

County Council of Dorchester County
Regular Meeting Minutes
September 7, 2021

The County Council of Dorchester County convened in Open Session at 6:03 p.m. on the 7th day of September 2021. The meeting was also available to the public by conference call. 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; and, Ricky C. Travers. Also present in Room 110 and via telephone were E. Thomas Merryweather, County Attorney; and Donna F. Lane, Acting County Manager.

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: Request to Enter Into Cyber Security and Network Monitoring Proposal-Contract-Emergency Services; Surplus Property Request-Sheriff's Office; Condemnation Request for Avigation Easement-Airport; Request to Accept Grant-Airport Improvement Program Project-Airport; and Grant Acceptance Request-Airport Obstruction Removal Phase 2-Wetland Delineation & Permitting Project-Airport. The following item was deferred: Public Consulting Group Contract-Emergency Services Transponder Supplemental Program-Emergency Services. 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 \$15,011,038.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on September 9, 2021 at 5:12 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. The meeting was also available to the public by conference call. Present on the conference call and in Room 110 were: Jay L. Newcomb, President; William V. Nichols; and, Ricky C. Travers. Also present in Room

110 and via the conference call was Donna F. Lane, Acting County Manager. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on September, 2021 at 5:13 p.m. to discuss the following items pursuant to §3-305(b)(1).

- 1- Approved the request of the Public Works Director to hire an individual to fill a Maintenance/Custodian vacancy by a 4 to 0 vote with one vote by written proxy;
- 2- Approved the request of the Public Works Director to hire an individual as a Landfill Transfer Station Attendant by a 4 to 0 vote with one vote via written proxy and to transfer an employee to another transfer station by a 3 to 1 vote with one vote by written proxy and one abstaining;
- 3- Confirmed the hiring by Sheriff Phillips of a Sheriff's Deputy by a 4 to 0 vote with one vote via written proxy;
- 4- Approved a salary adjustment for a District Manager position and a Technician position for Soil Conservation by a 4 to 0 vote with one vote via written proxy.

Present on the conference call and in Room 110 were: Jay L. Newcomb, President; William V. Nichols; and Ricky C. Travers. Also present via the conference call and in Room 110 was Donna F. Lane, Acting County Manager. E. Thomas Merryweather, County Attorney, joined the meeting late via conference call and in Room 110.

COMMENDATION-RETIREMENT-GRANIVAL BATSON

The Council presented a Commendation to Granival Batson congratulating his on his retirement and commending his 16 years of service to Dorchester County

LEGISLATIVE SESSION

INTRODUCTION

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 DEPENDING ON THE VIOLATION, THE HEALTH OFFICER OF DORCHESTER COUNTY OR HIS DESIGNEE OR 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 before Council 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 depending on the violation, the Health Officer of Dorchester County or his designee

or the designated agent of the Department of Planning and Zoning shall be the enforcement officer of Chapter 116 of the Dorchester County Code. He noted that the legislation was drafted at the request of the Planning and Zoning Department staff and in concurrence with the Dorchester County Health Department. The Council agreed to proceed with publication of a public hearing.

REGULAR SESSION

2022 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION DISCUSSION

The Council acknowledged that: 1) this is the first discussion regarding legislative proposals for the 2022 Maryland General Assembly Legislative Session; 2) a meeting will be held with legislators at 6:05 p.m. during the November 2, 2021 Council meeting; and, 3) there will be a final discussion regarding legislative proposals at the October 5, 2021 meeting.

The Council agreed to pursue the following legislation that was submitted during the 2021 Legislative Session, which did not pass.

- add a new Section 21-104.5 to Title 21, Subtitle 1 of the Transportation Article of the Annotated Code of Maryland to allow the operation of a golf cart, with certain conditions, on a highway on Upper or Middle Hoppers Island and Taylors Island and amend Section 13-402(c)(12) to waive the registration requirement if a golf cart is operated in accordance with Section 21-104.2 through 21-104.5 of the Article and Taylors
- amend Section 1-113 of the General Provisions Article of the Annotated Code of Maryland which requires legal advertisements and legal notices to be published in a “newspaper of general circulation” to include online advertising as an alternative
- amend Section 10-312(f) of the Local Government Article of the Annotated Code of Maryland entitled “County property; housing projects; franchise; required notice,” as it relates to leases, to allow the County to enter into a lease for a term of five years or less, without providing notice of publication for three successive weeks.

Donna F. Lane, Acting County Manager, advised that : 1) emails were sent to Department Heads, Elected Officials and the municipalities seeking proposed legislative initiatives they wish Council to consider and/or support; 2) the only response received was from the City of Cambridge Commissioners Lajan Cephas, President; and 3) pursuant to Roger Short, Liquor Inspector, at the current time the Board of License Commissioner has not identified any State law amendments to pursue/support during the 2022 Legislative Session. The Council recognized that Councilman Nichols will speak to Commissioners Cephas to obtain further information about her request.

MANAGERS COMMENTS

Councilman Newcomb advised that Councilman Pfeffer provided his votes via written proxy. .

FY22 SENIOR CARE GRANT ANNUAL PLAN-DORCHESTER COUNTY SOCIAL SERVICES

The Council approved the written request of Jenifer L. DuBosq, Director, Dorchester County Social Services, for this entity to continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding for FY22. Councilman Pfeffer voted in favor via written proxy.

FY22 CORE PUBLIC HEALTH SERVICES FUNDING AGREEMENT-DORCHESTER COUNTY DEPARTMENT OF HEALTH

The Council approved the request of Roger Harrell, Health Officer, to execute the Fiscal Year 2022 Core Public Health Services Funding Agreement between the County and the Maryland Department of Health totaling \$732,741 to provide local health services at the Health Department. The Council acknowledged that this amount is equal to the County's FY22 budget appropriation. Councilman Pfeffer voted in favor via written proxy.

REQUEST FOR PLACEMENT OF MARKER-COUNTY OWNED PROPERTY—TAYLORS ISLAND-SMITHVILLE HERITAGE ASSOCIATION

The Council approved the request of Keith Cornish, President, Taylors Island/Smithville Heritage Association, for authorization to place a marker on the property of the one room colored school that was located on the South-West Side of Hoopers' Neck Road. Councilman Pfeffer voted in favor via written proxy.

PUBLIC CONSULTING GROUP CONTRACT-EMERGENCY SERVICES TRANSPONDER SUPPLEMENTAL PROGRAM-EMERGENCY SERVICES

The Council deferred the request of Dozia Rahilly, Emergency Services Director, to enter into agreement between the County and Public Consulting Group, LLC (PCG) which company will complete the necessary filing requirements, including the annual Emergency Services Transponder Supplemental Program cost report, under the Emergency Services Transponder Supplemental Program.

REQUEST TO SOLE SOURCE-MAIN CONTROL CENTER HVAC UNIT-DEPARTMENT OF CORRECTIONS

The Council approved the request of Joseph Hughes, Director, Department of Corrections, to sole source with Gannon's Refrigeration Services, Inc. to replace the HVAC unit for the Main Control Center at the cost of \$13,950 using FY20 Capital Budget funds. Councilman Pfeffer voted in favor via written proxy.

**REQUEST FOR FY22 DEPARTMENT OF NATURAL RESOURCES FUNDING-
PORTABLE TOILETS-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to accept a FY22 Department of Natural Resources grant award in the amount of \$10,000 for portable toilets at the County's marine facilities. Councilman Pfeffer voted in favor via written proxy.

**BID AWARD REQUEST-GASOLINE, DIESEL FUEL, HEATING OIL AND PROPANE-
PUBLIC WORKS**

The Council approved the request of Mr. Edwards to award the bid to CATO, Inc., the lowest bidder, for the supplying and delivery of gasoline, diesel fuel, heating oil and propane for October 1, 2021 to September 30, 2023 based upon the County's average annual usage. Councilman Pfeffer voted in favor via written proxy.

**REQUEST TO SOLE SOURCE-REPLACEMENT OF HOOPERS ISLAND CAUSEWAY
GUARDRAIL-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to sole source with LS Lee at the cost of \$50,261 the replacement of 1,850 linear feet of guardrail panel on the Hooper's Island Causeway utilizing funds from FY21 Capital Budget monies allocated for repairs this causeway. Councilman Pfeffer voted in favor via written proxy. Pursuant to an inquiry from Councilman Travers, Mr. Edwards advised that only the panels and blocks will be removed in the bad areas, noting that the posts will be reused since their integrity is intact despite their discoloration.

**GRANT AWARD-REQUEST TO SOLE SOURCE-GOOSE MONUMENT AT SAILWINDS
PARK**

The Council deferred the request submitted by Michael Diaz, Recreation and Parks Director, to sole source with Lake Source to restore the Goose Monument at Sailwinds Park using Program Open Space funds so he can obtain information from Finance staff regarding the funding of potential annual/monthly costs for service and winterization.

**REQUEST TO SOLE SOURCE-UPGRADE & EXPAND OUTDOOR SECURITY
LIGHTING-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT**

The Council approved the request of Susan Banks, Economic Development Director, to sole source with iValue, the local vendor used for the initial LED solar lighting installation project to upgrade and expand the outdoor security lighting at the Eastern Shore Innovation Center at the cost of \$3,420 using FY22 Economic Development budget monies. Councilman Pfeffer voted in favor via written proxy.

EMERGENCY RENTAL ASSISTANCE APPLICATION APPROVALS-LOCAL MANAGEMENT BOARD

The Council approved the request from Nancy Shockley, Local Management Board Director, to approve the following Emergency Rental Assistance Applications: JL Remodeling LLC, \$5,993.19; Otter, LLC, \$2,336; Severn Management Co., \$10,353. Councilman Pfeffer voted in favor via written proxy.

POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, via poll, to approve the following Emergency Rental Assistance Program Applications by a 4 to 1 (no response) vote:

Altair Apartments	\$ 6,257
Cambridge Property Management, LLC	\$ 13,195
Choptank Property Management	\$ 17,264
James Burns, Jr.	\$ 7,200
Terry McCollister	\$ 4,500

REQUEST TO ENTER INTO CYBER SECURITY AND NETWORK MONITORING PROPOSAL-CONTRACT-EMERGENCY SERVICES

Nick Kovach, 911 Manager, on behalf of Dozia Rahilly, Emergency Services Director, presented to the Council a request to enter into a Cyber Security and Network Monitoring Contract for a cybersecurity audit and continuous network monitoring by Mission Critical Partners. He noted that this project is 100% covered by the Maryland 911 Board/ENSB with no cost to the County. The Council approved the request. Councilman Pfeffer voted in favor via written proxy.

SURPLUS PROPERTY REQUEST-SHERIFF'S OFFICE

The Council approved the request to surplus a 2013 Dodge Charger, Vehicle Identification Number: 2C3CDZAT5DH715042, that is no longer in use by the Sheriff's Office. Councilman Pfeffer voted in favor via written proxy.

CONDEMNATION REQUEST FOR AVIGATION EASEMENT-AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, for approval to proceed with condemnation for an avigation easement to conduct selective tree removal. Councilman Pfeffer voted in favor via written proxy.

REQUEST TO ACCEPT GRANT-AIRPORT IMPROVEMENT PROGRAM PROJECT- AIRPORT

The Council approved the request of Mr. Nuwer to accept a FY21 Airport Capital Improvement Plan grant from the Federal Aviation Administration (FAA) in the amount of \$77,601.60 with no County match to fund the Airport's Pavement Management Plan project to evaluate the condition

of aircraft operating area payment for surface and substructure integrity. Councilman Pfeffer voted in favor via written proxy. Pursuant to a query from Councilman Travers, Mr. Newer said core samples will be replaced, noting that additional sites will also be bored to assist the County in addressing them in the future.

**GRANT ACCEPTANCE REQUEST-AIRPORT OBSTRUCTION REMOVAL PHASE 2-
WETLAND DELINEATION & PERMITTING PROJECT-AIRPORT**

The Council approved the request of Mr. Nuwer to accept a FY21 Airport Capital Improvement Plan to fund Obstruction Removal-Phase 2 Wetland Mitigation and Permitting Costs from the FAA for private properties in the amount of \$22,500 with no County commitment. Councilman Pfeffer voted in favor via written proxy.

ADJOURNMENT


With no further business to discuss, the Council adjourned.

ATTEST:



Donna F. Lane
Acting County Manager


THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



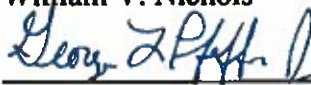
Jay L. Newcomb, President




Libby Handley Nagel, Vice President



William V. Nichols



George L. Pfeffer, Jr.



Ricky C. Travers

Approved the 21 day of September, 2021.