

**County Council of Dorchester County  
Regular Meeting Minutes  
December 3, 2019**

The County Council of Dorchester County met in regular session on December 3, 2019 with the following members present: 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 Travers led the invocation and the pledge of allegiance.

**OTHER**

Councilman Newcomb noted that Councilman Nichols is not in attendance due to illness.

**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 December 3, 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 Newcomb reported total cash and investments as \$8,838,562.84.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on December 3, 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: 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 December 3, 2019 at 5:16 p.m. to discuss the following items: 1) the Council approved the requests of the Planning and Zoning Director to hire an individual to fill a vacant Permit Technician position and hire an individual to fill the vacant Zoning Technician position by a 4 to 0 vote; and, 2) by a 4 to 0 vote, approved the requests of the Emergency Services Director to: a) hire an individual as an on-call Emergency Medical Technician; and, b) change the status of an EMT from full time to on-call and another EMT from on-call to full time to fill the resulting vacancy. Present were: 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**

### **ELECTION OF OFFICERS**

The Council elected the following Officers by majority:

President	Councilman Newcomb
Vice President	Councilwoman Nagel

### **INTRODUCTION-PUBLIC WORKS DIRECTOR**

Councilman Newcomb introduced Dave Edwards, the new Public Works Director. Mr. Edwards encouraged citizens to contact him with any concerns regarding public works matters.

### **LEGISLATIVE SESSION**

The Council convened into Legislative Session.

### **PUBLIC HEARING**

**AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 40-20 OF CHAPTER 40 OF THE DORCHESTER COUNTY CODE CLOSING AND ABANDONING A PORTION OF COUNTY PUBLIC ROAD KNOWN AS "HOOPER NECK ROAD" SITUATE IN THE FOURTH ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND.**

Mr. Merryweather said a public hearing is being held on legislation, pursuant to Section 40-20 of Chapter 40 of the Dorchester County Code, to close and abandon a portion of County public road known as "Hooper Neck Road" in the Fourth Election District. The roll call on the enactment of Bill No. 2019-7 is: Newcomb-aye; Nagle-aye; Nichols-absent; Pfeffer-aye; Travers-aye.

## **REGULAR SESSION**

The Council adjourned into Regular Session.

### **DOG CONTROL BUILDING-SHERIFF JAMES PHILLIPS**

Sheriff James Phillips provided a brief synopsis of the allocation of funding and actions taken to identify a location for a Dog Control building. He requested that a Committee be established consisting of five to seven individuals, to be chaired by Councilwoman Nagel, with him being one of the members. He noted that residents Kevin Webster and Kris Hoffman expressed an interest in being a part of the Committee. He suggested that the charge of the Committee be to examine possible sites within a certain time frame, review the feasibility study and provide a report back to Council.

The Council agreed to establish a committee with the following members as requested by Sheriff Phillips: Councilwoman Nagel as Chair, Sheriff Phillips, the County Manager, Kevin Webster, Kris Hoffman, Wendy Buckler and a Planning and Zoning representative. The Council acknowledged that the Committee will provide a report on January 7, 2020. In response to an inquiry from Mr. Webster, Councilman Newcomb said the facility can be located within the City of Cambridge or in the County.

## **MANAGERS COMMENTS**

### **RADIOS-VOLUNTEER FIRE COMPANIES-EMERGENCY SERVICES**

Mr. Adkins said: 1) the Emergency Services' Radio Committee met with the Chief's Committee, a committee of the Dorchester County Volunteer Firemen's Association, and Keith Adkins, County Manager, on Wednesday, November 13, 2019 to discuss outstanding needs and requests of the volunteer fire companies regarding a one to one radio replacement agreement; 2) before Council is a spreadsheet noting the items each fire chief say are still owed due to the original agreement; and 3) the Radio Committee and the Chief's Committee agreed this will complete the task of the one to one exchange. Councilman Pfeffer made a motion to approve the recommendation which Councilman Travers seconded. Pursuant to a query, Mr. Adkins confirmed for Councilman Newcomb that some companies have opted out of receiving a base station. Councilman Newcomb referenced the prior concerns from staff that if a tower site fails or there is a system issue there may be an issue with coverage when using a portable radio versus a base station. He questioned whether the volunteer fire companies who chose a portable over the base station should be required to sign a document that the County will not be liable if that occurs. Mr. Merryweather said they should be required to sign such a document. Mr.

Adkins concurred, noting that he will provide Mr. Merryweather with a copy of correspondence drafted for this purpose. Councilman Travers referred to prior discussions about modifying a portable radio for antenna coverage. In response to a question from Councilwoman Nagel, Mr. Merryweather said the motion should be predicated on the receipt of the signed document. The Council agreed to the recommendation subject to the submission of the required paperwork from the volunteer fire companies who chose a portable.

#### FARM LEASE RENEWAL REQUEST-BOBTOWN ROAD

Mr. Adkins advised that: 1) in March 2019 a request for proposals to lease four tillable acres of land on the North side of Bobtown Road, Hurlock was advertised; 2) on March 19<sup>th</sup> a public hearing was held for comment pursuant Section 10-312(f) of the Local Government Article at which there were no proposals or public comment; 3) written offers were received and Council agreed to lease the property to Clark Delong for one year at a cost of \$1,000 on March 19<sup>th</sup>; and, 4) Mr. Delong has submitted a request to renew the lease for 2020 at the same rate. He queried whether Council wishes to advertise for proposals or consider Mr. Delong's request at a future meeting. He noted that whichever action Council chooses to take, a notice inviting public comment must be advertised. A discussion ensued regarding the lease term. The Council agreed to hold a public hearing on leasing this property to Mr. Delong and to seek a three year lease.

#### REQUEST TO PLANT MEMORIAL TREE-MCCARTER PARK-RECREATION AND PARKS

Mr. Adkins said: 1) pursuant to Frank Stout, Recreation and Parks Director, Becky Dalfonso, resident, has asked for authorization to plant a Tulip Poplar tree and place a 12" by 8" resin plaque in McCarter Park in memory of Richard Watson Gray; 2) staff has identified a location away from areas that may cause damage to existing sidewalks or structures; and, 3) the tree grows to a height of 70 to 90 foot and a spread of around 40 feet, typically does not have lower branches, will be approximately 1 to 2 inch diameter when planted and grows around 12-24 inches per year. The Council authorized Ms. Dalfonso to plant the tree and place the plaque in McCarter Park.

#### PROPERTY OWNER NOTIFICATION LETTERS-OBSTACLE REMOVAL PERMIT APPLICATION-AIRPORT

The Council approved the request of Meighan "Chis" Chisholm, Airport Director, to send letters to property owners adjacent to Avigation Easement properties and the Airport, pursuant to Maryland Department of Environment requirements as part of the County's obstacle tree removal permit application.

#### REQUEST TO PURCHASE PROPERTY-FINANCE

The Council accepted the offer of Ernest D. Ross to purchase a 1,719 square foot County owned lot located in the rear of Park Lane, Property ID# 07-179618, for \$100.

#### POTENTIAL SALE-207 OAK STREET-TOWN OF HURLOCK-FINANCE

The Council approved the request of John Avery, Town Manager, on behalf of the Town of Hurlock, to acquire 207 Oak Street, Hurlock, a tax lien property, at the cost of \$4,361.40. The Council acknowledged that the Town officials will write off the taxes and fines owed to the municipality.

#### REQUEST TO PURCHASE TAX LIEN PROPERTIES-PARK LANE-FINANCE

The Council accepted the offer of Edward Sterling, resident, to purchase 814 and 816 Park Lane, Cambridge for \$100 each.

#### GRANT MODIFICATION-2019 MARYLAND HERITAGE AREA AUTHORITY GRANT-ECONOMIC IMPACT STUDY-FINANCE

The Council approved the request of Cindy Smith, Assistant Finance Director, on behalf of Amanda Fenstermaker, Tourism Director, to modify the grant deadlines of the 2019 Maryland Heritage Area Authority Grant titled "The Economic, Community and Business Impact of Harriet Tubman Experience" to the following: 1) mid-project report date, October 30, 2020; 2) project completion date, June 30, 2022; and, 3) final report due date, August 30, 2022.

#### BID AWARD-PROPERTY MAINTENANCE-PLANNING AND ZONING

Based on the recommendation submitted by James Chester, Zoning Inspector, on behalf of Steve Ball, Planning and Zoning Director, the Council agreed to award the bid for Property Maintenance to J & L Services, Inc., the only bidder, for a two year period.

#### BOARD APPOINTMENTS-PLANNING AND ZONING

The appointment of an individual to replace Cindy Smith on the Board of Appeals was deferred. The Council reappointed Beth Hill to the Board of Appeals and Bill Giese to the Planning Commission.

#### PUBLIC COMMENTS

Gary Eskridge, resident, expressed concern about the blocked drainage of a ditch that runs through 5643 Newhart Mill Road and drains at 5649 Newhart Mill Road. He expressed his belief the County is responsible for clearing the ditch based on his understanding a right-of-way was previously provided to the County. He also cited concerns about the Dorchester County Health Department dismissing his daughters' request for a variance on the depth of the well without citing a reason. Councilman Newcomb noted that the Health Department is a State agency. He said Mr. Adkins will contact Roger Harrell, Health Officer, and William Forlifer, Environmental Health Officer, about this matter.

Wayne Lawson, resident, expressed his understanding that the County: 1) was allowed to install a culvert on his family's farm located on Griffith Neck Road; and, 2) is responsible for cleaning the ditches in that area. He stressed the need to clean those ditches. Councilman Newcomb asked him to provide his information so Mr. Edwards can contact him about this matter. In response to a question from Mr. Lawson, Councilman Newcomb explained that after a State inspection of the Bestpitch Ferry Bridge, it is closed since it is in need of major repairs, until further information can be obtained. He said the Federal and State government will not provide funding for the bridge repairs. He noted that according to a traffic study 30 vehicles a day travel across the bridge. Mr. Lawson cited concerns about the condition and closure of the bridge.

### COUNCIL'S COMMENTS/ADJOURNMENT

Councilwoman Nagel said she hopes everyone had a good Thanksgiving. She encouraged the public to attend the various community events that will be held in the County during the next few weeks.

Councilman Travers thanked County staff for decorating the County Office Building and commended those who participated in the Christmas Tree Lighting.

Councilman Newcomb announced that: 1) the next Council meeting will be held on December 17, 2019 at 6 p.m.; and, 2) the Council will attend the Annual Maryland Association of Counties Winter Conference and associated events on December 4 – 6, 2019 at the Hyatt Regency Chesapeake Bay in Cambridge, Maryland.

With no further business to discuss, the Council adjourned.


ATTEST:

  
Keith Adkins  
County Manager

THE COUNTY COUNCIL  
OF DORCHESTER COUNTY:

  
Jay E. Newcomb, President

  
Libby Handley Nagel, Vice President

  
William V. Nichols

  
George L. Pfeffer, Jr.

  
Ricky C. Travers

Approved the 17<sup>th</sup> day of December, 2019.