

**County Council of Dorchester County**  
**Regular Meeting Minutes**  
**June 15, 2021**

By conference call, open to the public, the County Council of Dorchester County convened in Open Session at 6:02 p.m. on the 15<sup>th</sup> day of June, 2021. A roll call of the members was conducted. Present on the conference call and in Room 110 were: Jay L. Newcomb, President; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present via telephone was Donna F. Lane, Acting County Manager. E. Thomas Merryweather, County Attorney, joined the meeting late.

**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 following items were added : Security Camera Upgrade Project Request-Economic Development, Resolution Amendment-Maryland Economic Development Assistance Fund Modification-Packing House-Economic Development; Request To Advertise-Emergency Management-Homeland Security Planner Position; and Request For Proposals Contractual Services For The Heart Of Chesapeake Country Heritage Area Management. The Council approved the amended agenda.

**APPROVAL OF MINUTES**

The Council approved the minutes of April, 20, 2021 and May 4, 2021.

**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 \$6,461,430.

**CLOSED SESSION SUMMARY**

By conference call, the Council convened into Regular Session on June 15, 2021 at 5:04 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; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present via the conference call were E. Thomas Merryweather, County Attorney; Donna F. Lane, Acting County Manager. Voting in favor of the Closed Session were the present Council Members.

By conference call, the Council convened in a Closed Session on June 15, 2021 at 5:05 p.m. to discuss the following items pursuant to §3-305(b)(1) and §3-305(b)(7):

- 1- Approved the request of Director of the Department of Corrections to include additional compensation to certain Correctional Officers by a 5 to 0 with one proxy vote;
- 2- Approved the request of the Finance Director to transfer a current Fiscal Clerk to another vacant Fiscal Clerk position and to hire an individual to fill the resulting Fiscal Clerk position by a 5 to 0 vote (one proxy vote);
- 3- Approved a salary adjustment request for a County employee by a 5 to 0 vote (one proxy vote);
- 4- Approved the resignation of a County Department Head and agreed to consider a reassignment of that individual in open session by a 5 to 0 vote (one proxy vote);
- 5- Denied the request of the Emergency Services Director for an individual to work on call hours to assist with administrative functions by a 4 to 1 vote (one proxy vote);
- 6- Approved a job posting and revised job description with one change for the Emergency Management-Homeland Security Planner Position in the Emergency Services Department by a 4 to 1 vote (one proxy vote) and agreed to consider advertising the position in open session;
- 7- Discussed a personnel matter relating to the adopted FY 2022 budget; and
- 8- Obtained legal advice on correspondence regarding a personnel 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 was Donna F. Lane, Acting County Manager. E. Thomas Merryweather, County Attorney, joined the meeting late.

## **LEGISLATIVE SESSION**

**BILL NO. 2021-13 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 10-202 AND SECTION 10-328 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL AND REENACT SECTION 116-6(A) ENTITLED "ENFORCEMENT; COMPLAINT, INVESTIGATION AND ABATEMENT" OF CHAPTER 116 ENTITLED "NUISANCE CONTROL" OF THE DORCHESTER COUNTY CODE TO PROVIDE THAT THE DESIGNATED AGENT OF THE DEPARTMENT OF PLANNING AND ZONING SHALL BE THE ENFORCEMENT OFFICER OF CHAPTER 116 OF THE DORCHESTER COUNTY CODE**

E. Thomas Merryweather, County Attorney, said scheduled for introduction is legislation to repeal and reenact Section 116-6(a) entitled "Enforcement; complaint, investigation and

abatement” of Chapter 116 entitled “Nuisance Control” of the Dorchester County Code to provide that the designated agent of the Department of Planning and Zoning shall be the enforcement officer of Chapter 116 of the Dorchester County Code.

The Council agreed to proceed to publication of the public hearing.

**BILL NO. 2021-4 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED ZONING SECTION 155-5(B) OF THE DORCHESTER COUNTY CODE REZONING A PARCEL OF LAND OWNED BY LINKWOOD VENTURES, LLC, LOCATED ON THE EAST SIDE OF U.S. ROUTE 50 (OCEAN GATEWAY) AND ON THE NORTH SIDE OF MILL ROAD, CONTAINING 31.430 ACRES OF LAND, MORE OR LESS, (PLAT 60/73), IN THE LINKWOOD ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND, TAX MAP 43, GRID 18, PARCEL 80 (LOT 1), TAX ACCOUNT NO. 14-286596 AND BEING A PART OF THE LAND DESCRIBED IN DEED DATED MAY 26, 2005 AND RECORDED AMONG THE LAND RECORDS OF DORCHESTER COUNTY, MARYLAND IN LIBER 651, FOLIO 601, FROM A RURAL RESIDENTIAL DISTRICT (RR) TO A GENERAL BUSINESS DISTRICT (B-2).**

The Council accepted the Findings of Fact prepared by Mr. Merryweather for Bill No. 2021-4 which rezones a parcel of land owners by Linkwood Ventures, LLC, located on the east side of U.S. Route 50 (Ocean Gateway) containing 31.430 acres of land, more or less to change it from a Rural Residential District (Rr) to a General Business District (B-2).

The roll call on Bill 2021-4 was: Nichols-aye; Nagel-absent; Newcomb-aye; Pfeffer-aye; Travers-aye.

**BILL NO. 2021-5 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO CHAPTER 155, ENTITLED ZONING SECTION 155-5(B) OF THE DORCHESTER COUNTY CODE REZONING A PARCEL OF LAND OWNED BY W. WAYNE BROWN AND CHERYL L. BROWN, HIS WIFE, LOCATED ON THE NORTH SIDE OF U.S. ROUTE 50 (OCEAN GATEWAY), CONTAINING 3.005 ACRES OF LAND, MORE OR LESS, AND KNOWN AS 3220 OCEAN GATEWAY, CAMBRIDGE, MARYLAND 21613, IN THE LINKWOOD ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND AND BEING TAX MAP 42, GRID 5, PARCEL 204, TAX ACCOUNT NO. 14-005676 AND RECORDED AMONG THE LAND RECORDS OF DORCHESTER COUNTY, MARYLAND IN LIBER 1087, FOLIO 402, FROM A RURAL RESIDENTIAL DISTRICT (RR) TO A GENERAL BUSINESS DISTRICT (B-2).**

The Council accepted the Findings of Fact prepared by Mr. Merryweather for Bill No. 2021-5 which rezones a parcel of land owned by W. Wayne Brown and Cheryl L. Brown, his wife, located on the north side of U.S. 50, containing 3.005 acres of land, more or less, and known as 3220 Ocean Gateway, Cambridge, Maryland from a Rural Residential District to a General Business District.

The roll call on Bill 2021-5 was: Nichols-aye; Nagel-absent; Newcomb-aye; Pfeffer-aye; Travers-aye.

## **MANAGERS COMMENTS**

### **COMMERCIAL LEASE-SOUTH HANGAR-AIRPORT**

The Council deferred consideration of the request of Carl Deakyne, (Eastern Shore Sport Aviation), to change his lease for renting space in the South Hangar for non-commercial aircraft storage so he can perform aircraft maintenance and repair to obtain additional information. Councilwoman Nagel opposed the request via written proxy.

### **TIPPING FEE WAIVER REQUESTS-CITY OF CAMBRIDGE**

Pat Escher, Division Manager, Divisions of Planning & Zoning and Housing, presented a request on behalf of the City of Cambridge for tipping fee waivers for the following properties which were purchased to eliminate blight: 600 Douglas Street, 602 Douglas Street, 811 Park Lane, 813 Park Lane, 642 Washington Street. She recognized that this request was addressed at a prior meeting, during which the Council denied the requests. She said she is asking Council to reconsider this request. She said she and staff were not familiar with the process, particularly as it relates to submitting requests prior to the advertising for requests for proposals for contractors. She said in the future they will comply with the requirement to apply for a tipping fee waiver prior to advertising for proposals.

She explained that requests for proposals for contractors to demolish the structure(s) on all of the properties with the exception of 642 Washington Street were advertised and bids have been received. She said if Council approves the request staff will work with the contractor(s) to modify bid proposal(s) to reduce the bid amount accordingly. She stated that their best guess is a 7 ton tipping fee waiver.

She expressed his understanding that there was also concern that the contractor may recycle some of the materials in these homes. She said due to the condition of the structures this may not be an option. Councilman Newcomb noted that if a vendor has a landfill, they wish to recycle material. In response to a question from Mr. Merryweather, Ms. Escher said homes will be built on some of the properties while others will be sold to adjacent owners which will increase the tax base. Pursuant to Councilman Travers' inquiry, Ms. Escher said bids have not yet been sought for 642 Washington Street. The Council agreed to waive the landfill tipping fees for 642 Washington Street since it is blighted property. Councilwoman Nagel opposed via written proxy.

### **TRAINING REQUEST-EMERGENCY SERVICES**

The Council approved the request of Dozia Rahilly, Emergency Services Director to send logistic team leaders, Julie Schuyler and Mike Bramble to the operative IQ inventory management training held in Atlanta, Georgia at the approximate cost of \$2,000 for registration and travel from the training line item. Councilwoman Nagel voted in favor of the request via written proxy.

#### PARAMEDIC PROGRAM-EMERGENCY SERVICES

The Council approved the request of Ms. Rahilly to pay the tuition for four Emergency Medical Services employees to staff to enroll and successfully complete a Paramedic program who will have to sign a contract to work for the County for two years after completion. Councilwoman Nagel voted in favor via written proxy.

#### BID AWARD-HOOPERSVILLE RESILIENCY PROJECT-PLANNING AND ZONING

The Council approved the request of Herve Hamon, Planning and Zoning Director to award the bid for the Hoopersville Resiliency project to BayLand Consultants and Designers at the cost of not to exceed \$55,000 with Councilwoman Nagel voting via written proxy. In response to an inquiry from Councilman Newcomb Gary McQuitty, resident said he is in favor of the recommendation.

#### REQUEST TO APPROVE APPLICATIONS-HOTEL AND BED & BREAKFAST AND ONLINE SALES RELIEF GRANTS-ECONOMIC DEVELOPMENT

The Council approved applications for the Hotel and Bed & Breakfast and Online Sales, contingent upon any required paperwork being submitted, as follows with Councilwoman Nagel voting via written proxy.

##### Hotels and Bed and Breakfast

Comfort Inn, \$21,260

Cambridge Inn, \$21,260

Ann Damianos- B&B, \$5,000

Deborah Marvel - Marvels on the Creek B&B, \$5,000

##### Online Sales

Sunnyside, \$2,626.93

#### REQUEST TO USE COUNTY PROPERTY-BERM-DUCK RACE-ROTARY CLUB-MAIN STREET-RESCUE FIRE COMPANY

The Council approved the request of Amy Craig, Clerk of the Court and resident, on behalf of the Rotary Club of Cambridge, Main Street and Rescue Fire Company to hold the first annual fundraiser "Duck Race" on September 25 and a rain date of September 26 on County owned berm depending on weather with the understanding that the Committee members will work with Tourism staff if an issue arises with the proposed day at a later date. Councilwoman Nagel voted in favor via written proxy.

#### REQUEST TO USE COUNTY PROPERTY-AMPHITHEATER AT SAILWINDS PARK- TOURISM-TENT AMERICA EVENT

The Council approved the request of Amanda Fenstermaker, Tourism Director, on behalf of the Tent America-Cambridge committee, use the amphitheater at Sailwinds Park for an event which runs continuously September 10 to September 12, 2021 with Councilwoman Nagel voting via written proxy.

#### NAMING - COUNTY OWNED PROPERTY - 4556 OCEAN GATEWAY VIENNA

The Council deferred naming the County owned property located at 4556 Ocean Gateway, Vienna which currently houses the Dog Control Facility until a decision is made on whether the Emergency Medical Services unit/staff will also be permanently located on that property. Councilwoman Nagel proposed "J Baynard Complex" as the name for the property via written proxy.

#### RECOMMENDATION-RECREATIONAL FACILITY NAME-PROPOSED DEDICATION

The Council agreed to name the recreational facility as the Dorchester County Athletic Complex at Leonard's Lane.

#### RESTRICTING COMMISSION

The Council recognized that: 1) the Democratic and Republican Central Committees have submitted nominees for each Councilmanic District for the Redistricting Committee to be formed pursuant to Section 213 of the County Charter; 2) there are some changes that need to be made on each list; 3) due to Covid-19 the census data needed for redistricting will be not be released until September 2021; and, 4) the Council needs to appoint an individual.

#### CHARTER REVIEW COMMISSION

The Council deferred appointments to the Charter Review Commission pursuant to Section 603 of the County Charter. Councilman Nichols recommended Linda Henry be appointed as the at-large member.

#### BOARD APPOINTMENT-UPPER SHORE WORKFORCE INVESTMENT BOARD

The Council approved the request of Daniel P. McDermott, Executive Director, Upper Shore Workforce Investment Board, to: 1) reappoint Tyler Patton, the Vice President of Public Affairs for the Maryland Broadband Cooperative to the Upper Shore Workforce Investment Board as a representative for Dorchester County for another three year term; and, 2) appoint Jennifer Dubusq, Social Services Director, to the Board as the Social Services representative.

#### SECURITY CAMERA UPGRADE PROJECT REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to sole source with Safehouse to upgrade the security camera system at the Eastern Shore Innovation Center which consists of the replacement of the old cameras which are outdated, have limited indoor surveillance functions and no outdoor perimeter security features at the cost of \$5,838.47 for which funds will be used from the Other Expenses Line Item included in the Economic Development FY21 Operating Budget. Based on concerns Councilman Nichols expressed about lighting at the Eastern Shore Innovation Center, Ms. Lane said she will ask Ms. Banks to look into this matter.

#### RESOLUTION AMENDMENT-MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND MODIFICATION-PACKING HOUSE-ED

The Council recognized the receipt of a request to change the Resolution in support of a grant of \$500,000 from the Maryland Department of Commerce to the County that will be re-granted by the County to 411 Dorchester CSP, LLC, a Maryland limited liability company which Council approved on April 6, 2021 to include SHPS Investors as co-recipient. The Council approved the request and agreed to adopt a Resolution. The Council authorized Mr. Merryweather to prepare the Resolution.

#### REQUEST FOR PROPOSALS CONTRACTUAL SERVICES FOR THE HEART OF CHESAPEAKE COUNTRY HERITAGE AREA MANAGEMENT

The Council agreed to sole source with Amanda Fenstermaker, Tourism Director, for contractual services for the Heart of Chesapeake Country Heritage Area Management. The Council acknowledged that she has submitted her resignation as Tourism Director.

#### REQUEST TO ADVERTISE-EMERGENCY MANAGEMENT-HOMELAND SECURITY PLANNER POSITION

The Council recognized that this request was added after publication of the agenda. The Council agreed to advertise an Emergency Management-Homeland Security Planner position.

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 20<sup>th</sup> day of July, 2021.