

**County Council of Dorchester County  
Regular Meeting Minutes  
October 6, 2020**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 4:40 p.m. on the 6<sup>th</sup> day of October, 2020. A roll call of the 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. Also present via telephone were E. Thomas Merryweather, County Attorney; Keith Adkins, County Manager, and Donna F. Lane, Executive Administrative Specialist. Councilman Newcomb, Councilman Nichols, Mr. Merryweather Mr. Adkins and Ms. Lane were also present in Room 110.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Pfeffer led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

The Council agreed to add to the agenda a request to advertise an Assistant Finance Director position.

**APPROVAL OF MINUTES**

The Council approved the minutes of September 15, 2020.

**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 \$22,381,614.47.

**CLOSED SESSION SUMMARY**

By conference call, the Council convened into Regular Session on October 6, 2020 at 4:39 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto.

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. Also present via the conference call 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 the present Council Members. Councilman Newcomb, Councilman Nichols, Mr. Merryweather, Mr. Adkins and Ms. Lane were also present in Room 110.

By conference call, the Council convened in a Closed Session on October 1, 2020 at 4:40 p.m. to discuss the following items: 1) agreed to hire five individuals as an on call Emergency Medical Technicians by a 5 to 0 vote; 2) agreed to advertise an Administrative Associate Advanced vacancy in the Public Works Department by a 3 to 2 vote; 3) agreed to train an individual to fill an Executive Assistant position in the Council's Office by a 4 to 0 vote; 4) agreed to advertise an Assistant Finance Director position by a 4 to 0 vote; 5) agreed to hire an individual to fill the Emergency Medical Services Manager position by a 4 to 0 vote; 6) discussed personnel matters relating to a County Department; 7) confirmed the hiring by Sheriff Phillips of an individual to fill a Dog Control Officer vacancy by a 5 to 0 vote; and, 8) discussed with County Attorney and deferred an Agreement of Sale.

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. Also present via the conference call were E. Thomas Merryweather, County Attorney, Keith Adkins, County Manager; and Donna F. Lane, Executive Administrative Specialist. Councilman Newcomb, Councilman Nichols, Mr. Merryweather, Mr. Adkins and Ms. Lane were also present in Room 110.

### **PUBLIC HEARING-CLOSURE/ABANDONMENT-CANNON ROAD (OFF OF ASQUITH ROAD)**

The Council convened into a public hearing. E. Thomas Merryweather, County Attorney, said an informational public hearing on the closure of Cannon Road, 0.076 miles in length, off of Asquith Island Road and the boat ramp at the end of the road. There were no public comments. The Council acknowledged that the property owners have provided a Road Closure, Shared Access and Joint Maintenance Agreement. The Council agreed to proceed with the legislative process.

### **BOARD OF HEALTH**

Roger Harrell, Health Officer, provided an update on COVID-19. He said they do not recommend that Halloween not be observed. He stressed the need to social distance, wash hands and wear a mask. In response to a question from Councilman Newcomb, Mr. Harrell said Halloween can be observed as long as individuals follow the suggested guidance. Pursuant to a query from Councilman Pfeffer, Mr. Harrell said individuals with direct contact with a COVID positive person for more than 15 minutes are considered as having close contact. Based on

another question from Councilman Pfeffer, Mr. Harrell said the status of the poultry and crabbing industry is good, noting that there is currently only one case.

## **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

## **INTRODUCTION**

**BILL NO. 2020-8 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, PURSUANT TO SECTION 12-407(b)(2) OF THE LOCAL GOVERNMENT ARTICLE OF THE CODE OF MARYLAND, DECLARING THAT A CERTAIN PARCEL OF LAND CONTAINING 6.71 ACRES OF LAND, MORE OR LESS, SITUATE ON THE NORTH SIDE OF CRAPO-WINGATE ROAD, AND BEING THE OLD CRAPO ELEMENTARY SCHOOL, IS NO LONGER NEEDED FOR PUBLIC USE BY THE COUNTY AND PROVIDING FOR THE LEASE OF THE PROPERTY TO THE SOUTH DORCHESTER COMMUNITY FOUNDATION, INC. FOR 20 YEARS.**

E. Thomas Merryweather, County Attorney, said the South Dorchester Community Foundation, Inc. has been occupying the Old Crapo Elementary School for 20 years and is seeking another 20 year renewal so introduction of legislation to declare the property on which it is located, consisting of 6.71 acres of land, more or less, situate on the north side of Crapo-Wingate Road, is no longer needed for public use by the County and providing for the lease of the property to the South Dorchester Community Foundation, Inc. for 20 years. The Council agreed to proceed with publication of a public hearing on this matter.

## **INTRODUCTION**

**2020-9 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO THE AUTHORITY OF TITLE 5, SUBTITLE 8, PART II OF THE GENERAL PROVISIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND ADDING NEW SECTION 88-4(C)(4) AND NEW SECTION 88-4(E)(3) AND NEW SECTIONS 88-6(B)(1), (C)(5) AND (E)(10) TO CHAPTER 88 OF THE DORCHESTER COUNTY CODE ENTITLED "ETHICS" RELATING TO PUBLIC ETHICS PROVIDING FOR PARTICIPATION REQUIREMENTS FOR FORMER LOCAL LOBBYISTS, PROVIDING FOR POST EMPLOYMENT PROVISIONS FOR LOCAL ELECTED OFFICIALS AND PROVIDING FOR ADDITIONAL FINANCIAL DISCLOSURES AND PROVISIONS BY LOCAL ELECTED OFFICIALS AND CANDIDATES TO BE LOCAL ELECTED OFFICIALS.**

Mr. Merryweather said before the Council is introduction of legislation to update Chapter 88 of the Dorchester County Code entitled "Ethics" to incorporate required changes in House Bill 879 which passed in the Maryland General Assembly in 2017. The Council agreed to proceed with publication of a public hearing on this matter.

## **PUBLIC HEARING**

2020-10 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND DECLARING THAT A CERTAIN PARCEL OF LAND SITUATE ON THE NORTH SIDE OF MARYLAND STATE ROUTE 343, CONTAINING 1 ACRE OF LAND, MORE OR LESS, IN THE CAMBRIDGE ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND, IS NO LONGER NEEDED FOR PUBLIC USE BY THE COUNTY AND PROVIDING FOR THE SALE OF THE PROPERTY TO SHAWN R. BENNETT FOR THE PURCHASE PRICE OF EIGHT THOUSAND DOLLARS (\$8,000.00).

Mr. Merryweather said the Council received an interest to purchase a certain parcel of land situate on the north side of Maryland State Route 343, containing one acre of land, more or less, in the Cambridge Election District, and have now obtained Interagency Commission on School Construction to transfer the property. He stated that legislation is before Council for introduction to declare it is no longer needed for public use by the County and providing for the sale of the property to Shawn R. Bennett for \$8,000.

The Council agreed to proceed with publication of a public hearing on this matter.

## **REGULAR SESSION**

The Council convened to Regular Session.

## **FINAL DISCUSSION-2021 MARYLAND GENERAL ASSEMBLY LEGISLATIVE**

The Council acknowledged that the meeting with legislators will be held at the October 20, 2020 meeting at 6:05 p.m. and agreed that there will be no additions to the 2021 Maryland General Assembly Legislative Session packet they received, which was based on their prior decision. In response to a question from Mr. Merryweather, Councilman Newcomb confirmed that the legislation introduced during the last legislative session to allow the use of golf carts in the Upper and Middle portions of Hoopers Island was amended to include Taylors Island. He explained that the legislation passed the Senate and died in the house. He said included in the packet is a request for the reintroduction of this legislation. Councilman Newcomb asked if anyone in the audience wished to speak regarding proposed legislative initiatives. There was no response.

## **MANAGER'S COMMENTS**

### **FY22 CAPITAL IMPROVEMENT PLAN-BOARD OF EDUCATION**

Chris Hauge, Facilities Manager, Dorchester County Public Schools, provided an overview of the Board of Education's FY22 Capital Improvement Plan. The Council conceptually approved the FY22 Capital Improvement Plan for planning purposes only contingent upon future budget approvals.

#### STORMWATER MANAGEMENT AGREEMENT-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to execute a Stormwater Management Agreement with Donna Lee Prah and Kenneth Brian Prah for a building project located at 2946 Old Route 50, Cambridge, Maryland. Pursuant to a question posed by Councilman Pfeffer, Mr. Edwards said he will provide the purpose of the project to the Council at a later date.

#### REQUEST TO PROCEED-SECURITY SYSTEM-DOG CONTROL FACILITY-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for a Security System consisting of a Fire Alarm, Alarm and Security Cameras to Safehouse, with equipment and installation at the cost of \$7,396.07 using funds from the Dog Control Facility Capital Account and a monthly monitoring fee of \$94.99.

#### SURPLUS PROPERTY REQUESTS-PUBLIC WORKS

The Council approved the requests of Mr. Edwards to declare the following items surplus: 1) old boat motor, Unit #731 which will be sold online with GovDeals.com; 2) a 1998 GMC dump truck, Unit #204 which will be sold to a local scrap yard; 3) 2008 Chevy ambulance, Unit #340; and, 4) 2005 EMS ambulance, Unit #341 which will be sold online at GovDeals.com. In response to a query from Councilman Pfeffer, Mr. Edwards noted that the old ambulance, which was used by staff as a sign vehicle, has often been mistaken for an ambulance and that a vehicle that was not being used is now being used for this purpose.

#### REQUEST FOR REMOVAL/SALE-SCRAP METAL-LANDFILL

The Council approved the request of Mr. Edwards to remove and sell scrap metal from the Beulah Landfill to Midshore Recyclers at \$7.00 per 100 lbs. Based on an inquiry from Councilman Newcomb, Mr. Edwards said the company will pick up the material, use their own dumpsters and utilize the County's landfill scale to weigh the material.

#### ASSIGNMENT REQUEST-TAX SALE CERTIFICATES-FINANCE

The Council approved the offer of Wayne Langston, Wild Goose Chases, LLC, submitted by Michael Spears, Finance Director, and Cindy Smith, Assistant Finance Director, to purchase the Tax Sale Certificate for 200 Aurora Street, Cambridge for the full amount of the certificate of \$10,486.62.

#### RESOLUTION OF SUPPORT-COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION-RENTAL ASSISTANCE-FINANCE

Keith Adkins, County Manager, said: 1) the Council, by means of a poll, in the interim between meetings, approved the request of Cindy Smith, Assistant Finance Director, to submit an application through the Community Development Block Grant-Corona Virus (CDBG-CV)

program for Round 2 funding for rental assistance for 2021 for funds of \$125,000 which will be managed by Delmarva Community Services (DCS) with no County match other than project administration which will be handled by the Local Management Board by a 5 to 0 vote; 2) these funds will increase DCS' rental assistance program capacity and will serve those who have lost jobs or have had a reduction in hours due to the Corona Virus; 3) staff has been advised that a Resolution in support of the submission of the grant must be submitted; and, 4) therefore, the action before the Council is to adopt the resolution. The Council adopted a resolution in support of the submission of the application.

#### PROGRAM OPEN SPACE APPLICATION REQUESTS-CORNISH PARK

The Council approved the requests of Frank Stout, Recreation and Parks Director with Councilman Nichols opposing:

- for permission to submit an application to the Department of Natural Resources for Program Open Space funding of \$13,500 with a \$1,500 County match allocated for this project in the FY2021 Capital Budget for fencing for the Cornish Park Renovation project initiated by the City of Cambridge;
- to enter into Joint Use Agreement (Required by DNR) between the County and the City as required by DNR and a Memorandum of Understanding under which the City will accept all responsibility for maintenance and upkeep of the fencing product upon installation
- to sole source purchase of industrial grade aluminum fencing selected by City Planning staff from Anderson Fence

The Council acknowledged that the: 1) total cost of the fencing material and installation is \$17,676; 2) the County will pay the vendor directly, submit a request for payment from DNR and send an invoice to the City for the amount over \$15,000 (\$2,676) for reimbursement; and, 3) correspondence has been provided from the City indicating its intention to repay the County for the cost overrun.

In response to a question posed by Councilman Nichols, Mr. Stout said the decorative fence will be installed only on two sides of Cornish Park which face the street and another fence will be erected at the rear of the property. Pursuant to query from Councilman Pfeffer, Mr. Stout said while the City of Cambridge is able to apply for Program Open Space Funding, due to timing constraints, they requested the use of County POS monies. Mr. Stout estimated that it will be six to eight weeks before the Department of Natural Resources contacts the County about the use of the funds so he anticipates construction will begin after the first of the year if the use of the monies are approved. Councilman Nichols cited concerns about the inequity between the County and the City in the sharing of costs for other projects for which both entities are involved.

#### EASTERN SHORE INNOVATION CENTER LICENSE AGREEMENT-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to enter into a License Agreement with Beat the Rush Delivery for Suite No. 038 at the Eastern Shore

Innovation Center at the monthly rate of \$113 per month for 24 months contingent upon the legal name of the entity being placed on the agreement in lieu of the tradename.

#### HEALTH DEPARTMENT AND EMERGENCY SERVICES VACCINATION MEMORANDUM OF UNDERSTANDING-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to enter into a Memorandum of Understanding (MOU) with the Dorchester County Health Department to administer vaccines for public safety personnel. The Council acknowledged that the MOU will be reviewed by staff and then provided to E. Thomas Merryweather, County Attorney, for approval prior to providing to Council President for execution.

#### FY18 STATE HOMELAND SECURITY PROGRAM GRANT EXTENSION-EMERGENCY SERVICES

The Council approved the request of Ms. Rahilly to extend the FY18 State Homeland Security Program Grant close out date from August 31, 2020 to October 31, 2020 to ensure it is closed properly.

#### FY2021 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS - CARDIAC DEVICES GRANT-EMERGENCY SERVICES

The Council approved the request of Ms. Rahilly to submit a FY 2021 Cardiac Devices Grant to the Maryland Institute for Emergency Medical Services Systems for a 50/50 grant to purchase three Cardiac Monitor/Defibrillators with operating funds will be used as the 50% County match for this grant. In response to a question from Councilman Pfeffer, Donna F. Lane, Executive Administrative Specialist, said pursuant to Cindy Smith, Assistant Finance Director, the match is included in the Emergency Services Operating Budget for this equipment.

#### REQUEST TO SUBMIT APPLICATION-2021 EDWARD J. BYRNE MEMORIAL JUSTICE GRANT-GOCCP-SHERIFF'S OFFICE

Mr. Adkins said: 1) Sheriff James Phillips is seeking approval to submit a 2021 Edward J. Byrne Memorial Justice Grant to the Governor's Office of Crime Control & Prevention (GOCCP) for a grant entitled "Rural Law Enforcement Enhancement" in the amount of \$19,592; 2) these funds will be used for overtime, six desktops computers and new FLIRF lights for Sheriff's Office vehicles; 3) there is no match; and, 4) pursuant to E. Thomas Merryweather, County Attorney, based on information provided by GOCCP, Valerie Mann is changing the Applicant to Dorchester County, Maryland and the Authorized Official to Jay L. Newcomb, Council President, which must be completed before the application is submitted. The Council approved the submission of the grant application.

## DEPARTMENT OF JUSTICE SMART ADAM WALSH GRANT AWARD-SHERIFF'S OFFICE

The Council approved the request of Cindy Smith, Assistant Finance Director, to accept a Department of Justice Program Smart Adam Walsh Grant award for \$11,370 with no County match to support overtime for personnel and other costs, which include two wireless printers and two iPads.

## DECLARATION TO CONTINUE LOCAL STATE OF EMERGENCY AND EXECUTIVE ORDER COVID-19 PUBLIC HEALTH EMERGENCY

The Council adopted a resolution to continue the Local State of Emergency and Executive Order COVID-19 Public Health Emergency until December 31, 2020.

## DISCUSSION-OBSERVANCE OF HALLOWEEN

The Council agreed to the observance of Halloween by County residents for children ages 12 and under on October 31, 2020 from 6 p.m. to 8 p.m., which policy does not supersede prescheduled times and dates set by municipalities. Unless residents living outside of town limits carry their child/children into a town, they are to follow this policy. The Council encouraged citizens to follow CDC guidelines.

## BOARD APPOINTMENTS

The Council acknowledged that there are several Boards and Committees for which appointments are needed. The Council agreed to the: 1) appointment of Bernie Dryden to the Ethics Commission for District 1; and, 2) the reappointment of Antoine Patton, Brooks Parker and Brandon Hesson to the Recreation and Parks Board.

## POLL CONFIRMATIONS

The Council confirmed its following actions by means of a poll, in the interim between meetings:

- By a 5 to 0 vote agreed to seek additional Byrne Memorial Justice Assistance Grant funds from the Governor's Office of Crime Prevention, Youth and Victim Services with no match for the following:
  - funds for the Daycare Center, Lollipop for early drop off coverage which they had to discontinue due to COVID -19 and overtime costs
  - \$20,000 for 40 body cameras for the Sheriff's Office
  - for a Pre-trial Coordinator for the Dorchester County Detention Center at an annual cost of \$39,000 to manage/monitor those individuals who are placed on pre-trial, which amount has increased due to COVID-19
  - for \$100,000 (annual cost) for a contractual additional nurse due to increased need for nursing/management for regular medical needs as well as pandemic needs which will added to the current medical contract for the Detention Center



- By a 5 to 0 vote agreed submit a grant to the Local Government Insurance Trust for \$5,000 for body cameras and/or expenses relating to them, i.e. equipment with a 50% match which will be matched with the Byrne Memorial Justice Assistance Grant funds being sought and by a 4 to 1 vote agreed to use monies from the Contingency Fund if additional funding is needed after receiving funds from both entities
- By a 5 to 0 vote, based on the request of a Mary Elliott O'Donnell, Magistrate, Dorchester County Circuit Court, agreed to apply for an Administrative Office of the Courts Child Welfare FY21 Grant application for funds of \$11,000 for the Juvenile Coordinating Council to hold a conference/retreat with members working on re-building relationships with the group agencies and staff to provide better services to the children and families of Dorchester County with no match or obligation to the County by a 5 to 0 vote
- By a 5 to 0 vote approved the submission by the Elections Office of a Center Technology and Civil Life Grant with the grant amount being based on a formula that considers the citizen voting age population and other demographic data of Dorchester County and a minimum of \$5,000 with no match which funds can be used to cover 2020 expenses incurred between June 15, 2020 and December 31, 2020 to include but are not limited to, costs association with safe administration of election responsibilities

#### REQUEST TO ADVERTISE-ASSISTANT FINANCE DIRECTOR

The Council agreed to advertise for an Assistant Finance Director.

#### ADJOURNMENT

Councilman Newcomb advised that the Council has proclaimed October 2020 as Suicide Prevention and October 15<sup>th</sup> as White Cane Awareness Day.

Councilman Newcomb cited concerns about their only being three polling places in the County for the General Election. He noted that the County funds the Elections Office for Dorchester. Councilman Nichols concurred with Councilman Newcomb and expressed concern about individuals not being able to vote due to their geographic location.

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 20<sup>th</sup> day of October, 2020.