

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

By conference call, open to the public, the County Council of Dorchester County convened in Open Session on the 18th day of August, 2020. A roll call of members was conducted. Present on the conference call were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr. and Ricky C. Travers. Councilmen Newcomb and Nichols were also present in Room 110 of the County Office Building. Also present via conference call were E. Thomas Merryweather, County Attorney; Keith Adkins, County Manager, and Donna F. Lane, Executive Administrative Specialist. Mr. Merryweather was also present in Room 110.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council adopted an amended agenda to include correspondence relating to Dorchester County Social Services.

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 \$11,421,763.02.

CLOSED SESSION SUMMARY

By conference call, the Council convened into Regular Session on August 18, 2020 at 4:34 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)(7) to consult with counsel to obtain legal advice on a legal matter; and, 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. Present were via telephone: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr. and Ricky C. Travers. Councilmen Newcomb and Nichols were also present in Room 110. Also present via telephone

were E. Thomas Merryweather, County Attorney, Keith Adkins, County Manager; and Donna F. Lane, Executive Administrative Specialist. Mr. Merryweather was also present in Room 110. Voting in favor of the Closed Session were all of the present Council Members.

The Council convened in a Closed Session on August 18, 2020 at 4:35 p.m. to discuss the following items: 1) discussed personnel matters relating to a County Department; 2) discussed personnel matters; 3) received and discussed information regarding a personnel matter relating to a County agency; and, 4) discussed a legal and public security matter with County Attorney. Present via telephone were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr. and Ricky C. Travers. Councilmen Newcomb and Nichols were also present in Room 110. Also present via telephone were E. Thomas Merryweather, County Attorney, Keith Adkins, County Manager; and Donna F. Lane, Executive Administrative Specialist. Mr. Merryweather was also present in Room 110. 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.

PUBLIC HEARING

E. Thomas Merryweather, County Attorney, said a public hearing is being held on the renewal of the following leases for office space in the County Office Building: 1) with the State Department of Assessments and Taxation for a five year term at \$24,780.00 per year with a five year renewal; and 2) for the Veterans Office for a five year term at \$1.00 per year and one five year renewal. There was no public comment. The Council agreed to renew the leases.

COMMENDATION-RETIREMENT-PAM BROHAWN

The Council presented a Commendation to Pamela Brohawn congratulating her on her retirement and commending her for 36 years of service to Dorchester County.

MARYLAND GENERAL ASSEMBLY LEGISLATIVE DISCUSSION

Keith Adkins, County Manager, said this is the first discussion regarding legislative proposals for the 2021 Maryland General Assembly Legislative Session. He explained that due to the Dorchester Banner only being published on Wednesdays and The Star Democrat has changed its Monday and Tuesday editions to online legal advice was obtained regarding the possibility of seeking legislation to amend Section 1-113 of the General Provisions Article of the Annotated Code of Maryland. He said pursuant to this Section legal advertisements and legal notices must be published in a "newspaper in general circulation." He noted that language referencing advertising public hearings in a "newspaper of general circulation" in Section 304 of the County's Charter may need to be amended as well. The Council agreed to pursue an amendment to this Section.

Mr. Adkins said: 1) emails were sent to Department Heads, Elected Officials, the Board of License Commissioners and the municipalities seeking proposed legislative initiatives they wish Council to consider and/or support; 2) the only response received was from the City of Cambridge which has been provided to the Council; 3) Patrick Comiskey, City Manager, has

provided this for Council's information and is not seeking letters of support; 4) there will be one or two more discussions regarding legislative proposals at future meetings; and, 5) confirmation has been received from the Maryland Department of Transportation that the Annual Transportation Meeting will be held at Council's October 20, 2020 meeting at 7 p.m.

Councilman Newcomb noted that the legislation submitted during the last legislative session to allow the use of golf carts on the Upper and Middle area of Hoopers Island only passed either the House or the Senate. He asked that Council considering pursuing this legislation again. The Council agreed to seek the legislation during the 2021 Legislative Session. Councilman Travers said the Board of License Commissioners does not have any proposed legislative initiatives at this time, noting that they will discuss possible initiatives with the Liquor Inspector at the Board's upcoming meeting. The Council agreed to include the following topics of discussion in the legislative packet: 1) restoration of highway user revenue; 2) cost of the shifting by the State of a portion of pensions for teachers; and, 3) maintenance of effort.

MANAGERS COMMENTS

FY2021 CORE PUBLIC HEALTH SERVICES FUNDING AGREEMENT-HEALTH DEPARTMENT

The Council approved the request of Roger Harrell, Health Officer, to execute the Fiscal Year 2021 Core Public Health Services Funding Agreement between the County and the Maryland Department of Health totaling \$732,741 to provide local health services at the Health Department. The Council acknowledged that this amount is equal to the County's FY21 budget appropriation.

LETTER OF SUPPORT REQUEST-USDA GRANT APPLICATION-LINKWOOD-SALEM VOLUNTEER FIRE COMPANY, INC.

The Council approved the request of Becky Koshar, President, Linkwood-Salem Volunteer Fire Company, for a letter of support for the company's grant application to the United States Department of Agriculture for funds to remodel its kitchen. The Council acknowledged that the letter specifies that the County is not required to provide funding nor are there monies available to participate in this project.

SURPLUS PROPERTY DECLARATION REQUEST-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to declare a 2005 Ford Explorer, VIN#1FMZU72K1SUA73778 which needs extensive engine work.

FY21 GRANT RENEWAL-MARYLAND CRIMINAL INTELLIGENCE NETWORK PROGRAM-LMB

The Council approved the request of Nancy Shockley, Local Management Board Director, to accept a FY21 Maryland Criminal Intelligence Network Program grant entitled "FY21 Dorchester County MCIN Coalition-Continuation" in the amount of \$183,380 for: Program Coordinator, \$6,996 and the following contractual services: 1) Allied Law Enforcement-overtime, \$40,000; 2) Crime Analyst-Sheriff's Office, \$7,000; 3) Dorchester County Sheriff's

Office-Gun Violence Reduction Overtime, \$5,500; 4) Heroin Coordinator, \$48,700; and, 5) Prosecutor-State's Attorney's Office, \$74,984. The Dorchester County Sheriff's Office will be exempt from the County's overtime policy. The Council acknowledged that contracts are required for all contractual services so Council agreed to enter into agreements with the following entities: 1) the Dorchester County State's Attorney; 2) the Cambridge Police Department; and, 3) the Sheriff's Office.

PURCHASE REQUEST-COMPACTOR WHEELS-PUBLIC WORKS

Dave Edwards, Public Works Director, stated that: 1) the current wheels on the compactor at the Landfill are worn out and no longer provide proper compaction, which is vital to meet MDE requirements and to maximize space at the Landfill; 2) Public Works obtained bids from the only two companies in the Delmarva region who can provide the type of wheels needed for the trash compactor; and, 3) he is seeking Council's approval to proceed with the lowest bidder which is under the \$200,000 allocation in the FY 21 Solid Waste Capital Budget.

Councilman Newcomb questioned the reason for the large price variation between the vendors who submitted bids. Mr. Edwards said the company that submitted the highest quote can only provide new wheels, while the other can provide remade wheels. In response to an inquiry from Councilman Pfeffer, Mr. Edwards said as of the end of June 2020 more revenue was received at the Landfill than in prior years, mainly due to COVID-19 which he attributes to yard and cleaning projects between March and May. He noted that between March and May many residents did yard projects and cleaning garages. He noted that there were different fees for that quarter.

The Council agreed to proceed with Alban/Carter Cat, the lowest bidder, at the cost of \$50,814.00.

REPLACEMENT PURCHASE REQUEST-AIR CONDITIONING UNITS-DOG CONTROL PROPERTY-PUBLIC WORKS

The Council agreed to waive bids and purchase two Air Conditioning units for the new Dog Control Facility, which was a former pet resort from Comfort Air Service, LLC, the vendor that provided the lowest quote, for \$19,126 using FY21 Capital Budget funding set aside for this facility.

REQUEST TO DEMOLISH OLD TRAILER-GOLDEN HILL TRANSFER STATION-LANDFILL-PUBLIC WORKS

A motion to approve the request of Mr. Edwards for authorization to demolish the old Golden Hill Transfer Station Trailer after installing the new trailer was amended to include the demolition of the old Secretary Transfer Station Trailer after installing the new trailer. The Council approved Mr. Edwards request. The Council acknowledged that the old trailers will be removed by Public Works employees and be disposed of at the Beulah Landfill.

OFFER TO PURCHASE TAX LIEN PROPERTIES-FINANCE

The Council acknowledged that: 1) Cindy Smith, Assistant Finance Director presented an offer from Carla Ramos Lemus to purchase 625 High Street, Cambridge and Rear Noble Street at the cost of \$14,000; 2) Ms. Lemus wishes to make a down payment of \$7,000 and monthly payments of \$800 until the full amount is paid; 3) the total cost expended by the County is \$14,270 for all taxes, interest and legal fees for foreclosure plus the cost of demolition that the Public Works Department incurred; 4) it will take 9 months for Ms. Lemus to pay the remaining balance; 5) Ms. Smith sent a letter to all of the adjacent owners advising them of the availability of the properties; and, 6) there are issues with the neighbor of 623 High Street which Ms. Smith will resolve if Council approves the sale to Ms. Lemus.

Councilman Pfeffer questioned whether there is a policy or history of allowing this type of financing option to purchase a tax lien property. Ms. Smith said: 1) two individuals were approved to acquire such property using this same method; 2) the financing option is usually provided to individuals who express an interest in re-establishing the ownership of family homes; 3) these types of properties are difficult to sell; and, 4) Ms. Lemus will receive the deed once the full purchase price has been paid. In response to a question from Councilman Newcomb, Mr. Merryweather said he is amicable to the Council using this method provided the deed is not provided to Ms. Ramos until the purchase price is paid in full.

The Council accepted the offer.

OFFER TO PURCHASE COUNTY PROPERTY-FINANCE

Ms. Smith said before Council is the offer of Jamie Nichols for him and his wife to purchase a County owned .53 acre lot located on Elliot Island Road for \$100 which was once owned by his wife's family. Mr. Merryweather said a plat of the property indicates that it is part of the County road system which he believes is the reason the Council purchased the property for \$1,000. He said Mr. Edwards should review the plat and view the property in order to ensure that it is not part of a County road. He also suggested reviewing the 1997 Roads Board Minutes, noting that this board was separate from the Council during this time period. The Council deferred this request so staff can obtain further information.

WALMART GRANT AWARD-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to accept a \$2,500 grant from The Walmart Foundation and authorize the use of a portion of funds to replace the AED in the County Office Building. The Council acknowledged that staff will submit a request to use the remaining funds, once they determine how to best spend them.

911 ADVISORY BOARD DISCUSSION

Mr. Adkins said at its July 21, 2020 meeting, the Council agreed to re-evaluate the 911 Advisory Board and its membership at this meeting. No action was taken.

POLL CONFIRMATION

The Council, by means of a poll, in the interim between meetings, agreed to have one or two dump trucks, operated by County staff, join the funeral procession of a retired employee from the funeral home to Beulah by a 4 to 1 vote.

RECOMMENDATION OF APPLICANT-DORCHESTER COUNTY SOCIAL SERVICES DIRECTOR

The Council agreed to send correspondence to the appropriate agency recommending an applicant for the Dorchester County Social Services Director position and to ask that participating agencies have a say in this crucial position.


ADJOURNMENT

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 1st day of September 2020.