

**County Council of Dorchester County  
Regular Meeting Minutes  
December 1, 2020**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:02 p.m. on the 1st day of December 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 and in Room 110 were E. Thomas Merryweather, County Attorney; Keith Adkins, County Manager, and Donna F. Lane, Executive Administrative Specialist. Councilman Newcomb and Councilman Nichols were also present in Room 110.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Travers led the invocation and the pledge of allegiance.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Keith Adkins, County Manager, said after publication of the agenda:

- the following item was added: Request to Accept Pressure Cleaning Quote-Eastern Shore Innovation Center
- the following item was removed: Public Hearing-Zoning Map amendment-Threesome Auto Salvage LLC-Planning and Zoning

The Council approved 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 \$12,088,575.84.

**CLOSED SESSION SUMMARY**

By conference call, the Council convened into Regular Session on December 2, 2020 at 4:32 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; and George L. Pfeffer, Jr. Also present via the conference call and in Room 110 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 and Councilman Nichols were also present in Room 110.

By conference call, the Council convened in a Closed Session on December 1, 2020 at 4:34 p.m. to discuss the following items pursuant to §3-305(b)(1); §3-305(b)(7); and §3-305(b)(3): 1) agreed to revise the Assistant Finance Director job description and readvertise the position by a 5 to 0 vote; 2) deferred the request of the Public Works Director to post/fill a Fleet Manager position to obtain additional information by a 5 to 0 vote; 3) received legal advice from County Attorney about a proposed lease agreement; and, 4) continued discussions regarding the acquisition of a property. 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 and in Room 110 were Keith Adkins, County Manager; and Donna F. Lane, Executive Administrative Specialist. Councilman Newcomb and Councilman Nichols were also present in Room 110. E. Thomas Merryweather, County Attorney, joined the meeting late.

## **ELECTION OF OFFICERS**

The Council elected the following Officers by majority:

Jay L. Newcomb	President
Libby Handley Nagel	Vice President

## **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

## **INTRODUCTION**

### **BILL NO. 2020-11**

**AN ACT APPROVING THE ISSUANCE BY THE DORCHESTER COUNTY SANITARY DISTRICT, INC. (THE "DISTRICT") OF A BOND OF THE DISTRICT IN THE PRINCIPAL AMOUNT OF \$325,000 TO BE KNOWN AS "DORCHESTER COUNTY SANITARY DISTRICT, INC., WATER SYSTEM BOND (BONNIE BROOK SANITARY DISTRICT NO. 2) SERIES A (THE "BOND")**, TO BE ISSUED PURSUANT TO THE AUTHORITY OF SECTIONS 9-601 TO 9-699 OF THE ENVIRONMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND; PROVIDING THAT THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND SHALL BE GUARANTEED BY DORCHESTER COUNTY, MARYLAND; PROVIDING THAT THE BOND SHALL BE ISSUED UPON THE FULL FAITH AND CREDIT OF DORCHESTER COUNTY, MARYLAND; AND PROVIDING FOR THE LEVY OF ANNUAL TAXES UPON ALL ASSESSABLE PROPERTY WITHIN THE BONNIE BROOK SANITARY DISTRICT NO. 2 SUFFICIENT

FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND AS IT SHALL MATURE, AND, TO THE EXTENT THAT SUCH LEVY IS INSUFFICIENT FOR SUCH PURPOSES, THE LEVY OF ANNUAL TAXES UPON ALL THE ASSESSABLE PROPERTY WITHIN THE CORPORATE LIMITS OF DORCHESTER COUNTY FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND AS PROVIDED HEREINABOVE.

Mr. Merryweather said Bill No. 2020-11 which authorizes the issuance of a bond for Bonnie Brook Sanitary District 2 by the Dorchester County Sanitary District (DCSD) is before Council for introduction. He noted that this is the second request for issuance of a bond for this purpose. He said the bids came in too high so DCSD decided not to proceed. He explained that the bond has been restructured and refinanced. He advised that pursuant to State law the County has to guarantee the principal and interest of the bond.

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

## **REGULAR SESSION**

The Council convened into Regular Session.

## **INTRODUCTION-NEWLY ELECTED BOARD OF EDUCATION MEMBERS**

Councilman Newcomb introduced the following newly elected members to the Board of Education: Mike Diaz, District 1 and Susan Morgan, District 3. Mr. Diaz said he is looking forward to a good relationship with the Council. Ms. Morgan said she is hoping that changes can be made to the school system that will increase the likelihood of individuals moving to Dorchester County which will increase the tax base. The Council congratulated Mr. Diaz and Ms. Morgan. The Council agreed to continue meetings between two members of the Council and two members of the Board of Education.

## **SHORE HEALTH UPDATE**

Ken Kozel, CEO, Shore Regional Health, thanked the Council for providing him the opportunity to present an update. He said he will provide updates on COVID-19, the construction of the Freestanding Medical Facility and the relocation of inpatient beds to the Easton facility as well as a brief status of the property on which the hospital in Dorchester County is located.

Mr. Kozel provided the following update on COVID-19 in its facilities on the Mid Shore: 1) there was a low number of patients in comparison to other counties/hospitals across the state with an average of 5 to 15 positive patients at any one time; 2) the majority of the patients were in a traditional medical surgical bed in a COVID-19 designated section; and, 3) there were 10 patients in Easton and one in Dorchester County. Mr. Kozel said Shore Health's plan process included identifying capacity requirements, inventorying Personal Protective Equipment, developing alternate plans and conducting exercises. He said it is anticipated that the peak of positive patients will be from the end of the year to the Spring. He explained that Shore Health assisted its five county region with testing patients for COVID-19. He noted that as of August

2020 Chesapeake College began drive by testing with results usually available within 48 hours. He said due to the weather the College staff have provided an indoor space for testing. Mr. Kozel noted that it is anticipated that the distribution of the first supply of vaccines in Maryland will be within the next several weeks. He stated that the vaccine will be administered in phases with health care workers on the frontline receiving them first. He said Shore Health will work closely with the State Health Department, to receive, properly manage, track and store equipment. He said the anticipation is that the vaccine will be available to the general public in the Spring, noting Shore Health will support the State Department to administer vaccines to the public. He encouraged residents to continue to wear masks, maintain social distance and wash hands frequently to reduce the spread of virus and to get the vaccine when it is available. Based on a question posed by Councilman Pfeffer, Mr. Kozel said: 1) there are 11 cases for which individuals are hospitalized; 2) he believes there may be a point when Shore Health absorbs patients from adjacent hospitals when they reach maximum capacity; 3) Shore Health has transferred patients to outside of their service area which he expects to continue when a peak occurs. In response to a query from Councilman Travers, Mr. Kozel stated that indications are the largest portion of the peak will begin the later part of December due to Thanksgiving which will be around the same time as the normal surge of flu patients. He cited his personal opinion that it will continue until mid to late February 2021.

Mr. Kozel presented an update on the construction of the Freestanding Medical Facility in the Cambridge Marketplace as follows: 1) construction is on time and within budget; 2) they anticipate interior work will begin late February 2021; 3) construction is expected to be completed in late July or early August 2021; 4) furniture, fixtures and equipment may be set up in September 2021; 5) inpatient bed location renovations are anticipated to be completed around July 20; and 6) efforts are being undertaken to use local firms and women and minority firms for construction. Councilman Pfeffer recognized Mr. Kozel and the University of Maryland System for providing a high level of care. He asked that logical support systems for transportation be a priority and noted that the County Emergency Medical Services system will assist with the most critical and time sensitive transports. Mr. Kozel said they are developing a transition plan to ensure that there are multiple levels of backup for the patient transports now as well as after the new facility is operational.

Mr. Kozel summarized the status of the current hospital facility, and referenced the letter of intent between the City, County and hospital to work collaboratively to transfer the property to an entity formed by the City or County. He said they intend to comply with that letter and negotiate with Cambridge Waterfront Development, Inc. (CWDI) which the City and County formed. He explained that: 1) they have hired a contractor to assess the building for hazardous materials which is standard operating procedure for closing a facility; and, 2) they will probably have the results in January 2021 so they can then begin negotiations with CWDI.

On behalf of the Council, Councilman Newcomb thanked Mr. Kozel for his update.

## **MANAGERS COMMENTS**

### **REQUEST FOR ACCEPTANCE/EXECUTION-MDOT-CARES ACT FUNDING GRANT AGREEMENT-DELMARVA COMMUNITY SERVICES**

The Council approved the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, for acceptance/execution of a State of Maryland Department of Transportation/Maryland Transit Administration Capital Grant Agreement for Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of \$678,833 with no local match which will be used for additional operating costs for the DCS Transit Department due to COVID-19.

### **LETTER OF SUPPORT REQUEST-LOW INCOME HOUSING TAX CREDITS APPLICATION-SENIOR RESIDENCES- DELMARVA COMMUNITY SERVICES**

The Council approved the written request from Santo Grande, CEO/President, Delmarva Community Services, for a letter of support for DCS' application for Low Income Housing Tax Credits submitted for the Senior Residences at Chesapeake Grove by Delmarva Community Services and Woda Cooper Development.

### **SURPLUS DECLARATION REQUEST-VEHICLES-SHERIFF'S OFFICE**

The Council approved the request submitted by Sergeant Gary Blades on behalf of Sheriff James Phillips to declare three 2006 Ford patrol vehicles no longer used by the Sheriff's Office as surplus property.

### **REQUEST TO SOLE SOURCE-PLAYGROUND EQUIPMENT-SAFETY SURFACING PROJECT-SAILWINDS PARK-RECREATION AND PARKS**

The Council approved the request of Frank Stout, Recreation and Parks Director, to sole source with GameTime c/o Cunningham Recreation at a cost of \$35,123.32 for playground improvement / installation of safety surfacing project at Sailwinds Park with a company that has performed work for the County at this park and various locations throughout the County. The Council acknowledged that the Maryland Board of Public Works approved the County's application for Program Open Space funds in the amount of \$40,500.

### **REQUEST TO PROCEED-KENNEL INSTALLATION-DOG CONTROL FACILITY-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to award the bid to Anderson Fence, the lowest bidder, for Kennel Installation at the Dog Control Facility in Lodging A and B at the cost of \$42,615 using funds allocated for this facility. Pursuant to a question from Councilman Pfeffer, Mr. Edwards provided the following update on the facility: 1) kennels have been installed; 2) security, fire alarm and alarm system installation is currently underway; and, 3) the remaining project is entry and exits doors in the lodging area for dogs to

enter and exit the facility. Pursuant to a query from Councilman Travers, Councilman Newcomb confirmed that Sheriff James Phillips and his staff have visited the facility. Mr. Edwards, in response to an inquiry by Councilman Travers, explained that he has been working with the Sheriff on the two lodging areas, one for quarantine and one regular area.

#### REQUEST TO PURCHASE VEHICLE-LANDFILL DIVISION-PUBLIC WORKS

The Council approved the request of Mr. Edwards to purchase a 3/4 ton 4x4 pick up with a snow plow for the Landfill to replace an older unit and sole source with the lowest bidder, Fred Frederick, who uses the Maryland Government Contract pricing, at the cost of \$38,853 for which \$50,000 is allocated in the Landfill Enterprise Fund. Mr. Edwards confirmed for Councilman Pfeffer that Landfill Enterprise Capital funds will be used for this purchase. Councilman Nichols noted that Michael Spears, Finance Director, has advised that this vehicle can be obtained through the County's lease with Enterprise. In response to questions from Councilman Nichols and Newcomb, Mr. Edwards said he is familiar with the leasing program but he does not believe it is a logical solution based on the use of the equipment as a landfill vehicle.

#### GRANT AWARD-GOCCP YOUTH & VICTIM SERVICES-CORONAVIRUS SUPPLEMENTAL FUNDS-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, to accept a grant award of \$211,487 from the Governor of Crime Control & Prevention, Youth and Victim Services under the FY20 Coronavirus Emergency Supplemental Funding program for the following: 1) New Beginnings Youth Services, \$35,866; 2) Lollipop Cleaning Staff, \$11,000; 3) Pretrial Coordinator for the Dorchester County Detention Center (DCDC), \$39,000; 4) YMCA staff for Y Academy, \$44,642; 5) Registered Nurse for DCDC, \$99,985 (funded at nearly 75%) and; 5) six laptops for the State's Attorney Office, \$6,000. Pursuant to a query from Councilman Pfeffer, Mr. Adkins said the State of Maryland selected the items to be funded and no reasons were provided as to why certain items were not approved.

#### MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT RENTAL ASSISTANCE GRANT AWARD-COVID-19 ROUND 2-LMB

The Council approved the request of Ms. Shockley to accept a COVID Round 2 Maryland Community Development Block Grant Rental Assistance Grant of \$50,000 for rental assistance. The funds will be used to provide up to six months of rental assistance to households whose income has been negatively impacted by the loss of employment or reduction in hours as a result of the COVID-19 crisis. Dorchester Community Partnership for Children & Families will contract with Delmarva Community Services (Community Action Center) which currently implements the County's Rental Assistance Program.

#### OFFER TO PURCHASE COUNTY OWNED PROPERTY

The Council discussed the interest of William Allen Dixon in purchasing approximately 2,300 square feet of the County owned property located at 105 Brohawn Avenue, Cambridge for

\$3,151, that abuts the property he and his mother Delores Dixon own, 109 Brohawn Avenue. Mr. Adkins said this property was not purchased with Program Open Space Funds. Mr. Merryweather advised that if the Council wishes to proceed with the transfer the property will have to be subdivided. Pursuant to a question from Councilman Newcomb, Frank Stout, Recreation and Parks Director said: 1) homeowners have made complaints because patrons of the County pool park in front of their homes so the loss of a portion of this property will limit additional parking space; and, 2) the property will be an access point for patrons to visit Cannery Park once the project has been completed. In response to Councilman Newcomb's question, Mr. Merryweather expressed his belief that if there is a public use for the property the Council may not want to sell a portion of this property. He suggested Council defer consideration of the offer in order for staff to obtain additional information and view the property to determine proposed uses. The Council deferred the offer.

#### REQUEST FOR ASSISTANCE-TOWN OF VIENNA

The Council discussed the request of the Town of Vienna Mayor and Commissioners for the installation by the County of speed cameras on Route 731 in the area of the Vienna Elementary School. A motion made by Councilman Pfeffer to deny the request was seconded by Councilman Nichols. Based on a query from Councilman Nichols, Mr. Adkins said this section of Route 731 is maintained by the County and he does not know where the City limits are located. The Council denied the Town's request.

#### DELMARVA WATER TRANSPORT COMMITTEE, INC. MEMBERSHIP

Mr. Adkins said: 1) the County has been a member of the Delmarva Water Transport Committee, Inc. since at least 1999; 2) during Committee meetings dredging, the moving of markers and other information relating to the waters in the County are discussed.; 3) membership dues to continue to participate in this Committee are due; 4) if Council wishes to continue the membership, a decision will need to be made on the County's representative; 5) the prior Environmental Director was the last County representative who attended these meetings; 6) before that the County Engineer and/or Public Works Director attended on behalf of the County; and, 7) currently Herve Hamon, Planning and Zoning Director, is participating in these meetings. Donna F. Lane, Executive Administrative Specialist, explained that Senator Adelaide Eckardt, a proponent of the County's participation, has made a concerted effort to ensure that she is aware of the meeting dates and times. The Council agreed to continue the membership and for Mr. Hamon to be the County's representative. Councilman Newcomb noted that during these meetings information is provided regarding County waterways, including updates on the Mid Bay Island Project.

#### CONTINUED DISCUSSION-CONTRACT AWARD-CANNERY PARK RAILS TO TRAILS-FINANCE

Mr. Adkins stated that: 1) at its November 17, 2020 meeting, the Council discussed the request of Cindy Smith, Assistant Finance Director, to award the bid for the Cannery Park Rails to Trail project to the lowest bidder contingent upon the State Highway Administration's concurrence; 2) the Council acknowledged that pursuant to the evaluation of the bids for the Cannery Park Rails

to Trails project conducted by Alec F. Chosta, Civil Engineer, Lane Engineering, David A. Bramble, Inc. did not submit the required Addendum Receipt Verification form with its bid; 3 ) therefore the Council deferred the contract award for the Cannery Park Rails to Trails Project; 4) the Council requested that Ms. Smith obtain Mr. Chosta's opinion on whether the failure to submit this required form disqualifies the bid; 5) pursuant to Mr. Chosta they have received a copy of the missing Addendum Receipt Verification Form and he recommends the Council award the contract to David A. Bramble, Inc contingent on receiving a Concurrence in Award (CIA) from MDOT SHA; 5) pursuant to Mr. Edwards after review and discussing with Mr. Chosta he concurs with Mr. Chosta's recommendation.

The Council agreed to award the project to David A. Bramble, Inc., the lowest bidder, at the cost of \$240,758.40 contingent upon receipt of a Concurrence in Award from MDOT SHA.

#### HURST CREEK LIVING SHORELINE PROJECT-WETLANDS LICENSE EXECUTION

Mr. Adkins said: 1) in September 2017 the Council accepted a Coastal Resiliency Program Grant award from the Maryland Department of Natural Resources in the amount of \$80,000 for the design and permit acquisition for the Hurst Creek Shoreline Project with no local match 2) on December 19, 2017 Council approved a sole source with Delmarva Resource, Conservation and Development (RC&D) to provide management services for the project at the cost of \$8,000 using a portion of the CRPG award; 3) Delmarva R,C&D signed the Wetlands License this project; 4) however, the Wetlands License should be signed by the County, Clark Henry Thomas, Shirley Gannon and Jackie Handley as owners of land that will be affected by this project. The Council agreed to proceed with the execution of the Wetlands License by Councilman Newcomb, President.

#### MARYLAND DEPARTMENT OF HEALTH CARES FUNDING AWARD-AMBULANCE-EMERGENCY SERVICES

Troi Lynn Faith, Administrative Associate, Emergency Services, said the Department was offered to the opportunity to use Maryland Department of Health CARES Act funding to acquire another ambulance with monies leftover from the first half of these funds. The Council agreed to accept the funds and sole source the purchase of this unit from Atlantic Emergency Services, the current dealer for County ambulance at the cost of \$335,489 with no County match. The Council acknowledged that this is the second ambulance purchased with CARES Act monies.

#### EMPLOYEE SUGGESTION

The Council discussed a suggestion from a County employee regarding a decorating contest of the doors at the County Office Building and were amicable to that taking place.

#### LOCAL RAPID RESPONSE TEAM ADMINISTRATOR DESIGNATION

The Council acknowledged receipt of a request from Steve Schuh, Executive Director, Opioid Operational Command Center, Office of the Governor and Temporary COVID-19 Task Force, for the designation of an individual to serve as a local Rapid Response Administrator assigned to



the Local Health Officer. Mr. Adkins noted that Ms. Faith has been acting as the local Rapid Response Administrator. The Council agreed to designate Ms. Faith as the local Rapid Response Administrator.

**REQUEST TO ACCEPT PRESSURE CLEANING QUOTE-EASTERN SHORE  
INNOVATION CENTER-ECONOMIC DEVELOPMENT**

The Council approved the request of Susan Banks, Economic Development Director, to sole source with Absolute Pressure Cleaning, a local vendor for the power washing of the Eastern Shore Innovation Center at the cost of \$1,349. The Council acknowledged that the quoted price includes exterior power washing and sidewalks.

**OTHER**

Councilman Newcomb announced that the next Council meeting will be held on December 15, 2020 at 6 p.m.

**ADJOURNMENT**

With no further business to discuss, the Council adjourned.

ATTEST:



Donna F. Lane, Acting 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 5<sup>th</sup> day of January, 2021.