF AND ELIGIBILITY FOR THE CLEAN ENERGY LOAN PROGRAM; PROVIDING FOR QUALIFYING CRITERIA; ESTABLISHING A CALCULATION OF THE CLEAN ENERGY LOAN SURCHARGE; PROVIDING FOR A RECORDED NOTICE; PROVIDING FOR THE COLLECTION OF LOAN PAYMENTS; ESTABLISHING DEFAULT PROCEDURES; PROVIDING FOR FINANCING OF A LOAN UNDER THE CLEAN ENERGY LOAN PROGRAM; PROVIDING FOR THE APPLICATION OF THIS ACT; AND GENERALLY RELATED TO THE CLEAN ENERGY LOAN PROGRAM AND REAL PROPERTY TAXES.

E. Thomas Merryweather, County Attorney, said a public hearing is being held on legislation to add a new Article XX entitled "Clean Energy Loan Surcharge-Clean Energy Loan Program, to Chapter 144 entitled "Taxation" of the Dorchester County to establish a Clean Energy Loan Program for commercial property owners. He stated that: 1) the State has an existing Clean Energy Loan Program to finance efficient energy and renewable energy projects; 2) State law gives the County the option to join the Program; 3) the State Program funds the projects; 4) there is a local law before the Council to add a section to the County Tax Code which allows these funds to be paid through a surtax; and, 5) it is a flow through process whereby the State issues a loan to a business which is repaid through a tax the County staff places on the business' real property tax bill. He referred to the August 20, 2019 meeting during which Michael White, Director, Special Projects, Eastern Shore Land Conservancy and Jessa Coleman, Maryland Property Assessed Clean Energy (PACE) Finance Organization, asked the County to join the program which has been adopted by several counties.

Mr. Merryweather advised that no one signed up to speak.

Keith Adkins, County Manager, said this program can entice businesses to make improvements within the County, noting that it is used statewide. Mr. Merryweather noted that these improvements will enhance the value of properties and increase the assessable base without any cost to the County. He advised that he has no issues with this program, noting that Michael Spears, Finance Director, has expressed his support for the County's participation in the program. He asked if there is anyone in the audience who wishes to speak. There was no response.

The roll call on the enactment of Bill No. 2019-6: Newcomb-aye; Nagel-aye; Nichols-aye; Pfeffer-aye; Travers-aye.

REQUEST TO SOLE SOURCE-SIDEWALK AND BANDSTAND REPAIRS-CLERK OF THE COURT

The Council approved the request of Amy Craig, Clerk of the Court, on behalf of Brett Wilson, Circuit Court Judge, to sole source with Southern Dorchester Masonry and use Transfer Tax monies for sidewalk and bandstand repairs at the cost of \$39,830.

2020 MARYLAND GENERAL ASSEMBLY LEGISLATIVE DISCUSSION

The Council recognized its prior decisions to pursue the following legislation during the 2020 Maryland General Assembly Legislative Session:

- The introduction of legislation to allow the use of golf carts in the Upper and Middle sections of Hooper's Island
- Amendments to the Alcoholic Beverages Article of the Annotated Code of Maryland to:
 - Section 19-903 "Class C beer, wine and liquor license" to allow non-profit organizations who lease Governors Hall at Sailwinds Park to obtain a Class C beer, wine and liquor license
 - Section 19-2005 "Beer, wine and liquor licenses" to reflect changes made during the 2012 Maryland General Assembly Legislative Session which were erroneously switched when the change was made from Article 2B to the Alcoholic Beverages Article of the Annotated Code of Maryland.

The Council also recognized its prior decision to include the following local budget impact topics in the legislative packet: 1) restoration of highway user revenues; 2) cost of shifting by the State of a portion of pensions for teachers; and, 3) maintenance of effort-statewide moving average and its impacts.

Council discussed a request from Steven J. Arentz, Chair, Eastern Shore Delegation, in which he asked for other counties' comments and/or support on Worchester County's request for the introduction of legislation to exempt single-family homes from the automatic sprinkler system requirement. Councilman Pfeffer referred to Section 144-57 which provides a tax credit against the County's real property tax for residential properties that include a complete automatic fire protection sprinkler system. Councilman Nichols stated that several years ago the Council pursued legislative relief on the sprinkler requirement to no avail. He said he understands the

reason behind the requirement and was concerned about the impact on first time home buyers, noting that he and Councilman Travers voted for the sprinkler tax credit. Councilman Nichols said Delegate Sheree Sample-Hughes also sought a sprinkler tax credit without success.

Based on an amended motion, the Council agreed to send correspondence to Delegate Arnetz noting that the Council does not wish to be included in this legislation with copies to the Maryland Firemen's Association, Eastern Shore of Maryland Fireman's Association and the Dorchester County Volunteer Firemen's Association.

MANAGERS COMMENTS

FY 2019-2 OPERATING BUDGET AMENDMENT-BOARD OF EDUCATION

The Council approved the written request of David Bromwell, Interim Superintendent, to approve the FY 2019-2 Board of Education Operating Budget Amendment to transfer unspent funds from Fixed Costs (Social Security Tax) due to vacancies and turnover to the Maintenance Category to cover expenses related to major repairs and grounds equipment maintenance.

FY 2021 CAPITAL IMPROVEMENT PLAN UPDATE -BOARD OF EDUCATION

The Council, based on the written request of Mr. Bromwell, agreed to conceptually approve the FY 2021 Capital Improvement Plan contingent upon future budget approvals.

TRAVEL REQUEST-DEPARTMENT OF CORRECTIONS

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to attend the Warden's Roundtable for Local Jail and Detention Center Administrators from October 21 to October 23, 2019 to Ocean City. The Maryland Police and Correctional Training Commissions pay for the training which includes meals and accommodations.

OFFER TO PURCHASE TAX LIEN PROPERTY-FINANCE

The Council approved the request of Cindy Smith, Assistant Finance Director, to accept the offer of Troy Wongus, of \$100 to purchase at tax lien property, Lot 1 on Moore's Avenue, 3,586 square feet. The Council acknowledged that: 1) in 2016 he purchased the adjacent property, Lot 2, for \$300; 2) it is his intention to build a home for his family on these lots; and, 3) the County will have the deed for the property sometime in December.

REQUEST TO AWARD BID-CONSTRUCTION SERVICES- EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to accept Option B of a proposal from Hill-Kimmel Construction, which submitted the lowest quote, at the cost of \$6,560 for construction services to install an overhead garage door with operator at the Eastern Shore Innovation Center using Capital Contingency Budget funds.

**DORCHESTER REGIONAL TECHNOLOGY PARK ARCHITECTURAL COMMITTEE
APPOINTMENTS-ECONOMIC DEVELOPMENT**

The Council approved the request of Ms. Banks to appoint the following individuals to the Dorchester Regional Technology Park Architectural Committee: 1) Keith Adkins as the County representative; 2) Mary Losty as the Business Representative; and, 3) Pat Escher as the City Planning representative.

**LICENSE EXTENSION AGREEMENT-EASTERN SHORE INNOVATION CENTER-
ECONOMIC DEVELOPMENT**

The Council approved the request of Ms. Banks to extend the Eastern Shore Innovation Center License Extension Agreement with IES Life Sciences, Inc. for a third year commencing on August 31, 2019 and ending on August 31, 2020. The Council acknowledged that: 1) the monthly payment will increase from \$196 to \$208 starting in the next billing cycle; and, 2) all other terms and conditions of the agreement will remain the same.

**RENEWAL-EVERBRIDGE EMERGENCY NOTIFICATION SYSTEM-EMERGENCY
SERVICES**

The Council approved the request of Steve Garvin, Emergency Planner, on behalf of Dozia Rahilly, Emergency Services Director, for the renewal of the Everbridge Emergency Notification System for 12 months commencing on December 3, 2019 and ending on December 2, 2020 at the cost of \$10,000 using Emergency Management Division budget funds.

**FY19 STATE HOMELAND GRANT PROGRAM-GRANT AWARD-EMERGENCY
SERVICES**

The Council approved the request of Mr. Garvin, on behalf of Ms. Rahilly, to accept a FY19 State Homeland Security Program Grant award from the Maryland Emergency Management Agency in the amount of \$113,144.28 with no local match. The Council acknowledged that the amount includes law enforcement funds, and homeland security funds for emergency management.

**REQUEST TO ADVERTISE FOR PROPOSALS-SECURITY SYSTEM-ROOF
REPLACEMENT-RECREATION AND PARKS**

The Council approved the request of Frank Stout, Recreation and Parks Director, to advertise for proposals for: 1) security system replacement at the Recreation and Parks facility and the Dorchester County pool utilizing FY20 Capital Budget funds of \$8,500 designated for this purpose; and, 2) to replace roofing on the Office, Maintenance building, press box and concession stand buildings located at 446 Willis Drive as well as the adjacent J. Edward Walter Park property utilizing \$20,000 from allocated FY20 Capital Budget monies.

ENGAGEMENT LETTERS-LEGAL COUNSEL-AVIGATION EASEMENT CONDEMNATION

The Council agreed to enter into Engagement Letters with MacLeod Law Group, LLC to provide legal services and counsel in connection with the acquisition of avigation easements by way of condemnation or otherwise for the benefit of the Cambridge-Dorchester Regional Airport for the following properties: 1) Property No. 13-001383, approximately 8.9 acres; 2) Property No. 13-003246, approximately 0.57 acres; 3) Property No. 13-001197, approximately 4.9 acres; and, 4) Property No. 07-166923, approximately 1.3 acres.

LETTER OF SUPPORT REQUEST-GRANT APPLICATION REQUESTS-SNIP TUCK, INC.

The Council approved the request of Amy Craig, Board Member, for letters of support for Snip Tuck, Inc.'s grant applications to the Department of Agriculture and Mid Shore Foundation.

POTENTIAL ENACTMENT OF BURN BAN-RESOLUTION

Mr. Adkins said he spoke with Chris Robertson, Eastern Shore Regional Fire Manager, last week about the potential enactment of a burn ban resolution which is before the Council. The Council agreed to adopt a Resolution to declare an open air burning ban which will commence on October 4, 2019, with the following exceptions:

- gas or charcoal grills.
- the supervised burning of buildings or solid liquid, or gaseous fuels conducted under the direct control and supervision of qualified instructors at a training center organized by a fire department.
- any other supervised burning conducted under the direct control and supervision of qualified fire instructors or a fire chief, captain or fire line officer of a fire department that has fire jurisdiction over the area where the supervised burning occurs.

The Council agreed to use the emergency notification system to alert residents of the enactment of the ban. The Council recognized that: 1) the declaration of the burn ban will be advertised; and, 2) the ban will be effective until rescinded.

USE OF COUNTY OWNED PROPERTY

Mr. Adkins said: 1) an entity has organized a fishing tournament in Dorchester County on October 5, 2019 which includes a cook-out at the Snows Turn Park; 2) Frank Stout, Recreation and Parks Director after learning about this event emailed one of the organizers twice with no response; 3) Mr. Merryweather has confirmed that no entity has the right to be on County property without Council approval; 4) Mr. Merryweather also said action should be taken to ensure that the entity does not have access to the Park if authorization is not obtained.

In response to a question posed by Mr. Merryweather, Ms. Stout said he saw four individuals on the entity's website and expressed his understanding that they organize fishing tournaments around the State, including in Washington, DC and Baltimore. Mr. Stout said he spoke to one of

the representatives by telephone and made him aware of the procedure to obtain authorization to use the Park. He confirmed for Mr. Merryweather that they were going to use the site without seeking Council's permission. Mr. Merryweather stressed that permission from the Council is required. Mr. Stout said the individual he spoke to did not indicate they were interested in following the process. Based on an inquiry from Councilman Travers, Mr. Stout said while the fishing tournament was to begin at 5:30 a.m., the cook out is at 2 p.m. He noted that the cost of the tournament was \$50 per person with \$10 going to a charity and \$10 for the cook-out. Pursuant to a query from Mr. Adkins, Mr. Stout said the group posted on Facebook that they would change the location. Donna Lane, Executive Administrative Specialist, noted that there was still a reference to Snows Turn Park on another part of that page.

Mr. Merryweather asked how Mr. Stout learned of this event. Mr. Stout explained that when he typed in the County's website address, a link to events in Dorchester County also appeared so he clicked on them. In response to a question from Councilman Pfeffer, Mr. Stout said the sign at the Park say it is open until dusk. Bill Windsor, resident, suggested placing a sign at County facilities with a number to call to obtain permission to use the Park which can also be put on the County's website. Councilman Travers said taxpayers can utilize the park; however, groups cannot do so without seeking authorization. He noted that individuals who use the pavilion at the Great Marsh Park must call the City of Cambridge for a reservation. Mr. Stout explained that since there are no bathroom facilities at the Park, event holders are responsible for providing portable toilets at their own expense. He noted that there are other requirements and responsibilities they must meet. Mr. Windsor reiterated his statement regarding signage and placing the rules online. Beth Wilson, Director of Operations, Board of Education, advised that the Board of Education posted signage but individuals still use school facilities without seeking its approval.

The Council acknowledged that Mr. Stout will ride by around the time the cook-out is to be held to ensure that the entity is not using the Park.

BOARD APPOINTMENTS

Councilman Pfeffer advised that he has spoken to a few people about serving as a member of the Property Tax Assessment Appeal Board. He said Ms. Donna Bradshaw has expressed her interest in continuing on the Board as a member. Councilwoman Nagel advised that she has submitted some names to Mark Dennis, Supervisor of Assessments, Assessments and Taxation for potential appointment for this Board and they are speaking with them. A motion to reappoint Ms. Bradshaw failed with Councilwoman Nagel, Councilman Newcomb and Councilman Nichols opposing. Councilman Nichols suggested sending all of the names of the interested persons to the Governor's Office. In response to an inquiry from Councilman Pfeffer, Councilman Nichols said some individuals express their interest on serving on the Board to Mark Dennis, Supervisor, Dorchester County Office, Maryland State Department of Assessments and Taxation, who provides the names to Council. He explained that the Council is required to submit three nominations for each vacancy from which the Governor will select and appoint individuals to the Board. The Council agreed to submit the names of all interested persons and asked that a list be provided at the next meeting for final disposition.

Councilman Nichols said he is working on filling the District 2 Board of License Commissioner vacancy in response to Councilman Pfeffer's inquiry. He noted that two individuals have already declined the appointment. The Council reappointed Mary Turner as the District 4 representative on the Council for Senior Citizens Services.

POLL CONFIRMATIONS

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

- a payment authorization from Amanda Fenstermaker, Tourism Director, for the Harriet Tubman re-enactor to perform this weekend including at the 350th Anniversary event/time capsule opening by a 4 to 1 (no answer) vote;
- a request of Dozia Rahilly, Emergency Services Director, to sole source with Preston Ford to replace a motor in an ambulance at the cost of \$20,000 using funds from the Emergency Services' equipment/repair line item by a 5 to 0 vote;
- to allow an individual who is visiting Dorchester County to park his vehicle and a boat trailer for a light 20 foot boat at the Madison Boat Ramp from September 28, 2019 until October 3, 2019 by a 3 to 2 (no answer) vote.

PUBLIC COMMENTS

There was no public comment.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Newcomb questioned the status of correspondence relating to the current Emergency Medical Services billing contract. Mr. Adkins said Troi Lynn Faith, Administrative Assistant, Emergency Services, is gathering information to provide to Mr. Merryweather.

Councilman Newcomb said complaints have been received about tree limbs hanging over County roads which can damage certain vehicles including combines. He made a motion to sole source with Eddie James to perform work on one road as a pilot project noting Mr. Jones can provide a proposal for Highway Division staff's review. Councilwoman Nagel seconded the motion. Mr. Adkins said bids for Public Works Maintenance services including tree trimming are being opened tomorrow. He noted that a week and a half ago a Gradall and shear were purchased to perform this work. Councilman Newcomb said residents have expressed concern that their requests for tree trimming are not being addressed. Councilwoman Nagel said Newhart Mill Road to the pond is in dire need of trimming. Mr. Adkins noted that Public Works staff trimmed trees in that area. Councilwoman Nagel expressed her understanding there are still some trees that need trimming. In response to an inquiry from Councilman Pfeffer, Mr. Adkins said some bid proposals have been received for tree trimming. The motion failed due to the lack of a majority.

Councilman Newcomb made a motion to rotate a suggestion box to each Department because he has heard that employee's comments are not being relayed to the Council. Councilwoman Nagel seconded the motion. Pursuant to a query from Councilman Pfeffer, Councilman Newcomb explained that a savings can be achieved by purchasing one box that can be secured. He said Mr. Adkins can announce at Department Head meetings the location of the suggestion box. Councilman Pfeffer questioned whether the County Manager will be the only one with a key. Councilman Newcomb said two individuals should have access. The Council approved the request and agreed that it can be placed at the Detention Center first.

The Council agreed to hold a personnel work session on Friday, December 11, 2019 at 10 a.m. to discuss issues relating to the Detention Center. Councilman Newcomb stressed that no decisions can be made during this work session. Councilmen Pfeffer and Travers opposed.

Councilman Newcomb referenced a prior request to purchase a live scan system at the cost of \$27,710. He noted that Sheriff James Phillips advised via an August 5, 2018 memo that there are \$5,900 in grant funds available towards its purchase. He said an additional \$8,000 has been identified from an Emergency Services grant. He made a motion to purchase the system using the \$13,900 and the remaining balance from the Contingency Fund which was seconded by Councilman Pfeffer for discussion. A discussion ensued regarding the identification of the additional \$8,000 which included whether Mr. Adkins was aware of and/or participated in the pursuit to secure additional funding. Councilman Nichols advised that he received an email from Mr. Adkins regarding the availability of the \$8,000. Mr. Adkins concurred noting that the Sheriff did not identify the source.

The Council agreed to utilize \$8,000 in FY18 Homeland Security Grant funds and \$19,710 from the Operating Contingency Fund for the purchase of the Live Scan system at the cost \$27,710. Councilman Pfeffer said he opposes the motion because it is his understanding that Sheriff Phillips, via correspondence, was advised radio system bond funds will pay for this system.

Councilwoman Nagel read into the record correspondence from Robert J. Etgen, President, Eastern Shore Land Conservancy, in support of the forest products industry. She said she also received correspondence from Delegate Johnny Mautz, Member, Economic Matters Committee, in opposition to energy conversion at the Eastern Shore Correctional Institute. She advised Dave Ryan, Editor, Dorchester Banner, that she provided a rough estimate on the amount of forest land she owns which was reported in the newspaper. She said she will provide him the correct amount at the next meeting. She explained that she participated in the forestry industry tour not in the talks with the American Forest Industry.

Councilman Pfeffer encouraged the public to attend the following events in the County this weekend: 1) Hurlock Festival; 2) the 350th Celebration in East New Market; and, 3) Crabtoberfest at Sailwinds.

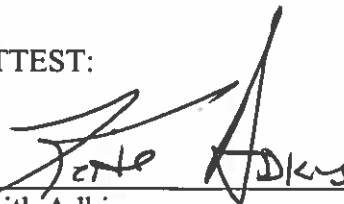
Councilman Nichols expressed his belief that the Council should not pursue a swap of the County owned portion of Woods Road for the Visitors Center with the Maryland Department of Transportation (MDOT). Councilman Nichols noted that this topic is supposed to be discussed at a meeting with Kenneth Holt, Secretary, Department of Housing and Community

Development this Friday. He said over a \$1 million has been spent by the State over the last several years for the Visitor's Center. In response to an inquiry from Councilman Travers, Councilman Nichols expressed his understanding that the amount included costs due to the fire. He cited his concern about the potential cost to maintain this facility. He questioned why the City is involved in the discussion about this swap when the County and State are the ones that will be fiscally responsible. He noted that when he served his first term on the County Council, the State of Maryland declined an offer for the County to obtain ownership of the Visitors Center. Councilman Nichols stressed the need to identify a solution for the Health Department, noting the current building is in disrepair. Councilman Travers said since the City owns the other half of Woods Road, they entered into the conversation about the potential swap. He noted that repairs to that road are estimated to cost over \$6 million. Councilman Travers expressed his belief that the State will not agree with the swap. Councilman Nichols cited concern about the potential costs the County may have to absorb if the Kirwan Commission recommendations are approved. A motion was made by Councilwoman Nagel and seconded by Councilman Nichols. Donna Lane, Executive Administrative Specialist, noted that the swap is also a topic to be discussed with MDOT during the Annual Transportation. The motion was amended to remove the topic from the agenda and the list of topics with Councilman Travers and Pfeffer opposing.

Councilman Nichols announced that the next meeting is October 15, 2019 which includes the Annual Meeting with Legislators as well as the Annual Transportation meeting.

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 15 day of October, 2019.