

County Council of Dorchester County
Regular Meeting Minutes
May 4, 2021

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:05 p.m. on the 4th day of May, 2021. A roll call of the members was conducted. Present on the conference call were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; 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 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. A moment of silence was held for Mr. and Mrs. Smith and the past Sheriff, Phillip McKelvey.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES

The Council approved the minutes of April 6, 2021.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$10,239,449.44

CLOSED SESSION SUMMARY

By conference call, the Council convened into Regular Session on May 4, 2021 at 4:43 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; Libby Handley Nagel, Vice President; George L. Pfeffer, Jr. and Ricky C. Travers. Also present via the conference call was Donna F. Lane, Acting County Manager, who was also in Room 110. Voting in favor of the Closed

Session were the present Council Members. Councilman Newcomb, Councilman Nichols and Mr. Merryweather were also present in Room 110.

By conference call, the Council convened in a Closed Session on May 4, 2021 at 4:44 p.m. to discuss the following items pursuant to §3-305(b)(1) and §3-305(b)(7):

- 1- Discussed a matter relating to the discipline of a County employee(s);
- 2- Approved the request of the Emergency Services Director to hire an individual as a full time Paramedic by a 4 to 0 vote;
- 3- Reviewed and discussed comments from County personnel.
- 4- Obtained legal advice from County Attorney on condemnation of property for an avigation easement and acknowledged that a discussion on this matter is being held in open session.

Present on the conference call were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; George L. Pfeffer, Jr. and Ricky C. Travers. Also present via the conference call and in Room 110 was Donna F. Lane, Acting County Manager. Councilman Newcomb and Councilman Pfeffer were also in Room 10. E. Thomas Merryweather, County Attorney, joined the meeting late.

PROCLAMATION-CORRECTIONAL OFFICER'S WEEK

The Council presented a Proclamation declaring May 2 to May 8, 2021 Correctional Officer's Week.

BUDGET PUBLIC HEARING

The Council adjourned into a public hearing.

E. Thomas Merryweather, County Attorney, said this is the first of three public hearings on the proposed FY2022 budget. Beth Wilson, Director of Operations, Dorchester County Public Schools, asked Council to add to the proposed Capital Budget the \$321,000 the Board of Education requested for the fire alarm and emergency notification system for the Cambridge South Dorchester High School complex. She said the Interagency Committee for Public School Construction has approved the State's share for this project. Mr. Merryweather asked if anyone on the telephone wished to speak. There was no response. Donna F. Lane, Acting County Manager, noted that: 1) a second budget public hearing and a constant yield hearing will be held on May 11, 2021; and, 2) a legislative public hearing/adoption will be held on May 18, 2021. .

LEGISLATIVE SESSION

The Council convened into Legislative Session.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO APPROVE EXECUTION OF A LAW ENFORCEMENT MUTUAL AID AGREEMENT BY AND BETWEEN DORCHESTER COUNTY; WICOMICO COUNTY, MARYLAND; SOMERSET COUNTY, MARYLAND, WORCESTER COUNTY, MARYLAND TALBOT COUNTY, MARYLAND; CAROLINE COUNTY, MARYLAND; QUEEN ANNE'S COUNTY, MARYLAND; KENT COUNTY, MARYLAND; AND, CECIL COUNTY, MARYLAND; AND, EACH OF THE SHERIFF'S FOR THE FOREGOING JURISDICTIONS, PURSUANT TO SECTION 2-105 OF THE CRIMINAL PROCEDURE ARTICLE, MARYLAND ANNOTATED CODE.

E. Thomas Merryweather, County Attorney, said before Council is a bill for introduction which will approve the execution of a Law Enforcement Mutual Aid Agreement by and between Dorchester County, Wicomico County, Somerset County, Worcester County, Talbot County, Caroline County, Queen Anne's County, Kent County, Cecil County and each of the Sheriffs for these jurisdictions, pursuant to Section 2-105 of the Criminal Procedure Article of the Annotated Code of Maryland. The Council agreed to proceed with publication of a public hearing on this matter.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED "ZONING", SECTION 155-5(A) OF THE DORCHESTER COUNTY CODE TO REPEAL AND REENACT SECTION 155-50(A)(2) OF ARTICLE IX, ENTITLED SUPPLEMENTARY USE REGULATIONS OF CHAPTER 155 ENTITLED "ZONING" OF THE DORCHESTER COUNTY CODE PROVIDING THAT CERTAIN ACCESSORY USES OR STRUCTURES SHALL BE PERMITTED UNDER CERTAIN CONDITIONS.

Mr. Merryweather said this bill which repeals and reenacts Section 155-50(A)(2) of Article IX, entitled Supplementary Use Regulations of chapter 155 entitled "Zoning" of the Dorchester County Code providing that certain accessory uses or structures shall be permitted under certain conditions is before Council for introduction. The Council agreed to proceed with publication of a public hearing on this matter.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED "ZONING", SECTION 155-5(A) OF THE DORCHESTER COUNTY CODE TO ADD AND TO ENACT NEW SECTION 155-63.1 ENTITLED, MASTER SIGN PLANS FOR AUTOMOBILE DEALERSHIPS SELLING MULTIPLE BRANDS OF VEHICLES, TO ARTICLE XII ENTITLED SIGNS TO CHAPTER 155 "ZONING" OF THE DORCHESTER COUNTY CODE PROVIDING FOR FLEXIBILITY IN THE APPLICATION OF SIGN REGULATIONS FOR AUTOMOBILE DEALERSHIPS ON LARGE SITES THAT SELL MULTIPLE BRANDS OF VEHICLES.

Mr. Merryweather said before Council for introduction is a bill to add and to enact new Section 155-63.1 Entitled, Master Sign Plans for Automobile Dealerships selling multiple brands of vehicles, to Article XII entitled Signs to Chapter 155 “Zoning” of the Dorchester County Code providing for flexibility in the application of sign regulations for automobile dealerships on large sites that sell multiple brands of vehicles. The Council agreed to proceed with publication of a public hearing on this matter.

REGULAR SESSION

The Council adjourned into Regular Session.

MANAGERS COMMENTS

HARRIETT’S JOURNEY HOME COMMITTEE-STATUE PRESENTATION

Amy Craig, a resident and Clerk of the Court and Adrian Holmes, President of Alpha Gensis Community Corporation, members of the Harriett’s Journey Home Committee and Herve Hamon, Planning and Zoning Director, presented the endorsement of Brett Wilson, Circuit Court Judge, for the placement of a Harriet Tubman Statue on the Court House Grounds and to use Transfer Tax Funds of \$50,000 for site preparation and hardscaping. She said the Committee will raise funds for the statute. Ms. Holmes thanked the Council’s prior support for the Day of Resilience which was held in 2019 and in 2020 with the Harriet Tubman Statue Exhibit at the Court House. Councilman Pfeffer said he was present during the Day of Resilience and expressed hope that the project comes to fruition. In response to a question from Councilman Travers, Mr. Spears said the \$50,000 in Transfer Funds can be placed in the FY2022 budget. Pursuant to a query from Councilman Newcomb, Mr. Hamon said the expected delivery date of the statute is the fall of FY2022 and the expectation is that the money will be needed in advance to prepare the site. The Council agreed to consider the request after the second public hearing has been held on the proposed FY2022 budget. The Council approved the request to place the statue on the Court House grounds.

OBSTRUCTION REMOVAL PROJECT-PHASE 2 WETLAND DELINEATION PERMITTING RESUBMITTAL-AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to submit a revised Federal Aviation Administration (FAA) grant application for funding of \$25,000 for the wetland delineation and permitting of two of four parcels in Phase 2 of this process. The Council acknowledged that FAA has confirmed that all FY2021 Airport Improvement Plan grants will be funded 90% by the FAA and 10% by the American Rescue Plan Act of 2021.

REQUEST TO ADVERTISE FOR PROPOSALS-MAINTENANCE BUILDING ROOF REPLACEMENT-AIRPORT

The Council approved the request of Mr. Nuwer to advertise for proposals for the replacement of the roof of the Maintenance Building at the Cambridge-Dorchester Regional Airport for which FY21 Capital Budget funds have been allocated.

CONDEMNATION FOR AVIGATION EASEMENT PROPERTY-AIRPORT

The Council, based on the request of Mr. Nuwer, agreed to move forward with legal proceedings to condemn 8.927 acres of property on Bucktown Road owned by Edmond H. Burns, IV for an avigation easement only.

CONTINUED DISCUSSION-FUEL OPTIONS-PUBLIC WORKS

Dave Edwards, Public Works Director, summarized and provided pros and cons for the following three options to provide fuel for County vehicles: Mr. Edwards presented the following options for fuel for County vehicles: 1) fuel pump replacement; 2) purchasing fuel from an outside source; and, 3) obtaining fuel from DGS from the State Highway Administration facility in Cambridge. Based on Mr. Edwards' recommendation the Council agreed to the replacement of the fuel pumps with Councilman Travers opposing. In response to an inquiry from Councilman Newcomb, Ms. Wilson said the use of the pumps for school buses will assist in cutting costs.

ROOF REPAIR APPROVAL REQUEST-ST. CLAIR BUILDING-SHORE UP

The Council approved the request of Freddy Mitchell, Executive Director, Shore Up, Inc. to proceed with roof repairs on the County owned property, known as the Old St. Clair School, located at 824 Fairmount Avenue, Cambridge, which is leased to this entity. The Council acknowledged that pursuant to the lease with Shore Up, Inc. approval is necessary prior to this entity making repairs using its own funds.

BID AWARD-MARINE FACILITIES-PORTABLE DUMPSTERS-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for portable dumpsters at the County's marine facilities to the lowest bidder Bennett Waste, for a three year period.

BID AWARD-GENERATOR SERVICES-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for a service agreement for once yearly service maintenance on generators located at the County Office Building, County Court House, Highway Division and Airport to Barnes Electric, the lowest bidder, for two years for a total of \$3,680 per year with funding for the maintenance line items of each Department.

REQUEST TO SOLE SOURCE-HVAC UNIT REPLACEMENT-BUCKTOWN TOWER-EMERGENCY SERVICES

The Council approved the request submitted by Nicholas Kovach, 911 Communications Manager, on behalf of Dozia Rahilly, Emergency Services Director, to sole source with JL Gannon for the replacement of one HVAC unit at the Bucktown Tower at the cost of \$9,850 for which funds will come from FY 21 Emergency Services Operational budget under Contractual Services.

FY21 MARYLAND RELIEF ACT DISPARITY FUNDING-FINANCE

Ms. Lane noted that at its April 20, 2021 meeting, the Council deferred a discussion regarding the potential use of \$360,034.00 FY21 Maryland Relief Act Disparity Funding until this meeting. The Council agreed to defer consideration of the use of these funds until the last budget public hearing has been held.

GRANT RENEWAL REQUEST- MARYLAND CRIMINAL INTELLIGENCE NETWORK PROGRAM-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, to renew the Maryland Criminal Intelligence Network Program grant for funding of \$180,000 to support project coordination, data collection and analysis, police overtime for specialized operations and prosecution of high priority offenders.

SURPLUS DECLARATION REQUEST-INFORMATION TECHNOLOGY

The Council approved the request of Don Keyes, Information Technology Director, to declare various Information Technology equipment as surplus provided sensitive material is removed prior to disposition.

EGYPT ROAD SOLAR-REVISED PAYMENT OF LIEU OF TAXES AGREEMENT-CONTINUED DISCUSSION

Ms. Lane said: 1) its April 20, 2021 meeting, the Council agreed to proceed with negotiation with the City of Cambridge on the distributions outlined in a revised Payment in Lieu of Taxes between the City, County and Egypt Road Solar, LLC; and, 2) Patrick Comiskey, City Manager, has asked if the County Council is willing to split the property tax payout of \$6.7 million over 35 years 50/50 each year. Councilman Travers said he wants to ask Finance staff some questions regarding this payment of lieu of taxes. The Council agreed to defer this item.

ANNUAL HOUSING BOND ALLOCATION-DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Council approved the written request of Maddy Ciulu, Director, Single Family Housing, Maryland Department of Housing and Community Development (DHCD), to transfer Dorchester County's 2021 tax-exempt housing bond allocation of \$1,231,923 to the Community Development Administration (CDA) for the CDA Maryland Mortgage Program.

AMERICAN RESCUE PLAN ACT OF 2021-DEPENDENT CARE INCREASE-HUMAN RESOURCES

The Council deferred consideration of the recommendation of Chet McWilliams, Insurance Broker, submitted by Becky Dennis, Human Resources Director, to increase dependent care rates for calendar year 2021 only to \$10,500 (\$5,250 for married individuals that file separately) to obtain additional information. The Council recognized that the American Rescue Plan Act of

2021 was signed on March 11, 2021 and included a temporary increase independent care assistance plan annual limits for the 2021 tax year.

HEALTH INSURANCE RENEWAL

The Council agreed to renew the County's Health Plan which will become effect July 1, 2021 and to change to "Option 4b" which will increase the specific stop loss from \$165,000 to \$175,000.

**LEASE AGREEMENT-BOYS AND GIRLS CLUB-RECREATIONAL FACILITY-
RECREATION AND PARKS**

The Council agreed that Ms. Lane and Michael Diaz, Recreation and Parks Director, can provide revisions to the lease agreement between the County and Boys and Girls Club of Metropolitan Baltimore (BGC) for space at the County's recreational facility to BGC and continue to work with this entity to negotiate lease terms. The Council recognized that once a lease has been finalized it must be provided to Program Open Space for its approval as this entity provided 100% of the funding to purchase the recreational facility.

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 15th day of June, 2021.