

**County Council of Dorchester County  
Regular Meeting Minutes  
April 21, 2020**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:00 p.m. on the 21<sup>st</sup> day of April, 2020. A roll call of the members was conducted. Present on the conference call were: Jay L. Newcomb, Council President; Libby Handley-Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr.; and Ricky C. Travers. Also present via telephone 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 Pfeffer led the invocation and the pledge of allegiance.

Councilman Newcomb asked the public to mute their phones.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Councilman Newcomb announced that after publication of the agenda:

- The following items were removed: Bayly House Property Access Memorandum Of Understanding-Lease-Tourism; Request to Advertise for Proposals-Phase 1 Fence Project-Airport; Requests to Advertise for Proposals-Public Works-Crushed Stone and Asphalt Oil; and
- The following items were added: Letter of Support Request-Department of Agriculture-Grant Application-Snip Tuck; Declaration of Special Legislative Day; Letters of Support-Cambridge Main Street; Letter-Reallocation of H2B visas.

The Council adopted the amended agenda.

**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 \$4,052,968.40.

## **MANAGER'S COMMENTS**

### **REQUEST TO APPLY-DHCD TECHNICAL ASSISTANCE GRANT-FEASIBILITY STUDY-LAND BANK-FINANCE**

The Council approved the request of Cindy Smith, Assistant Finance Director, to submit to the Department of Housing and Community Development a Technical Assistance Grant application to pay for a feasibility study/plan for the creation of a Land Bank with no County match requirement.

### **OBSTRUCTION REMOVAL (PHASE 1) PLAN APPROVAL-REQUEST TO ADVERTISE FOR PROPOSALS-AIRPORT**

Based on the request of Steve Nuwer, Airport Director, the Council approved the plan for Phase 1 of the Obstruction Removal project as outlined in the 2020 Airport Capital Improvement Plan and to advertise for proposals for this project.

### **SCOPE OF SERVICES AMENDMENT-COUNTY CONSULTANT-OBSTRUCTION REMOVAL PROJECT-AIRPORT**

Pursuant to the request of Mr. Nuwer the Council approved Amendment 1 to the Scope of Services with AECOM, the County's Airport consultant, to include additional engineering costs associated with a change in the properties in Phase 1 of the Obstruction Removal project totaling \$7,466 which are reimbursable to the County by grants.

### **NOTICES TO AIRMEN MANAGER SYSTEM AGREEMENTS-FEDERAL AVIATION ADMINISTRATION-AIRPORT**

The Council approved the request of Mr. Nuwer to enter into a Letter of Agreement and Memorandum of Agreement with the Federal Aviation Administration so Airport staff can use a U.S. Digital system to create a Notice to Airmen (NOTAM) to notify pilots when there are temporary restrictions at the Cambridge-Dorchester Regional Airport, such as closing the runway for a seal-coat project. The Council acknowledged that: 1) currently staff contact the local Flight Service Station to relay this information; 2) there is no cost to the County; and, 3) E. Thomas Merryweather, County Attorney, has approved the documents provided the signature line is changed to the President of the County Council.

### **RENEWAL-GOLDEN HILL TRANSFER STATION-LANDFILL-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to renew the lease between the County and Gootee's Marina, Inc. for the Golden Hill Transfer Station for an additional two year period.

#### REQUEST TO EXTEND MARINE FACILITIES CONTRACT-PUBLIC WORKS

The Council approved the request of Mr. Edwards to extend the marine facilities contract with Harmon's Septic for portable toilet service at the County's 12 marine facilities from May 1, 2020 to October 21, 2020 using Department of Natural Resources grant funding.

#### REQUEST TO PROCEED-PAVING-BEULAH LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving to pave the entrance and parking lot at the Beulah Landfill at the estimated cost of \$87,900. The Council acknowledged that in the FY20 Capital Budget is \$100,000 for this project.

#### STATE HIGHWAY ADMINISTRATION MEMORANDUM OF UNDERSTANDING AMENDMENT-HARRIET TUBMAN BYWAY SIGNAGE PROJECT-TOURISM

The Council recognized that only one bid was received for the Harriet Tubman Byway Signage Project in the amount of \$46,408.17; however, only \$23,825 was available to spend. The Council, based on the request of Amanda Fenstermaker, Tourism Director, agreed to enter into an amendment with the granting agency, the State Highway Administration, for additional funding of \$22,583.17 to cover the bid cost. The Council agreed to award the bid to Color Ad for custom signs along the Harriet Tubman Underground Railroad Byway. The Council acknowledged that the County's match of \$18,000 for this project is in the Tourism Department's Operating Budget.

#### HARRIET TUBMAN UNDERGROUND RAILROAD ECONOMIC IMPACT STUDY BID AWARD-NPS COOPERATIVE AGT-TOURISM

The Council approved the requests of Ms. Fenstermaker to:

- award the bid for an Economic Impact Study along the Harriet Tubman Underground Railroad Byway to Camoin Associates at the cost of \$47,310 and acknowledged that although this bidder did not submit the lowest quote the panel that deliberated the proposals felt it exceeded the proposal from the lowest bidder; and,
- enter into a Cooperative Agreement with the National Park Service for \$20,000 for the remaining funds for this project.

The Council acknowledged that the funds for this project consist of: \$10,000 from the Maryland Heritage Area Authority; a \$10,000 County Match; \$2,500 over two fiscal years from the Maryland Park Service; \$2,500 over two fiscal years from the Maryland Office of Tourism; and \$33,000 from the National Park Service.

## FEDERAL DELEGATION CORRESPONDENCE-FUNDING TO COUNTIES- COVID-19

Based on the request of Virginia White on behalf of the Maryland Association of Counties, the Council agreed to send correspondence to the Federal Delegation stressing the importance of direct and flexible funding for counties to confront the COVID-19 crisis.

## LETTER OF AGREEMENT-VOLUNTEER FIRE COMPANIES

Councilman Newcomb said at its December 3, 2019 meeting, based on the legal advice of Mr. Merryweather, the Council agreed that if a volunteer fire company chose a portable radio in lieu of a base station, they must sign an agreement: 1) acknowledging this choice; 2) accepting liability for potential reduced coverage versus having a base station; and, 3) acknowledging that if they want a base station in the future it will be at their own expense. He advised that: 1) the following fire companies received a portable radio and were provided a copy of the agreement to sign: Vienna, Secretary, East New Market, Eldorado, Church Creek and Hoopers Island; and, 2) Eldorado is the only company that signed and submitted their agreement to Emergency Services. Councilwoman Nagel made a motion to send correspondence to the volunteer fire companies requiring them to provide a signed document within 15 days or the portables shall be returned which was seconded by Councilman Nichols. Based on comments made by Councilmen Pfeffer and Travers, Councilwoman Nagel amended the motion to send the correspondence by registered mail, return receipt and provide the volunteer fire companies 30 days to execute and submit the agreement.

## POLL CONFIRMATIONS

The County Council, confirmed its decisions, by means of a poll, due to the recent coronavirus/in the interim between meetings took the following actions:

- agreed to cancel the March 17, 2020 County Council meeting by a 4 to 1 vote;
- approved the request of the Emergency Services Director to surplus old radio equipment by a 5 to 0 vote which will be posted for sale on the govdeals.com auction site;
- approved the March 3, 2020 regular session minutes and the February 18, 2020 and March 3, 2020 closed session minutes;
- approved the March 12, 2020 vouchers by a 5 to 0 vote;
- approved the submission by Delmarva Community Services of: 1) a grant application to the Maryland Transit Administration (MTA) for FY 2021 annual transportation plan funds for operating from the Mass Transit Administration (MTA) and; the Federal Transit Administration (FTA); and, 2) a FY2021 MTA grant application for capital transportation funding from MTA and FTA by a 5 to 0 vote;

- approved the request of Dave Wilson, Delmarva Resource Conservation and Development to enter into a License Agreement between the County and Clark Henry Thomas for the placement of dredge spoil for the Hurst Creek project contingent upon review and approval of the agreement by the County Attorney by a 5 to 0 vote;
- approved the request of Steve Nuwer, Airport Director, to submit FY20-FY25 Airport Capital Improvement Plan correspondence to the Federal Aviation Administration by a 5 to 0 vote;
- approved the request of the Emergency Services Director to proceed with an Infectious Disease website by a 5 to 0 vote;
- approved the request of the Tourism Director to submit a FY21 Maryland Heritage Area Authority Management Grant application for \$100,000 with a \$100,000 match consisting of \$94,000 from the Tourism Budget; \$5,000 cash match from FY20 budget; and, \$1,000 in in-kind services consisting of volunteer broadband service by a 5 to 0 vote;
- approved request from Chesapeake College to use \$245,680 for its Fund Balance for the local share to construct and equip a State IT-AV project which consists of replacing campus fiber; replacing WiFi on the campus and the Cambridge Center and replace and expanding security cameras on campus at the Cambridge Center by a 5 to 0 vote;
- agreed to cancel the April 7, 2020 County Council meeting by a 4 to 1 vote;
- denied the request of the Public Works Director to sole source the reupholster replacement of cushions at the Circuit Court House and agreed that a request for proposals should be advertised instead by a 3 to 2 vote (1 no answer);
- confirmed the adoption of a Declaration of Local Emergency and Executive Order due to the COVID-19 effective March 23, 2020 for a 30 day period and agreed to the continuation of the Declaration/Order effective April 23, 2020 for a 30 day period by a 5 to 0 vote;
- agreed to the submission of an application for funding under the Federal Coronavirus Aid, Relief and Economic Security Act for certain items, including personal protective equipment by a 5 to 0 vote; and,
- agreed to send a letter of support for the submission by the National Wildlife Federation of a National Fish and Wildlife Foundation's Chesapeake Bay Small Watershed Planning and Technical Assistance grant entitled "Oyster Veneer's-A Model approach to Greening Gray Infrastructure" to fund proposed research and design work for innovative solutions to green gray infrastructure with no County funding commitment by a 5 to 0 vote.

#### REQUEST TO POSTPONE TAX SALE-FINANCE

The Council approved the request of Michael Spears, Finance Director, to postpone the June 15, 2020 tax sale until September 15, 2020. The Council acknowledged that: 1) other counties have taken this action which is consistent with the Governor and Comptroller of Maryland; and, 2) the extension will provide property owners facing a tax sale an additional 90 days to pay.

#### LETTER OF SUPPORT REQUEST-DEPARTMENT OF AGRICULTURE-GRANT APPLICATION-SNIP TUCK

The Council approved the request of Dr. Carol Lewis for letter of support for Snip Tuck's submission of a grant to the Department of Agriculture. Councilman Nagel said this is the only organization in the County that spays and neuters feral cats for free which assists greatly in controlling the feral cat population.

#### DECLARATION OF SPECIAL LEGISLATIVE DAY

The Council declared April 28, 2020 a Special Legislative Day for the introduction of the proposed FY2020-FY2021 budget.

#### LETTERS OF SUPPORT-CAMBRIDGE MAIN STREET

The Council approved the request of Katie Clendaniel, Executive Director, Cambridge Main Street, to send letters of support for the submission of grants by this entity as follows: 1) Department of Housing and Community Development grant application under the Operating Assistance Grant (OAG) MIP Fund for \$50,000 in emergency gap funding for 2020 as well as to support the organization for half of 2021; 2) Maryland Heritage Area Authority Emergency Grant application for funds of \$20,000 to support a gap in funding due to the loss of event /festival revenue, which funds are specifically for heritage tourism related organizations.

#### LETTER-REALLOCATION OF H2B VISAS

The Council agreed to send correspondence to Craig Wolf, Acting Secretary of Homeland Secretary to reallocate H2-B visas not used by the hotels, motels and resorts for use by other seasonal businesses. In response to a Councilman Nichols' query, Councilman Newcomb explained that these workers were considered essential and had to complete screening and be quarantined; however, due to the current guidelines he is unsure whether they are still considered essential.

#### ADJOURNMENT

Councilman Newcomb announced the following:

The Council will be convening into a Budget Work Session to discuss items relating to the proposed FY2021 budget. A meeting will be held on April 28, 2020 for the introduction of a proposed FY2021 budget only. There will be no public comment period on the introduction of the budget. The public will have the opportunity to speak at public hearings on May 5, 2020 and on May 12, 2020. A Budget Legislative Adoption Public Hearing will be held at the Council's May 19, 2020 meeting, during which citizens will also have an opportunity to provide their comments. The adoption of the budget is scheduled to occur on this date as well.


Reverend Dr. Carasgram thanked the Council for holding the meeting by conference call. She asked for guidance on when she can address the Council about leash laws and dog control matters. Councilman Newcomb said those matters should be addressed with Sheriff James Phillips. She said she prefers to address Council, noting she talked with Sheriff Phillips previously about her concerns. Councilman Newcomb advised her that she should send correspondence to the Council's Office outlining the items she wishes to address.

With no further business to discuss, the Council adjourned the Regular Session meeting and convened into an open Budget Work Session.

ATTEST:


  
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Keith Adkins, County Manager

THE COUNTY COUNCIL  
OF DORCHESTER COUNTY:

  
\_\_\_\_\_  
Jay L. Newcomb, President

  
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Libby Handley Nagel, Vice President

  
\_\_\_\_\_  
William V. Nichols

  
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George L. Pfeffer, Jr.

  
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Ricky C. Travers

Approved the 19<sup>th</sup> day of May, 2020.