

**County Council of Dorchester County  
Regular Meeting Minutes  
February 2, 2021**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 4:36 p.m. on the 2<sup>nd</sup> 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. Ms. Lane, Councilman Newcomb, Councilman Nichols and E. Thomas Merryweather, County Attorney, were also present in Room 110. Councilwoman Nagel joined the meeting late.

**REGULAR SESSION**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Travers led the invocation and the pledge of allegiance.

Councilman Pfeffer joined meeting.

**CALL FOR ADDITIONS OR DELETIONS TO AGENDA**

Donna F. Lane, Acting County Manager, said the Retirement Commendation was removed after publication of the agenda. She explained that due to the weather the recipient asked that it be moved to the next meeting. She advised that two items were also added: Payment in Lieu of Taxes Agreement-Egypt Road Solar and Eastern Shore Mutual Aid Agreement-Sheriff's Office. The Council approved the amended agenda.

**APPROVAL OF MINUTES**

The Council approved the minutes of December 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 \$20,530,798.65.

**PUBLIC HEARING-SOLID WASTE MANAGEMENT PLAN UPDATE PUBLIC HEARING-RESOLUTION**

**RESOLUTION OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 9-1714 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND ADOPTING A REVISION TO THE 10-YEAR SOLID WASTE MANAGEMENT PLAN TO INCLUDE AN OFFICE BUILDING RECYCLING ADDENDUM TO ADDRESS THE REQUIREMENTS OF SENATE BILL 370**

ENTITLED "ENVIRONMENT-RECYCLING-OFFICE BUILDINGS", WHICH PASSED DURING THE 2019 LEGISLATIVE SESSION THAT REQUIRES RECYCLING IN OFFICE BUILDINGS WITH 150,000 SQUARE FEET OR GREATER OF OFFICE SPACE.

E. Thomas Merryweather, County Attorney, said before Council for its consideration is a Resolution amending the County's Ten Year Solid Waste Management Plan to include an Office Building Recycling Addendum to address requirements of Senate Bill 370 entitled "Environment-Recycling-Office Buildings" during the 2019 Maryland General Assembly Legislative Session to require recycling in office buildings with 150,000 square feet or greater of office space. Dave Edwards, Public Works Director, said this is the only change to the Plan which was adopted in 2017. There were no public comments. The Council agreed to adopt the Resolution.

### **CLOSED SESSION SUMMARY**

By conference call, the Council convened into Regular Session on February, 2, 2021 at 4:36 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 and pursuant to 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 and Councilman Nichols were also present in Room 110.

By conference call, the Council convened in a Closed Session on January 5, 2021 at 4:37 p.m. 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 was Donna F. Lane, Acting County Manager. Councilman Newcomb and Councilman Nichols were also in Room 110. Councilwoman Nagel and E. Thomas Merryweather, County Attorney, joined the meeting late.

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 was Donna F. Lane, Acting County Manager. Councilman Newcomb and Councilman Nichols were also present in Room 110. Councilwoman Nagel and Mr. Merryweather joined the meeting late.

Councilman Newcomb said the Council convened into a Closed Session at 4:37 p.m. on February 2, 2021 to discuss the following items pursuant to §3-305(b)(1) and pursuant to §3-305(b)(7): 1) approved the request of the Planning and Zoning Director to hire an individual to fill a vacant Zoning Technician position by a 4 to 0 vote; 2) based on the request of the Director of Corrections agreed to promote an employee to Corporal/Assistant Shift Supervisor by a 4 to 0 vote; 3) obtained legal advice from County Attorney regarding a proposed Payment in Lieu of Taxes Agreement; and, 4) received legal advice from County Attorney regarding a proposed agreement.

## **LEASE PROPOSAL-COUNTY FACILITY-RECREATION AND PARKS**

Frank Stout, Recreation and Parks, provided a summary of the proposal of the Boys & Girls Club (BGC) Metropolitan Baltimore, which services youth ages 6 to 18, to lease a portion of the recreational facility on Leonard's Lane. He noted that letters of support have been received from: 1) several foundations that indicated interest in financially supporting the programming of BGC; 2) the City of Cambridge Police Department; and, 3) from the public. He explained that one area of initial concern is that BGC had expressed interest in offering his program at the old Maces Lane School property, once the structure is renovated. He expressed his understanding that BGC's goal is to program out of both spaces. Herschel Johnson, member of the Recreation and Parks Advisory Board, said BGC is instrumental to the Mace Lane project moving forward. He expressed his understanding that this entity wants to utilize both facilities. He said the additional programming provides has to do with developing leadership, character development and career guidance for older students. Pursuant to his inquiry, Jeffrey Breslin said he represents BGC and can answer any questions individuals may have regarding this proposal.

Terri Robbins, a resident, and former owner of the facility, advised that an agreement had been made with BGC to rent the downstairs area for \$1,100 on a month-to-month basis with the entity paying for the electric downstairs and renting additional court space. In response to a question from Councilman Newcomb, Ms. Robbins said the downstairs area has a separate electrical meter and invoice.

The Council agreed to establish a Committee for the purpose of gathering information regarding the lease proposal and providing input to the Council.

Councilman Nichols left the meeting.

## **LEGISLATIVE SESSION**

The Council adjourned into Legislative Session.

**BILL NO. 2020-12**

**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-2).**

E. Thomas Merryweather, County Attorney, said a public hearing was held on Bill No. 2020-12 on January 5, 2021 which rezones a parcel of land owned by Threesome Auto Salvage, LLC on

the east side of Cordtown Road containing 21.81 acres of land, more or less. He explained that after this public hearing, the Council agreed to move forward with the bill. He said the action before the Council is to approve the Findings of Fact he prepared and upon approval consider the passage of the bill. The Council approved the Findings of Fact. The roll call on the enactment of Bill No 2020-11: Nichols- absent; Nagel-aye; Newcomb-aye; Pfeffer-aye; Travers- aye.

Councilman Nichols rejoined the meeting.

## **REGULAR SESSION**

The Council convened into Regular Session.

## **MANAGERS COMMENTS**

### **REQUEST TO PURCHASE LIFT TRUCK-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to piggyback on a Maryland State Contract to purchase a Mobile Column Truck Lift for the shop at the cost \$38,845. The Council acknowledged that included in the FY21 Capital Budget is \$58,000 for this purpose.

### **REQUEST TO ADVERTISE FOR PROPOSALS-PRESSURE WASHER-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to advertise for proposals for new pressure washer unit to assist with maintaining equipment and preventing rust corrosion using FY21 Capital Budget funds of which \$6,000 is allocated for this purchase.

### **REQUEST TO ADVERTISE FOR PROPOSALS-POLE BUILDING-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to advertise a request for proposals for a new pole building at the Department of Public Works using FY21 Capital Budget funds, of which \$50,000 is allocated for this purchase.

### **HANGAR LEASE-AIRPORT**

Steve Nuwer, Airport Director, said: 1) recently the Council agreed to enter into an aircraft storage lease with Carl Deakyne for the South Hangar Space D at the Cambridge-Dorchester Regional Airport; and, 2) Mr. Deakyne has expressed a desire to rent the storage space A2 in the South Hangar for the storage of aircraft parts on a non-commercial basis. The Council approved Mr. Nuwer's request to enter into a lease with Mr. Deakyne for this space for \$125.00 per month.

### **2022 RURAL LEGACY APPLICATION-PLANNING AND ZONING**

The Council approved the request of Jason Boothe, Environmental Planner, on behalf of Herve Hamon, Planning and Zoning Director, for authorization to submit applications to the State for FY 2022 Maryland Rural Legacy Program preservation funds, which are allocated through the Maryland Department of Natural Resources, with the following areas being submitted in the following order: 1) Harriet Tubman Rural Legacy Focus Area as the first priority; 2) Eastern

Shore Heartland Rural Legacy Focus Area as the second priority; 3) the Nanticoke Rural Legacy Focus Area as the third priority area. The Council acknowledged that the Planning and Zoning Department is recommending rotating the priority of the Rural Legacy areas annually in order to assure that each area will have the opportunity for the highest priority.

#### **DORCHESTER COUNTY HAZARD AND FLOOD MITIGATION CORE TEAM MEMBERS APPROVAL REQUEST-EMERGENCY SERVICES**

Donna F. Lane, Acting County Manager, said: 1) every five years Dorchester County is required to update the All Hazards Mitigation Plan and Flood Mitigation Plan; 2) in October 2020 the Council agreed to enter into a Memorandum of Agreement with the Maryland Emergency Management Agency for funding to update these plans with a 75% (MEMA)/ 25% County match; 3) the County's match will be in-kind services which includes a volunteer rate, based on FEMA, of \$27.20 an hour and the salaries and benefits of County employees, who are not paid through a grant, 4) as part of the update process, a consultant is hired and a CORE Team is established; 5) in November 2020 the Council approved the hiring of Smith Planning & Design as consultant for these plan updates; 6) the request before Council is to approve the CORE Team members who will provide input on disasters the County faces, economic issues, flooding issues and major disasters, manmade or natural and with the consultant develop a list of projects to include in the plan; 7) also asking to include Patty Tieder to the list of proposed Committee members Council received so that she may represent the Taylors Island/Smithville Road group; and, 8) once the plans have been developed, they will be reviewed by MEMA and FEMA and then provided Council at a meeting for consideration/adoption; and, 9) these plans must be adopted prior to September 2022. The Council approved the CORE Team members and the inclusion of Ms. Tieder to that Team.

#### **REQUEST TO ACCEPT PEDIATRIC EDUCATION EQUIPMENT AWARD FUNDING-MIEMSS-EMERGENCY SERVICES**

The Council approved the request of Dozia Rahilly, Emergency Services Director, to accept a Maryland Institute for Emergency Medical Service Pediatric Education Equipment Award for \$2,000 to purchase the following pediatric training equipment on a reimbursement basis: 1) a special needs infant manikin; 2) various training equipment for the above manikin such as tracheostomy and gastrostomy equipment; and, 3) an infant and a Child intubation head.

#### **REQUEST TO SOLE SOURCE-EXPEND FY21 CAPITAL FUNDS-AMBULANCE PURCHASE-EMERGENCY SERVICES**

The Council approved the request of Ms. Rahilly to sole source with Atlantic Emergency Solutions to purchase a Road Rescue Ultramedic ambulance for which there is \$257,603 allocated in the FY21 Capital Budget.

#### **SOLE SOURCE/FY21 CAPITAL BUDGET EXPENDITURE REQUEST-STRETCHER AUTOMATIC LOADING SYSTEM-EMERGENCY SERVICES**

The Council approved the request of Ms. Rahilly to sole source with Stryker and utilize FY21 Capital Budget funds to purchase stretcher automatic loading systems (known as powerload

system upgrades) the powerload upgrade kits total is \$92,218.24 for which there is \$131,164 in the FY21 Capital Budget.

#### **INMATE MEDICAL SERVICES CONTRACT RENEWAL-ADDITIONAL REGISTERED NURSE-DEPARTMENT OF CORRECTIONS**

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to renew the Inmate Medical Services contract with Conmed, LLC beginning July 1, 2021 through June 30, 2022 for the fourth year of a five year term. The Council acknowledged that the base amount for professional health care services will increase by 2.8% revising the monthly compensation from \$63,635.11 to \$65,416.89. The Council also approved Mr. Hughes' request for the addition of a Registered Nurse to this contract using Corona Virus Emergency Supplemental Program funds of \$74,989.00 the Council was awarded. The County acknowledged that: 1) this position will be added to the current contract and will be included in the FY22 budget for the Detention Center at a total of \$158,414 for the 56 hours needed; 2) currently there is one RN position at the Detention Center; and, 3) there is a need for an additional RN since U.S. Immigration and Customs Enforcement Detainees will be housed at the Detention Center and due to COVID.

#### **ACCEPTANCE OF RESIGNATION-RECREATION AND PARKS**

The Council accepted the resignation of Frank Stout as Recreation and Parks Director. Mr. Stout noted that he received and accepted an unexpected job offer. He said he enjoyed his role as Director and appreciated the Council's support. Councilman Nichols said he was an inspiration for the youth basketball league. The Council agreed to advertise the position.

#### **MARYLAND DEPARTMENT OF TRANSPORTATION-STATE HIGHWAY ADMINISTRATION-REPAYMENT SCHEDULE-BESTPITCH BRIDGE**

The Council agreed to repay the Maryland Department of Transportation State Highway Administration for professional engineering services for the design of a new Bestpitch Bridge in two payments. The Council agreed to pay \$231,418.89 from the FY 2021 General Contingency Fund. The Council agreed to consider the allocation of funds for the second repayment of \$231,418.88 in FY2022 during the budget process. In response to a question from Councilwoman Nagel, Ms. Lane said the design was completed ten years ago. Councilman Travers explained that due to the amount of road repairs that were necessary, the construction costs for the bridge and based on the design, it was cost prohibitive to proceed.

#### **BOARD APPOINTMENTS**

The Council approved the request of Daniel P. McDermott, Executive Director, to appoint Terenda V. Thomas to the Upper Shore Workforce Investment Board as a Maryland Department of Labor representative for a three year term.

The Council also approved the request of Kathryn Dilley, Executive Director, Mid Shore Behavioral Health, to appoint Jennifer Berkman as a Dorchester County representative on the Regional Behavioral Health Advisory Committee.

**PAYMENT IN LIEU OF TAXES AGREEMENT-EGYPT ROAD SOLAR**

The Council agreed to move forward with a Payment of Lieu of Taxes Agreement between the County, the City and Egypt Road Solar contingent upon further review after receiving comments from Michael Spears, Finance Director; information from the City Manager regarding the actual cost if the PILOT were not entered into; and approval of the agreement by the City Council.

**EASTERN SHORE MUTUAL AID AGREEMENT -SHERIFF'S OFFICE**

The Council agreed to move forward with the legislative process to adopt an Eastern Shore Mutual Aid Agreement for the Sheriff's Office.

**POLL CONFIRMATION**

The Council confirmed its decision in the interim between meetings, via poll, that Council as a whole nor a Council Member shall be notified when an Advanced Life Support unit is downgraded to a Basic Life Support unit due to staffing issues, which does not include when ALS providers, due to a call, have to assist another unit, by a 3 to 2 vote. Councilman Pfeffer opposed.

**OTHER**

Councilman Newcomb said Council signed a Proclamation declaring February 8, to February 13, 2021 as SkillsUSA Week. He announced that: 1) a budget work session will be held on February 11, 2021 at 5 p.m. and, 2) the next Council meeting will be held on February 16, 2021 at 6 p.m.

**ADJOURNMENT**

With no further business to discuss, the Council adjourned.

ATTEST:

THE COUNTY COUNCIL  
OF DORCHESTER COUNTY:



Donna F. Lane, Acting County Manager



Jay L. Newcomb, President



Libby Handley Nagel, Vice President



William V. Nichols



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 2<sup>nd</sup> day of March, 2021.