

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

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:07 p.m. on the 16th day of March 2021. 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; and 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, Councilman Pfeffer and E. Thomas Merryweather, County Attorney, 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

After publication of the agenda, the Maryland Economic Development Assistance Fund Modification-Packing House-Economic Development item was removed as additional documents are forthcoming and the following items were added: FY21 Broadband Expansion Application Modification-Bay Country Communications and Discussion-Interhospital Transfers-Shore Health. The Council approved the amended agenda.

APPROVAL OF MINUTES

The Council approved the minutes of February 16, 2021 and March 2, 2021.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$18,330,468.71.

CLOSED SESSION SUMMARY

By conference call, the Council convened into Regular Session on March 16, 2021 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;

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; and George L. Pfeffer, Jr. Also present via the conference call was Donna F. Lane, Acting County Manager. Voting in favor of the Closed Session were the present Council Members. Councilmen Newcomb, Nichols and Pfeffer as well as Ms. Lane were also present in Room 110.

By conference call, the Council convened in a Closed Session on March 16, 2021 at 4:33 p.m. to discuss the following items: 1) selected applicants to interview for a County position; 2) discussed personnel matters relating to Emergency Services; 3) approved the request of Emergency Services Director to hire two individuals to fill Emergency Medical Technician positions by a 5 to 0 vote; 4) approved the request of Planning and Zoning Director to fill positions by a 5 to 0 vote; 5) approved the request of Public Works Director to hire an individual to fill a Motor Equipment Operator IV position in the Landfill Division by a 5 to 0 vote; 5) discussed the reclassification of an employee in a County Department; 7) discussed two matters relating to personnel; 8) received legal advice from County Attorney regarding a legal matter relating to grant; 9) received legal advice from County Attorney regarding a lease; 10) discussed with legal counsel a lease proposal for a County dock; and, 11) received legal advice from County Attorney regarding liability relating to a property utilized by the County

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, Councilman Nichols and Mr. Merryweather were also present in Room 110. Councilwoman Libby Handley Nagel and E. Thomas Merryweather, County Attorney, joined the meeting late.

REGULAR SESSION

MANAGERS COMMENTS

HARRIET'S JOURNEY HOME COMMITTEE-UPDATE-PLAN-STATUE

Adrian Holmes, President, Alpha Genesis Community Corporation (Alpha Genesis); Amy Craig, Clerk of the Court and Committee member and Herve Hamon, Planning and Zoning Director, referenced documents provided to the Council prior to this meeting showing the proposed location for a permanent statue of Harriet Tubman, in front of the Courthouse, on the High Street side at the top of the slope but slightly off to the side in order to not block the view of the entrance doors. Ms. Craig advised Council that Brett Wilson, Circuit Court Judge, is in support of this endeavor.

The Council approved the request of Ms. Holmes for a letter of support of Alpha Genesis' application to the Maryland Heritage Area Authority for \$50,000 for the purchase and permanent installation of the bronze sculpture of Ms. Tubman with no County match. She said they will ask to be placed on a future agenda to seek the Council's permission to place the sculpture in front of the Circuit Court House and for funding considerations.

FY 2022 ANNUAL TRANSPORTATION PLAN-DELMARVA COMMUNITY SERVICES

The Council approved the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. (DCS) - Delmarva Community Transit, for approval to submit a FY 2022 grant application to the Maryland Transit Administration for the below funds. The Council recognized that: 1) historically the local share under the operating grant is supported in part by the County's budget appropriation to DCS with the remainder being funded by the entity; and, 2) Santo Grande, President/CEO, has included a request for the County to provide the local match in his FY22 budget request. The Council took no action regarding the match.

- Operating: 1) Section 5311, Federal/State share \$501,951, Local share \$68,983, total of \$570,934; and, 2) SSTAP: State share \$122,724.00, Local share \$40,908, total \$163,632; and 3) ADA (American With Disabilities Act): State share \$50,000, Local \$5,556, total \$55,556.
- Capital: Preventative Maintenance: Federal /State share \$40,000; Local share \$10,000, total \$50,000.

REFERRAL TO PLANNING COMMISSION-TEXT AMENDMENT-COUNTY ZONING ORDINANCE

The Council approved the request of Herve Hamon, Planning and Zoning Director, to refer to the Planning Commission for its review and recommendation a text amendment to the Dorchester County Zoning Ordinance to: 1) eliminate the Special Exception process of review by the Planning Commission and the Board of Appeals for small sheds of 300 square feet or less; and 2) allow the construction of small sheds of 300 square feet on parcels without principal structures, when they are used for the maintenance or enjoyment of the parcel.

REQUEST TO USE COUNTY PROPERTY-VISITOR CENTER-DORCHESTER BANNER

The Council approved the request of Dave Cannon, Dorchester Banner, to use space at the Visitor Center at Sailwinds Park on May 20, 2021 for an outdoor community celebration of the winners of the Stars of the Banner and the Dorchester Banner's Hometown Heroes. The Council acknowledged that COVID-19 regulations at the time will be followed.

REQUEST TO SURPLUS TABLES-SMART BOARD-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director to declare an outdated Smart Board for disposal since it can no longer be used and six tables. In response to a question from Councilman Pfeffer, Donna Lane, Acting County Manager, advised an email was sent to Department Heads asking if they had use for the table to no avail.

TRANSFER POLICY-EMERGENCY MEDICAL SERVICES-EMERGENCY SERVICES

Ms. Lane advised that a modification of the Transfer Policy to establish a guideline for Dorchester County EMS ambulance transfers based on need has been made. She explained that the goal of this policy is to maintain a staffed ALS unit in the North, Central and South areas, and if not possible, an EMS ambulance transfer is initiated.

Councilman Newcomb said in the interest of transparency the decision was made to place this modification and future implementation of this policy on the agenda. He explained that it was put into place in 2017 by the Emergency Services Department and as a result of concerns from the volunteer fire companies it has been modified. Councilman Travers cited his concern that despite the Council's decision in June of 2020 another unit to address transfer issues had not been placed in service. A discussion ensued regarding the viability of placing this unit in service due to staffing issues, the need for additional equipment and other items. An option for volunteer fire companies providing assistance in staffing a unit was also discussed. Dozia Rahilly, Emergency Services Director, and Troi Lynn Faith, Administrative Associate, provided information during this discussion.

REQUEST FOR LETTER OF SUPPORT-AVENUES RECOVERY CENTER-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to submit a letter of support of the Avenues Recovery Center of Chesapeake Bay and its plans to obtain a Certificate of Need to better serve the needs of those suffering with Substance Use Disorder.

COVID GRANT RELIEF PROGRAM RESTAURANT APPLICATIONS-ECONOMIC DEVELOPMENT

The Council acknowledged its prior 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 to March 31, 2021. Based on the recommendation of Susan Banks, Economic Development Director, the Council agreed to split the remaining funds between all of the applicants and to remove the Yacht Club which received CARES Federal Funding as a Non-profit not as a restaurant.

HOTEL RELIEF GRANT DISTRIBUTION-ECONOMIC DEVELOPMENT

The Council approved the distribution of Hotel Relief Grant funds to the following list of bed and breakfasts and hotels that pursuant to the grant distribution requirements are eligible for funding: Albanus Phillips Inn, \$11,347; Cambridge House, \$14,869; Days Inn, \$53,396; Holiday Inn, \$174,460; and Hyatt Regency, \$445,715.

REQUEST TO REPAIR BUCKET TRUCK-AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to use CARES Act Grant funding awarded to the Airport in July 2020 to make repairs to the bucket truck of approximately \$2,300 by P&M Hydraulics, Inc.

REQUEST TO REPLACE COURTHOUSE CARPET REPLACEMENT-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director to award the bid for the replacement of carpet in in the Judge's Chambers, Family Services Offices and the Legal Systems Office at the Circuit Court House to Shorely Beautiful for \$11, 953.62 using \$10,000 in the FY 20/21 Capital Budget allocated for this purpose and \$1,953.62 remaining savings from the Courthouse painting project. \$210,000 was allocated for this project in the FY 20/21 Capital Budget. The project cost was \$ 45,000 leaving an unspent balance of \$ 165,000. I would like to use \$ 1,953.62 of the unspent balance to fund the remaining amount of this project.

REQUEST TO ADVERTISE FOR PROPOSALS-MARINE FACILITIES-PORTABLE TOILETS-PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise a request for proposals for marine facility services for portable toilets for the period from May 1 to October 31, 2021 with funding for this project being covered by a \$5,000 Department of Natural Resources grant.

REQUEST TO ABANDON-CLOSE MOWBRAY CREEK ROAD-PUBLIC WORKS

Mr. Edwards presented his request to start the procedure of abandoning/closing of the gravel Mowbray Creek Road (off of North Tara Road), which is approximately a 1.75 mile portion in length that serves no purpose. He advised that there are currently no residences on Mowbray Creek Road and, there is a large gravel pit that operates off this road. Ms. Lane advised that: 1) if Council agrees to abandon/close this road an informational public hearing will be held; 2) if a decision is made after that hearing to proceed the legislative process will be followed; and, 3) Public Works staff will notify property owners of the legislative public hearing/adoption in case they wish to speak. The Council agreed to proceed with the informational public hearing.

MARYLAND HERITAGE AREAS AUTHORITY GRANT APPLICATIONS-TOURISM

The Council approved request of Amanda Fenstermaker, Tourism Director, to submit the following Maryland Heritage Areas Authority Grant applications: 1) Maryland Heritage Areas Authority Intent to Apply for the project grant titled "Saving the Historic Bayly Cabin; 2) MHAA Block Grant application from last year (FY2021); and, 3) MHAA Management Grant application from last year. The Council acknowledged the receipt of the budget for the Management Grant which includes the cost for Heritage Area Management into one line item since a decision has not yet been reached on continuing with a full time employee or contracting out management services.

HVAC UNIT CONTROL SYSTEM-DETENTION CENTER-DEPARTMENT OF CORRECTIONS

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to sole source with Global Control Module to upgrade the existing HVAC Unit Control System using FY 2020 Capital Budget funds.

FY21-26 AIRPORT CAPITAL IMPROVEMENT PLAN-AIRPORT

Based on the request of Mr. Nuwer, the Council approved and agreed to submit the FAA FFY2021-2026 Airport Capital Improvement Plan (ACIP) for Dorchester County to the Federal Aviation Administration.

NOXIOUS WEED CONTROL ADVISORY COMMITTEE APPOINTMENT REQUEST-MARYLAND DEPARTMENT OF AGRICULTURE

The Council agreed to appoint Chip Fleming as the County's representative on the newly reformed Noxious Weed Control Program Advisory Committee.

PROPOSED FY 2021-2022 HOLIDAY SCHEDULE

The Council adopted the FY 2021-2022 Holiday Schedule.

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

The Council agreed to execute Resolution 637 to continue the Local State of Emergency and Executive Order COVID-19 Public Health Emergency to May 31, 2021.

LETTER OF SUPPORT-RESTORATION OF STATE DISPARITY GRANT-FINANCE

Based on request from Martha Sparks, Assistant Finance Director, the Council agreed to send a letter of support to David Brinkley, Secretary, Maryland Department of Budget Management for the restoration of State Disparity Grant funds by Governor Lawrence Hogan, through a budget amendment,

FY21 BROADBAND EXPANSION APPLICATION MODIFICATION-BAY COUNTRY COMMUNICATIONS

Ms. Lane advised that 1) at its January 5, 2021 meeting the Council agreed to sponsor a FY21 Broadband Grant from the Department of Housing and Community Development, which is a pass through to Bay Country Communications (BCC), to continue to build fiber to underserved areas along Route 343/Neck District and Town Point; 2) Rick Gordon, Director, Governor's Office of Rural Broadband, advised they have the ability to award the grant directly to BCC; 3) he advised that Governor's Act Relief Funds can be provided to BCC which will relieve the County of all reporting and invoicing responsibilities and will require BCC to submit a new

application with themselves as an applicant. The Council concurred with the change in the application and the new funding method.

DISCUSSION-INTERHOSPITAL TRANSPORTS-SHORE HEALTH

The Council agreed to the scheduling of a second meeting between County and Shore Health representatives to stress the need to ensure that Shore Health takes responsibility for interhospital transports.

ADJOURNMENT


The Council concurred with Councilman Pfeffer's request to hold a Legislative Session at its April 6, 2021 meeting so that he may reintroduce a property tax credit for volunteer fire service members.

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 20th day of April, 2021.