

**County Council of Dorchester County  
Regular Meeting Minutes  
December 15, 2020**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 4:03 p.m. on the 15<sup>th</sup> day of December 2020. A roll call of the members was conducted. Present on the conference call were: Jay L. Newcomb, President; William V. Nichols and George L. Pfeffer, Jr. Also present via telephone 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.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Pfeffer 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 items were added: Community Service Award Presentation-Recreation and Parks Advisory Council; Request to Use County Property-Health Department and COVID Personal Protection Equipment Supplies Request-Emergency Services. The Council approved the amended agenda.

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers with Councilman Travers abstaining for payments to Simmons Center Market and Councilman Newcomb abstaining for payments made to Old Salty's, Inc. The Council acknowledged that these vouchers included the COVID Grant Relief 3rd Round Extended List for Restaurant Relief, Landlord CARES Relief Funds which were previously by Council via poll by a 5 to 0 vote.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Newcomb reported total cash and investments as \$15,538,730.78.

**CLOSED SESSION SUMMARY**

By conference call, the Council convened into Regular Session on December 15, 2020 at 4:03 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. 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 15, 2020 at 4:04 p.m. to discuss the following items pursuant to §3-305(b)(1): 1) approved a request to remain on call as a Paramedic by a 3 to 1 vote; 2) approved a request of the Public Works Director to hire an individual to fill an Administrative Associate, Advanced position by a 4 to 0 vote; 3) approved the request of the Public Works Director to fill the Fleet Manager position by a 4 to 1 vote; 4) approved the request of the Finance Director to fill a Fiscal Clerk position by a 5 to 0 vote; 5) agreed to interview an individual for the Assistant Finance Director position by a 4 to 1 vote; 6) denied the request of the Emergency Services Director regarding compensation relating to training of 911 personnel by a 4 to 1 vote; 7) discussed the County Manager vacancy; 8) discussed personnel items relating to the FY 2021 Budget; 9) Discussed request of Planning and Zoning Director for personnel restructure and adjustments; 10) discussed personnel matters relating to new County facility; 11) agreed to fill a Grant Specialist/Accountant position in the Finance Department by a 5 to 0 vote; 12) set a salary for an employee who is transferring from the Highway Division to the Landfill Division by a 5 to 0 vote; 13) set a salary for an employee transferring from the Finance Department to the Sheriff's Office by a 5 to 0 vote; and, 14) increased salaries of the Visitor Center Clerks to the minimum wage effective January 1, 2021 by a 5 to 0 vote.

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.

## **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

## **INTRODUCTION**

**AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED ZONING SECTION 155-B OF THE DORCHESTER COUNTY CODE REZONING A PARCEL OF LAND OWNED BY THREESOME AUTO SALVAGE, LLC LOCATED ON THE EAST SIDE OF CORDTOWN ROAD, CONTAINING 21.81 ACRES OF LAND, MORE OR LESS, IN THE BUCKTOWN ELECTION DISTRICT OF DORCHESTER COUNTY,**

MARYLAND AND BEING DORCHESTER COUNTY TAX MAP 42, GRID 16, PARCEL 315, TAX ACCOUNT NO. 13-000301, DESCRIBED IN DEED DATED MAY 11, 2018 AND RECORDED AMONG THE LAND RECORDS OF DORCHESTER COUNTY, MARYLAND IN LIBER 1560, FOLIO 88, FROM AN AGRICULTURAL CONSERVATION DISTRICT (AC) TO A HEAVY INDUSTRIAL DISTRICT (I-Z).

E. Thomas Merryweather, County Attorney, said this bill which rezones 21.81 acres of land on Cordtown Road from Agricultural Conservation District (AC) to a Heavy Industrial District (I-Z). The Council agreed to proceed with publication of a public hearing.

## **REGULAR SESSION**

The Council convened into Regular Session.

## **COMMUNITY SERVICE AWARD PRESENTATION-RECREATION AND PARKS ADVISORY COUNCIL**

Frank Stout, Recreation and Parks Director, on behalf of the Recreation and Parks Advisory Board, presented Community Service Awards to the following individuals honoring them for improving the quality of life for others in Dorchester County: 1) Davette Askins; 2) Jayson Bleyer; 3) Debbie Marshall; and, 4) Antoine Patton.

## **MANAGERS COMMENTS**

### **FY 2022 CAPITAL IMPROVEMENT PLAN AMENDMENT-BOARD OF EDUCATION**

Based on the request of Chris Hauge, School Facilities Engineer/Safety and Security Coordinator, Board of Education (BOE), the Council conceptually approved, for planning purposes only, the Dorchester County Board of Education's Amended Fiscal Year 2022 Capital Improvement Plan contingent upon future County budget approvals.

### **LETTER OF SUPPORT REQUEST-NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION GRANT APPLICATION-HORN POINT LABORATORY**

The Council approved the request of Matthew Gray, Assistant Professor, University of Maryland Center for Environmental Services, for a letter of support for Horn Point's National Oceanic & Atmospheric Administration Grant application entitled "Integrated Modeling to Guide Coastal Management Decisions on How to Green Existing Grey Infrastructure to Extend its Effectiveness Against Sea-Level Rise."

**FY 2021 RURAL MARYLAND PROSPERITY INVESTMENT FUNDS GRANT  
AWARD-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT**

The Council approved the request of Susan Banks, Economic Development Director, to accept a FY2021 Rural Maryland Prosperity Investment Funds Grant Award from the Rural Maryland Council in the amount of \$135,000 to provide funding for a Fluid Chiller, ExtrakLab Drain Droyd, 9x12 cooler/tank for refrigeration, a cap tightening system and installation of this equipment including mechanical, electrical, and plumbing considerations.

**OFFER TO PURCHASE TAX SALE CERTIFICATE-304 CHOPTANK AVENUE-  
FINANCE**

Pursuant to the request of Cindy Smith, Assistant Finance Director, the Council accepted the offer of CCRD Global, LLC of \$11,438.52 to purchase the Tax Sale Certificate for 304 Choptank Avenue, Cambridge, which includes the certificate price, interest from the sale date through December 16, 2020 and legal costs the County incurred during the foreclosure process.

**REQUEST TO MODIFY DECISION-CHANGE OF PURCHASER-PINE STREET  
NEIGHBORHOOD PROPERTIES-FINANCE**

Pursuant to Ms. Smith's request, the Council agreed to modify its March 3, 2020 decision to change the purchaser of the following three properties from the City of Cambridge to Habitat: 521 Pine Street, 412 Pine Street and 517 High Street.

**CITY OF CAMBRIDGE OFFER TO PURCHASE-PINE STREET AREA PROPERTIES-  
FINANCE**

The Council approved the request the request of the City of Cambridge to purchase the following additional properties in the Pine Street Neighborhood Revitalization Area for the full price of the Tax Certificate plus legal fees less the City taxes and fines of \$22,013: 712 Washington Street, 607 Bethel Street, 704 Washington Street, 708 Washington Street, 700 Wright Street, 618 School House Lane, 617 Douglas Street and 616 Washington Street. The Council acknowledged that: 1) the City will incorporate them into the Pine Street Neighborhood Revitalization Project for sale or use at a later date and maintain them; and, 3) this will leave 11 properties in the City that need to be maintained by the County.

**FEDERAL EMERGENCY MGMT AGENCY/MARYLAND EMERGENCY MGMT  
AGENCY GRANT AWARD-TWIN POINT COVE SHORELINE RESILIENCY PLAN-  
FINANCE**

The Council approved the request of Ms. Smith to accept a Federal Emergency Management Agency/Maryland Emergency Management Agency Grant award for \$37,000 with a \$12,500 match requirement for a study to determine strategies for mitigation of the

impact of flooding on the Twin Point Cove community. The Council acknowledged that the match will be met with in-kind volunteer hours provided by community members and County staff.

#### **SURPLUS PROPERTY DECLARATION REQUEST-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to declare two old Variable Message Signs, Units 726 and 727 which are out of date and costly to repair as surplus property. In response to a question from Councilman Pfeffer, Mr. Edwards said Public Works has six VMS, three of which are not working.

#### **OTHER**

Pursuant to inquiries from Councilman Pfeffer regarding Corkran Cemetery Road, Dave Edwards, Public Works Director, confirmed that: 1) after being advised by Councilwoman Nagel of complaints she received regarding the condition of this road, he took actions to ensure motorists safety upon discovering an over three foot hole in the road including posting signs; and, 2) County staff did not place wooden posts, cables or a combo lock on either end of the road. Councilman Pfeffer thanked Mr. Edwards for taking actions to ensure motorists' safety.

Councilwoman Nagel expressed her belief that the process to close the road should be undertaken as it's' condition is a public safety issue. She stated that four landowners whose properties are adjacent to the road expressed concern about the amount of trash being dumped on the roadway and the fact that motorists are driving around the hole in roadway and into their private land. Councilman Pfeffer noted that individuals on Petersburg Road use Corkran Cemetery Road. In response to a question from Councilwoman Nagel, Mr. Edwards verified that there are no houses on the road in question. Councilwoman Nagel stated that there is a house on one end of the road and trailers on the other end. She cited her belief that the dirt road is not passable, noting that water lays on the road surface.

Councilman Pfeffer expressed his understanding that other dirt roads have been maintained, noting that flooding is a major issue in the County. He advised that residents have not expressed to him concerns about the road. Councilman Newcomb confirmed that residents will have the opportunity to speak about the potential road closure at a public hearing based on an inquiry from Councilwoman Nagel.

E. Thomas Merryweather, County Attorney, explained that the legislative process to close a road consists of: 1) the preparation of William Craig, a surveyor who is on retainer by the County, of a plat and legal description; 2) preparation of a bill for introduction; and, 3) holding a legislative public hearing on the bill.

Councilman Pfeffer cited his belief that Delmarva Power and Light will need access to the road since it owns property or a right-of-way at one end as well as farmers who live on the other side. Mr. Merryweather explained that if the legislation to close the road passes: 1)

the right of the adjacent property owners to use the road will be reserved; and, 2) the County will no longer maintain the road.

The Council agreed to proceed with the legislative process to close the road. Councilman Newcomb reiterated that County staff only posted road closure signs due to public safety concerns and stated that neither they or the Council were aware that posts, cables and locks were placed on either end of the road. Councilman Pfeffer advised that he was back on the line, noting that his call dropped. He cited his opposition to proceeding with the legislative process to close the road. In response to his question, Councilman Newcomb confirmed that Mr. Edwards will ask the adjacent property owners whether or not they installed the posts, cables and locks and if so, to remove them. Based on a query from Councilman Nichols, Mr. Merryweather confirmed that "Travel at Your Own Risk" signs should be installed on the road. Mr. Edwards said he will address this matter tomorrow.

#### **PROGRAM OPEN SPACE PLANNING GRANT APPLICATION-2022 LAND PRESERVATION PARKS & RECREATION PLAN-REC AND PARKS**

The Council approved the request of Frank Stout, Recreation and Parks Director, for authorization to submit to the Department of Natural Resources a Program Open Space Planning Grant application for funds in the amount of \$25,000 for the development of the 2020 Land Preservation Parks & Recreation and Plan. The Council acknowledged that this project is identified in the County's approved Annual Program plan and requires no County match.

#### **REQUEST TO EXPEND PROVIDER RELIEF GRANT FUNDS-EQUIPMENT PURCHASE-EMERGENCY SERVICES**

The Council approved the following requests of Dozia Rahilly, Emergency Services Director, to expend Provider Relief Grant Funds, with no cost to the County to:

- purchase ultrasound devices for \$13,374 which includes license and pro membership of \$1,620 and annual recurring license cost which is included in the first year and there will be a recurring cost of the license which will be added to next year's operational budget;
- purchase the scene safety equipment for clinicians at the total cost of \$13,010 as follows
  - Extrication suits, \$5,000
  - EMS Helmet, \$5,520
  - Rescue Safety gloves, \$960
  - High Visibility vests, \$1,610

Pursuant to a question from Councilman Pfeffer, Cindy Smith, Assistant Finance Director, confirmed the acceptance of this grant by the Council.

## **VESTA 911 SOLUTION PHONE SYSTEM PROJECT REQUEST-EMERGENCY SERVICES**

The Council approved the request of Ms. Rahilly to submit contracts and a scope of work for a Vesta 911 Solution Phone System project which includes the State Next-Gen 911 requirements. The Council acknowledged that the Maryland 911 Board, as of October 29, 2020, approved funding for this project. Nick Kovach, 911 Communications Manager, said: 1) this system will allow 911 Center staff to use resources for which they do not have access; and, 2) it will improve text messaging to the 911 Center.

## **FY21 COMMUNITY PARTNERSHIP AWARD- LOCAL MANAGEMENT BOARD**

The Council approved the request of Nancy Shockley, Local Management Board Director, on behalf of the Community Partnership for Children and Families, to accept the FY21 Community Partnership Award for \$390,137 for the following administration and programs: LMB Administration, \$156,724 for the LMB Office; Circles: Poverty Reduction Lab, \$113,413 for Community Capacity Building; Circles: Poverty Reduction Team, \$20,000, for a program to support moving individuals out of Poverty; Connecting for Success, \$100,000 for a Two gen program for elementary school aged youth and their court involved parent; and Local Care Team Coordinator (contract with Caroline County).

The Council also approved Ms. Shockley's request to send a letter to Governor Lawrence Hogan urging him to restore the 10% (cut amounted to \$2 million state-wide) that was cut from the County's budgets in September and fully fund them at the original 2021 level.

## **FY2021 MARYLAND TRANSIT ADMINISTRATION OPERATING AND CAPITAL GRANT AWARD-DELMARVA COMMUNITY SERVICES**

The Council approved the request of Andrea Walters, Transportation Grants Specialist, Delmarva Community Services (DCS), to accept FY2021 Maryland Transit Administration Operating and Capital Grant Awards as follows:

- Operating Grant Agreement is for 5311 Operating Rural, ADA Operating and SSTAP Operating. Federal Funds \$285,467. State Funds \$389,208. Local Funds \$115,447. Total Project Cost \$790,122
- Capital Grant Agreement is for Preventative Maintenance, Small Bus Replacement, Air Conditioning Recovery Machine and a Scan Diagnostic Tool. Federal Share \$111,028. Local Share \$27,757. Total Project cost \$138,785.

The Council acknowledged that the match under the operating grant is supported in part by the County's FY21 budget appropriation with the remainder being funded by DCS.

### **SMART GROWTH CERTIFICATION-PRIORITY FUNDING AREA CONFIRMATION-ECONOMIC DEVELOPMENT**

Susan Banks, Economic Development Director, said she has received a request from Mary M. DiFerdinando, Finance Specialist, Office of Finance Programs, Department of Commerce, for the execution of a Smart Growth Certification certifying that 411 Dorchester Avenue, Cambridge, known as the Packing House property, is in a priority funding area. Based on Ms. Banks request, the Council authorized the Council President to execute the Certification.

### **CONTINUED DISCUSSION-OFFER TO PURCHASE COUNTY OWNED PROPERTY**

Mr. Adkins stated that: 1) at its December 1, 2020 meeting, the Council discussed the offer from William Allen Dixon to purchase approximately 2,300 square feet of property of 105 Brohawn Avenue, Cambridge, a County owned property, for \$3,151; 2) he and his mother, Dolores Dixon, own 109 Brohawn Avenue; 3) Council deferred consideration of this request; 4) at the December 1<sup>st</sup> meeting Mr. Merryweather said if there is a proposed use for the property Council may not want to sell a portion of this property and noted that it will have to be subdivided; 5) he recommends that the Council not proceed with the sale of a portion of this property to Mr. Dixon; and, 6) Mr. Stout said at this time he recommends not transferring the property due to potential uses. The Council agreed not to accept his offer.

### **FY21/FY22 BUDGET ADOPTION SCHEDULE**

The Council adopted the FY 2021/FY 20 22 Budget Adoption Schedule.

### **FY 2021 COUNTY COUNCIL THIRD/FOURTH QUARTER MEETING SCHEDULE**

The Council adopted the FY 2021 County Council Third/Fourth Quarter Meeting schedule.

### **REQUEST TO USE COUNTY PROPERTY-HEALTH DEPARTMENT**

Mr. Adkins said pursuant to Brice Strang, the Dorchester County Health Department is interested in using the Old Maces Lane School Property as drive-thru a COVID vaccination site. Mr. Merryweather said he does not have an issue with the use of the exterior of the property. The Council approved the use contingent upon Mr. Merryweather's approval of the final plan of the Health Department for the use of this property.

### **COVID PERSONAL PROTECTION EQUIPMENT SUPPLIES REQUEST- EMERGENCY SERVICES**

Mr. Adkins said: 1) Emergency Services (ES) is asking for guidance on the distribution of PPE to volunteer fire companies; 2) a request was received from Brad Walters on behalf of Rescue Fire Company (RFC); 3) ES initially distributed PPE supplies that were received



from SNS to the volunteer companies; 4) the received PPE was evenly distributed to each fire company, with some companies declining the equipment; 5) as CARES funding was being planned for, initially ES was under the impression that CARES funding would not be distributed to the fire companies and thus ES would need to help facilitate PPE to those companies; and, 6) because each fire company has since received CARES funding from the County, ES is seeking guidance as to PPE distribution by DES.

Councilwoman Nagel made a motion to take no action since the volunteer fire companies have been provided \$25,000 in CARES funding which can be used to purchase PPE which Councilman Nichols seconded. Councilman Pfeffer expressed his understanding that these funds are to replace revenue the volunteer fire companies lost due to COVID-19. Nancy Shockley, Local Management Director, explained that when the applications were sent to the volunteer fire companies, they were asked how they will use the funds. She expressed her understanding that these monies are committed to other projects such as repairing equipment. Pursuant to a question posed by Councilman Newcomb, Dozia Rahilly, Emergency Services Director, reiterated Mr. Adkins statement that ES is seeking guidance from the Council on how to address this request.

Councilwoman Nagel and Councilman Nichols voted in favor of the motion to take no action since the volunteer fire companies have been provided \$25,000 in CARES funding which can be used to purchase PPE. Councilman Pfeffer and Travers opposed the motion. In response to a question from Councilman Newcomb, Troi Lynn Faith, Administrative Associate, advised that RFC is the only volunteer fire company who has submitted a request for PPE. She explained that if the same need is expressed by the other volunteer fire companies additional PPE will have to be purchased. In response to a query from Councilman Newcomb, Ms. Faith said the first half of the CARES money has been expended and receipts have been submitted. Based on questions posed by Councilman Pfeffer, Ms. Faith advised that the first half of CARES funding was split between the Health Department and Emergency Services and the second half to the County, noting that the volunteer fire companies were not targeted to receive this money. Ms. Rahilly said she is unsure how the \$25,000 is to be used by the volunteer fire company. Ms. Faith said they are asking for Council's guidance on whether PPE purchased for the County should be provided to RFC. Councilwoman Nagel noted that pursuant to a recent email concern was expressed about the amount of PPE the County current has on hand. She expressed her belief that ES should hold onto its supply and that the volunteer fire companies can utilize the CARES funds to cover their expenses and to purchase PPE. Councilman Pfeffer expressed concern about not distributing County to the volunteer fire companies who provide services to residents. In response to a question from Councilwoman Nagel, Councilman Pfeffer confirmed that based on reports Council received regarding PPE he questioned whether ES had purchased enough supplies for the County.

Councilman Newcomb said he is not in favor of providing PPE to RFC at this time since he believes each request should be considered on a case by case basis. The motion failed due to the lack of a majority.

## OTHER

The Council accepted the resignation of Keith Adkins effective December 21, 2020 with Councilmen Pfeffer and Travers opposing. The Council appointed Donna F. Lane to be Acting County Manager and agreed to advertise for the County Manager position.

The Council agreed to give County employees eight hours of paid time off in recognition of their service to County residents on December 24<sup>th</sup> and acknowledged that County Offices closed. The Council acknowledged that employees who work will be able to use eight hours off in lieu of taking the day off.

Councilman Newcomb announced that the County has agreed to purchase the Bay Country Racquet Club Facility located at 515 Leonard's Lane, Cambridge, Maryland for recreational purpose for which settlement will occur on December 30, 2020 which will be part of Recreation and Parks; and, 2) the next Council meeting will be held on January 5, 2021 at 5 p.m.

Councilman Pfeffer thanked Mr. Adkins for his service to the citizens and employees and Council of Dorchester County. He noted that it was a pleasure and honor to work with him and he wishes him the best as he starts his next chapter. Mr. Adkins thanked him for his comments and the Council for providing him the opportunity to work as the County Manager. Councilman Travers also commended him for his service.

## 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 2 day of February, 2021.