

**County Council of Dorchester County
Regular Meeting Minutes
February 18, 2020**

The County Council of Dorchester County met in regular session on February 18, 2020 with the following members present: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; 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.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: Assignment of Mortgage and a Policy for the Release of Recordings.

APPROVAL OF MINUTES

The Council approved the minutes of January 21, 2020.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$11,130,683.52.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on February 18, 2020 at 6:00 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 and motioned to adjourn into Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; and, pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

Present were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; 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 February 18, 2020 at 4:31 p.m. held a personnel hearing and discussed the following items: 1) approved the request of an individual to remain on-call as an Paramedic by a 5 to 0 vote; 2) approved the request of the Emergency Services Director to change the status of an individual from an on call Emergency Medical Technician to a full time Paramedic, who recently received a Paramedic certification, by a 5 to 0 vote; 3) approved the request of the Director of the Department of Corrections for a lateral transfer of an employee to Records, a Correctional Officer II position, to fill a vacancy by a 5 to 0 vote; 4) discussed a request from the County Manager; 5) obtained legal advice from the County Attorney regarding a County owned property; 6) received a legal opinion on releasing recordings-agreed to discuss in open; 7) received legal advice from County Attorney regarding an Assignment of Mortgage-agreed to discuss in open; 8) obtained legal advice from the County Attorney on an existing lease agreement; and, 9) discussed the potential acquisition of property.

Present were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; 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 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.

LEGISLATIVE OVERVIEW-SHERIFF

Sheriff James Phillips provided an update on school safety and gun laws that are being considered during the 2020 Maryland General Assembly Legislative Session. The Council agreed to send correspondence to the Eastern Shore legislators supporting the Second Amendment

MANAGERS COMMENTS

REQUEST TO RESERVE DOCKAGE-NATHAN OF DORCHESTER-DORCHESTER SKIPJACK COMMITTEE, INC.

The Council approved the request of Pat Johnson, President, Dorchester Skipjack Committee, Inc. to secure dockage along the County Office Building for the following dates during 2020: April 18, April 28, May 8, November 9, June 6 and September 19.

REFERRAL TO PLANNING COMMISSION-CRITICAL AREA TEXT AMENDMENTS-PLANNING AND ZONING

Based on the request of Steve Ball, Planning and Zoning Director, the Council referred to the Planning Commission the following text amendments for review and recommendation: 1) to provide exemptions to establish the buffer area in the Critical Area for agricultural activities; and, 2) in regard to floodplain management which allows more specific citing criteria for electric panelboards serving private piers to reduce current, more restrictive requirements.

AMENDED CHANGE ORDER-CONSULTANT CONTRACT-COUNTY COMPREHENSIVE PLAN-PLANNING AND ZONING

Councilman Pfeffer made a motion to approve the Amended Change Order to the Consultant Contract with AECOM pursuant to Mr. Ball's request, at the cost of \$ 31,000 (\$18,000 this fiscal year and \$13,000 in the next fiscal year), which is \$14,000 less than his original request, that includes a reduction in the number of required meetings and the shifting of work to the Planning and Zoning Director to reduce costs. Councilman Travers seconded the motion.

Margaret Anazlone, resident, expressed concern about the inclusion of a draft tier map at the last minute and how it will affect water quality. She said it is her understanding that Mr. Ball requested that this map be included, not the Planning Commission members. She noted that according to Mr. Ball's explanation at one of the Commission's meetings, in some areas more than seven homes can be constructed on one parcel.

In response to Ms. Anazlone's inquiries, Mr. Ball said: 1) the estimated cost of the draft tier map is 15% of the overall work to be completed; 2) the map will be part of the public process for the Comprehensive Update; 3) there is no guarantee the Planning Commission will recommend the plan; 4) the Council makes the final decision on the map; 5) the Planning Commission members have discussed this matter twice and have expressed their desire to view a proposed map and consider it as part of the plan; 6) the cost for the tier map is approximately \$5,000 or \$6,000; and 7) the proposed area in the northern part of the County is primarily in suburban residential areas. Ms. Anazlone noted that Talbot County has a small amount of properties in tier three to end certain development. Mr. Ball noted that 17 counties in Maryland have adopted tier maps. He explained that the makeup of the tier map is a policy issue he will discuss with the Planning Commission members.

Councilman Newcomb confirmed for Ms. Anazlone that the Council did not adopt a tier map in 2012. He explained the Planning Commission is seeking authorization to include a draft map in the draft Comprehensive Plan Update and the Council will make the final decision on whether to adopt the plan with or without it.

The Council approved the change order with Councilwoman Nagel and Councilman Newcomb opposed.

**PURCHASE PROPOSAL-TAX LIEN PROPERTIES-WELLS STREET-HABITAT
CHOPTANK-FINANCE**

The Council accepted the offer submitted by JoAnn Hansen, Executive Director, Habitat Choptank, to purchase the following tax lien properties at the total cost of \$29,704: 607 Wells Street, 609 Wells Street, 613 Wells Street, 615 Wells Street, 617 Wells Street, 621 Wells Street, 623 Wells Street, and 625 Wells Street.

**REQUEST TO ADVERTISE FOR PROPOSALS-HARRIET TUBMAN BYWAY
SIGNAGE PROJECT-TOURISM**

The Council approved the request of Amanda Fenstermaker, Tourism Director, to advertise for proposals for the purchase of five interpretive signs and the replacement of 16 map panels on existing signs for the Harriet Tubman Byway Signage Project using Maryland Scenic Byways funding in partnership with the Maryland State Highway Administration funds for up to \$25,000.

**EXTENSION -STATE HIGHWAY ADMINISTRATION AGREEMENT-ECONOMIC
IMPACT OF HARRIET TUBMAN EXPERIENCE-TOURISM**

The Council approved the request of Ms. Fenstermaker for an extension to the Memorandum of Understanding between Dorchester County and the State Highway Administration for funds for interpretive signage along the Harriet Tubman Underground Railroad Byway.

**CONSIDERATION-LETTER OF OPPOSITION-HOUSE BILL 677-CORRECTIONAL
SERVICES-IMMIGRATION DETENTION-PROHIBITION**

Pursuant to the request of Joseph Hughes, Director of Corrections, the Council agreed to send a Letter Of Opposition for House Bill 677 entitled "Correctional Services-Immigration Detention-Prohibition and the cross-filed Senate Bill (SB850).

**LETTER OF SUPPORT CONSIDERATION-SENATE BILL 955-FEDERAL CLEAN
WATER ACT-AUTHORITY OF STATE**

The Council agreed to send a Letter of Support for Senate Bill 955 entitled "Federal Clean Water Act-Authority of State" which will prohibit the State of Maryland from entering into an agreement that waives the State's water quality certification review authority under Section 401 of the Federal Clean Water Act.

ASSIGNMENT OF MORTGAGE

The Council agreed to execute an Assignment of Mortgage.

POLICY FOR RELEASE OF RECORDINGS

The Council agreed to amend the policy for the release of 911 recordings to include that the County Manager and Donna F. Lane, Executive Administrative Specialist, are to be copied on all requests upon receipt.

PUBLIC COMMENTS

In response to a question from William "Bill" Windsor, Director Hughes explained that if the legislation titled "Correctional Services-Immigration Detention-Prohibition" passes they will be unable to contact U.S. Immigration and Customs Enforcement to pick up illegal immigrants.

Rose Murphy, resident, referenced her December 2019 correspondence about Emergency Medical Service transfers and citizens' concerns that included a petition which was read into the record at the January 7, 2020 meeting. She said 150 individuals signed the petition and the Mayors of the Towns of Vienna, Eldorado and Galestown, also provided letters. She noted that at the last Council meeting Councilman Travers suggested discussing adding another Emergency Medical Services Unit for a 7 a.m. to 7 p.m. shift during the current budget process. She expressed her belief that a third staffed ambulance is necessary for Cambridge. She cited concerns about waiting until the budget is adopted. She noted that the transfer proposals prepared by Keith Adkins, County Manager, and Dozia Rahilly, Emergency Services Director, were not considered. She suggested: 1) staffing the County's Chase Vehicle with a Paramedic to prepare the patient prior to the ambulance arrival until the budget discussion; and 2) using Contingency funds to cover the cost or unused funds designated for snow removal. Another alternative she proposed was to implement a transfer policy now. She referred to the portion of her letter about the loss of revenue due to the existing Emergency Medical Services billing company and she suggested to contact Cathy Clark, Medical Claim Aid, to assist with terminating that agreement. She noted that the Council can also buy-out the contract. She expressed concern about moving an ambulance from the north or the south of the County for calls in Cambridge, when those areas are further away from the hospital.

Wendy Windsor Ashburn said she: 1) is currently working with an attorney to gain access to a family cemetery; 2) received a suggestion to contact the County about the Burial Sites Preservation Board, under Section 63-4 of the County Code; and, 3) contacted Mr. Ball who advised her that the Board Members have never been selected. Pursuant to her inquiries, E. Thomas Merryweather, County Attorney, recollected that the bill was introduced by Tom Bradshaw, a prior Council Member, and passed. He expressed his understanding that the Board has not been established. He said Ms. Asburn is welcome to submit names of interested persons for the Board and should provide them to Donna F. Lane, Executive Administrative Specialist. Mike Detmer, Dorchester Star, cited his belief the Board membership consists of at least three and up to nine members.

Donald Willey advised that he is working with Eddie Dean who is using social media to garner assistance to restore the Anchor of Hope Cemetery. He said he is willing to serve

on the Burial Sites Preservation Board. Mr. Dean advised that: 1) a fundraiser will be held; 2) he is seeking moral support; 3) Chaney Enterprises is working with them; and, 4) he will submit a request to be placed on the March 3, 2020 agenda.

Pursuant to an inquiry from Dave Ryan, Dorchester Banner, Councilman Newcomb stated that: 1) there has been progress after the hacking incident; 2) some documentation has been lost; 3) there has not been a release of personnel or taxing information; and 4) the Federal Bureau of Investigation is still investigating the matter.

Glen Bittle, Easton resident, on behalf of the Cambridge Skeet and Gun Club, thanked the Council on voting to send a letter of support of the Second Amendment. He explained that if one of the proposed laws Sheriff Phillips spoke about passes, they will not be able to offer youth events nor continue the Wounded Warrior Program because they would require loaner guns.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilwoman Nagel noted that Council Members are appointed to various Boards as County Council representatives, such as the Maryland Association of Counties Legislative Committee; City of Cambridge/County Meetings; Board of Education/County Meetings; and, Town of Hurlock/County Meetings. Councilman Pfeffer noted that there is an alternate vacancy on the MACo Legislative Committee if she or any of the other Council members wish to attend those meetings. He said he: 1) has been advising the County Manager when items come into play; 2) asked for direction on how Council should proceed in relation to the information he was made aware of; 3) will begin providing updates on this Committee and for the other Boards/meetings he serves on, on behalf of the Council; and, 4) provide copies of the documents from the MACo Legislative Committee meetings to the Council.

Based on a motion made by Councilman Nichols, the Council agreed to discontinue holding City/County meetings and instead have City representatives attend the County Council meetings when they have items to discuss.

Councilman Nichols asked Tyrus Farrell to assist him in scheduling a meeting with the Maces Lane Community Center, Inc. members.

The Council agreed that Councilman Travers can continue to serve on the Cambridge Cemetery Board.

Councilman Travers said he is proud that the Council voted to support the Second Amendment. He referenced Sheriff Phillips' comments about various bills that will have serious repercussions on the County. He noted that many of these bills are being driven by counties in the metropolitan areas that will have harsh impacts on Rural Maryland.

Councilman Newcomb asked the Council if they had any thoughts or ideas based on Ms. Murphy's prior comments. He expressed concern about the hardship on personnel and

the cost of fuel when on standby. A discussion ensued. In response to a question from Councilman Travers, Mr. Adkins said the approximate cost of manning a second crew is \$175,000 without benefits. A motion was made by Councilman Travers to discuss adding another Emergency Medical Services Unit for a 7 a.m. to 7 p.m. shift which was seconded by Councilwoman Nagel. After another brief discussion, Councilman Travers amended the motion to discuss the implementation of a policy at the March 3, 2020 meeting. The Council further agreed that the unit should be staffed by a Paramedic and an Emergency Medical Technician (EMT); however, due to staffing concerns, will consider at minimum two EMTs.

Councilman Newcomb announced that: 1) a Budget Work Session will be held on February 28, 2020; and, 2) the next Council meeting is on March 3, 2020.

With no further business to discuss, the Council adjourned.

ATTEST:

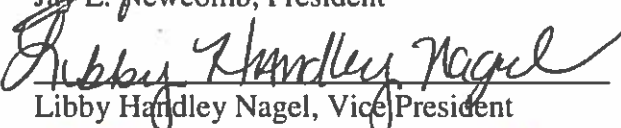


Keith Adkins
County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



Jay L. Newcomb, President



Libby Handley Nagel, Vice President



William V. Nichols



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 3rd day of March, 2020.