

**County Council of Dorchester County
Regular Meeting Minutes
February 16, 2021**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:01 p.m. on the 16th day of February 2021. A roll call of the members was conducted. Present on the conference call were: Jay L. Newcomb, President; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present via telephone were E. Thomas Merryweather, County Attorney; and Donna F. Lane, Acting County Manager. Councilman Newcomb, Councilman Nichols 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

Donna F. Lane, Acting County Manager, said after publication of the agenda, the following items were added: Request to Approve Hotel Covid Grant Relief Program Application-ED, Request to Purchase Six Wheel Dump Truck-Public Works. 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 \$20,189,216.75.

CLOSED SESSION SUMMARY

By conference call, the Council convened into Regular Session on the 16th day of February 2021 at 4:35 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)(2)(3) to protect the privacy or reputation of individuals with respect to a matter that is not related to public business; and to consider the acquisition of real property for a public purpose and matters directly related thereto; 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; and, §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

Present on the conference call were: Jay L. Newcomb, President; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present via the conference call were E. Thomas Merryweather, County Attorney; and Donna F. Lane, Acting County Manager. Voting in favor of the Closed Session were the present Council Members. Councilman Newcomb, Councilman Nichols, Ms. Lane and Mr. Merryweather were also present in Room 110.

By conference call, the Council convened in a Closed Session on February 16, 2021 at 4:36 p.m. to discuss the following items pursuant to §3-305(b)(2)(3); pursuant to §3-305(b)(1) and pursuant to §3-305(b)(7): 1) received an update on an entity's acquisition of property; 2) discussed the request of the Public Works Director regarding salaries; 3) discussed a matter regarding staffing in a County Department; 4) approved the request of an individual to remain on-call as an Emergency Medical Technician by a 4 to 0 vote; 5) discussed a matter regarding staffing in a County Department; 6) conferred about an amendment to the County's Rules and Regulations; 7) discussed a personnel matter relating to a County Department; and, 8) discussed staffing in a County Department; 9) discussed a personnel matter in a County Department; and 10) received legal advice from County Attorney regarding a proposed lease agreement

Present on the conference call were: Jay L. Newcomb, President; William V. Nichols; George L. Pfeffer, Jr.; and Ricky C. Travers. Also present via the conference call were E. Thomas Merryweather, County Attorney, and Donna F. Lane, Acting County Manager. Councilman Newcomb, Councilman Nichols, Ms. Lane and Mr. Merryweather were also present in Room 110.

COMMENDATION-RETIREMENT-EVA BARTRUM

The Council presented a commendation to Eva Bartrum congratulating her on her retirement and commending her for 36 years of service to Dorchester County.

COMMENDATIONS-EMERGENCY SERVICES PROVIDERS

The Council presented Commendations to the following Clinicians from Emergency Medical Services for their efforts in the effective treatment and transport of two pediatric patients on January 27, 2021: Justin Day, Gage Weber and Mary Frances Allman.

LEGISLATIVE SESSION

The Council convened into Legislative Session.

BILL NO. 2021-1

**AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND
PURSUANT TO SECTION 12-512(D) OF THE LOCAL GOVERNMENT ARTICLE AND
PURSUANT TO SECTION 40-20 OF CHAPTER 40 OF THE DORCHESTER COUNTY
CODE CLOSING AND ABANDONING CANNON ROAD, A PUBLIC COUNTY ROAD**

AND BOAT RAMP SITUATE IN THE LAKES ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND.

E. Thomas Merryweather, County Attorney, said a legislative public hearing is being held on the closure of Cannon Road, which is approximately .7 a mile in length and north south of Asquith Island Road to Honga Road as well as an old dilapidated boat ramp. He advised that the property has been surveyed. Dave Edwards, Public Works Director, said he as well as both property owners on each side of the road, support the closure of this small section of road. He noted that it serves the County no purpose. Ms. Lane stated that no one signed up to speak. Mr. Merryweather asked if anyone in the audience or on the telephone wished to speak. There was no response.

The roll call on the enactment of Bill No. 2021-1: Nichols-aye; Nagel-absent; Newcomb-aye; Pfeiffer-aye, Travers-aye. Mr. Merryweather said the bill will be effective 60 days after passage.

REGULAR SESSION

The Council adjourned into Regular Session.

MANAGERS COMMENTS

REQUEST FOR LETTER OF SUPPORT -BOND BILL-FRATERNAL ORDER OF POLICE-CAMBRIDGE-DORCHESTER LODGE #27

The Council approved the request of Thomas R. Hurley, Lodge President, Fraternal Order of Police Cambridge-Dorchester Lodge 27, for a letter of support of a bond bill in the amount of approximately \$492,000 towards the construction of a lodge building on a 10 acre property on Dailsville Road, outside of Cambridge, which is owned by Lodge 27. The Council acknowledged that: 1) Lodge 27 has \$120,000 set aside for this project; and, 2) Senator Eckardt as well as Delegate Adams are sponsoring the legislative bond bill.

REFERRAL TO PLANNING COMMISSION-REZONING REQUEST-FLEMING-PLANNING AND ZONING

The Council approved the request of Herve Hamon, Planning and Zoning Director, to refer to the Planning Commission a rezoning application submitted by Edward Fleming. Mr. Fleming is seeking the rezoning of a parcel of land on Route 50 in Linkwood (Map 43, Parcel 80) from Rural Residential (RR) to B-2 General Business in order to expand activities on the property with a country style wedding venue and a concert venue.

REFERRAL TO PLANNING COMMISSION-REZONING REQUEST-BROWN-PLANNING AND ZONING

The Council approved the request of Mr. Hamon to refer to the Planning Commission a rezoning application submitted by Wayne Brown for the rezoning of a property located at 3220 Ocean

Gateway, Cambridge from Rural Residential to B-2 General Business, which is the location of his residence and a tree trimming service business.

SURPLUS PROPERTY DECLARATION-DISPOSITION REQUEST-EMERGENCY SERVICES

The Council approved the written request of Dozia Rahilly, Emergency Services Director, to surplus 18 Quantars currently located at four of the County's tower/shelter sites and to allow the State of Delaware to take any spare parts of the old 800 MHz system currently within the shelters that has been abandoned. The Council acknowledged that Delaware will pay all of the associated costs relating to the removal of the equipment. Based on Councilman Pfeffer's query, Troi Lynn Faith, Administrative Associate, advised that a Motorola representative as well as Emergency Services staff will be present when the equipment is removed.

REQUEST TO USE EMERGENCY NOTIFICATION SYSTEM-HEALTH DEPARTMENT-EMERGENCY SERVICES

The Council approved the request of Ms. Rahilly, on behalf of Brice Strang, Program Administrator, Emergency Preparedness Program, Dorchester County Health Department, to use the County's Emergency Notification System (Everbridge) to keep residents informed regarding its interest list for COVID-19 vaccinations.

REQUEST TO ADVERTISE FOR PROPOSALS-MOWING COUNTY PROPERTIES-PUBLIC WORKS

The Council approved the request of Dave Edwards to advertise for proposals for mowing for the upcoming seasons for the Landfill locations, Marina and Boat Ramps. In response to a question from Councilman Pfeffer, Mr. Edwards said the requests for proposals were separated in order to provide both small and large companies the opportunity to bid.

REQUEST TO SOLE SOURCE-FIRE ALARM PANEL REPLACEMENT-COUNTY OFFICE BUILDING-PUBLIC WORKS

Mr. Edwards presented his request to sole source with Johnson Controls and purchase a fire alarm panel replacement for the County Office Building at the cost of \$12,000 using FY21 Capital Budget monies. Councilman Travers noted that there are multiple fire alarm vendors in the County and questioned the reason for the sole source. Mr. Edwards said the current fire system's hardware communication device is a proprietary system of Johnson Controls. Councilman Travers expressed his belief a request for bids for the replacement of the entire system should be advertised. He made a motion to advertise for proposals which was seconded by Councilman Pfeffer. Mr. Edwards said if a new system is installed, it must meet 2022 fire code standards, noting that the current hardware system is grandfathered in. He cited his understanding that the cost for replacing the entire system will be substantial. In response to a question from Councilman Travers, Mr. Edwards stated that this information was obtained from the Fire Marshall. Councilman Travers said he is concerned about spending money for the replacement of the fire alarm panel when the system is not up to date due to current fire code

standards. Councilman Travers rescinded his motion and Councilman Pfeffer withdrew his second. The Council deferred the request in order for Mr. Edwards to obtain more information.

REQUEST TO ADVERTISE FOR PROPOSALS-ALUMINIZED TYPE 2 METAL PIPE OR HDPE DRAINAGE PIPE-PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise for proposals for Aluminized Type 2 Metal Pipe or HDPE Drainage Pipe for the period of April 1, 2021 to March 31, 2022 with an option to extend the contract for two one-year periods.

REQUEST TO SOLE SOURCE-PAVING OF CUL-DE-SAC-WAGNER POINT ROAD-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving to pave the cul-de-sac on Wagner Point Road at the cost of \$9,885 using funding from the FY21 Public Works Operating Budget. In response to a query from Councilman Pfeffer regarding the current condition of the cul-de-sac, Mr. Edwards explained that: 1) the cul-de-sac surface is tar and chip; 2) there are ruts in the surface; and, 3) the base is so eroded tar and chip will not be sufficient to repair it.

REQUEST TO ADVERTISE FOR PROPOSALS-FUEL STATION-PUBLIC WORKS

Mr. Edwards presented his request to advertise for proposals for a fuel station at the Public Works Department using funds allocated in the FY20 and FY21 Capital Budgets which total \$224,000. Pursuant to Councilman Travers' questions, Mr. Edwards said: 1) the life span of a new fuel station is probably 20 to 30 years; 2) it must be inspected every year; 3) the station must meet Maryland Department of Environment requirements; and, 4) it may be more cost effective to bid out versus purchasing the fuel as well as less liability and maintenance. He noted that a lot of State agencies as well as local municipalities are no longer operating their own fuel stations. The Council agreed to advertise for proposals and asked that Mr. Edwards contact the State Highway Administration about the potential use and purchase of fuel at its pump station.

FARM LEASE EXTENSION REQUEST-AIRPORT

The Council approved the request of Garrett Luthy to extend his farm lease with Dorchester County for 90 plus or minus tillable acres for a one year period under the same terms and conditions. Mr. Merryweather confirmed that the public hearing process is not required due to this being a renewal which option is included in the current lease.

COVID GRANT RELIEF PROGRAM RESTAURANT APPLICATIONS-ECONOMIC DEVELOPMENT

The Council acknowledged its January 5, 2021 decision to execute a Modification to the Grant Agreement between the Department of Commerce and the County to increase the amount of Restaurant Relief funds by an additional \$139,886 and extend the disbursement date of these funds. The Council agreed to provide Cindy Bayless for Cindy ESK, LLC and Katie Rhea for

Katie's at the Airport \$20,000 each contingent upon meeting grant requirements with Councilman Newcomb opposing.

SOCIAL SERVICES ADVISORY BOARD APPOINTMENTS

The Council approved the request of Jenifer L. DuBosq, Director, Dorchester County Department of Social Services, to appoint the following individuals to the Social Services Advisory Board to replace those members whose terms are expiring, resigned or are not attending meetings: Joseph Hughes, Marco Garcia and Cynitha Woolford.

Councilman Pfeffer advised that individuals from the criminal justice system questioned the reason they are not a part of the board. He said in light of that and in order to ensure diversity the following have been added as members to the Board: 1) Circuit Court; 2) State's Attorney; 3) Dorchester County Detention Center; 4) Board of Education; and, 5) an additional active local community member. Councilman Nichols emphasized the need to ensure that constituent's issues are addressed.

LETTER OF SUPPORT REQUEST-BOND BILL-ALPHA GENESIS COMMUNITY DEVELOPMENT CORPORATION

The Council approved the request of Jermaine Anderson and Adrian Holmes, Alpha Genesis Community Development Corporation, for a letter of support for a legislative bond bill in the amount of \$500,000 for the Harriet Tubman Mural Pavilion.

POLL CONFIRMATIONS

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

- be included in Maryland Association of Counties correspondence with other association members to Governor Lawrence "Larry" Hogan regarding suggestions for COVID-19 vaccine distribution by a 5 to 0 vote;
- send a letter of support for the application of Dr. Ming Li, Professor at the Horn Point Laboratory to the National Oceanic and Atmospheric Administration's Regional Integrated Sciences and Assessment (RISA) program for a grant entitled "Mid-Atlantic Center for Climate Assessment and Policy" by a 5 to 0 vote;
- send a letter in opposition for House Bill 894, "Education-Community Colleges-Collective Bargaining" based on a request from Chesapeake College by a 4 to 1 (no answer) vote.

REQUEST TO APPROVE HOTEL COVID GRANT RELIEF PROGRAM APPLICATION-ECONOMIC DEVELOPMENT

The Council approved the Hotel Covid Grant Relief Program application for the Hyatt Regency Chesapeake Bay Golf Resort, Spa and Marina in the amount of \$205,820, which this hotel is eligible for pursuant to Maryland Department of Commerce's guidelines.

REQUEST TO PURCHASE SIX WHEEL DUMP TRUCK-PUBLIC WORKS

The Council approved the request of Mr. Edwards to purchase a 2018 International 6 wheel dump truck using the Sourcewell government agencies contract from Highway Motors in Winchester, Virginia for a total price of \$129,441.05 using FY 21 Capital Budget funds and leftover savings allocated for the purchase of truck lifts.

ADJOURNMENT

Councilman Newcomb announced that: 1) Council signed a Proclamation declaring February 2021 as Career and Technical Education Month; 2) a budget work session will be held on February 24, 2021 at 5 p.m., and; 3) the next meeting will be held on March 2, 2021 at 6 p.m.

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 16th day of March, 2021.