

**County Council of Dorchester County  
Regular Meeting Minutes  
September 21, 2021**

The County Council of Dorchester County convened in Open Session at 6:02 p.m. on the 21<sup>st</sup> 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; Libby Handley Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr.; 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 Pfeffer 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: Grant Award- Request To Use Leftover Material-Waive Fees For Building-Eldorado Brookview Volunteer Fire Company; and Emergency Rental Assistance Program Applications-Local Management Board. The Council approved the amended agenda.

**APPROVAL OF MINUTES**

The Council approved the minutes of August 17, 2021 and September 7, 2021.

**APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Newcomb reported total cash and investments as \$17,236,102.47.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on September 21, 2021 at 5:11 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 in Room 110 were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present in Room 110 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 into a Closed Session at 5:12 p.m. on September 21, 2021 to discuss the following items pursuant to §3-305(b)(1):

- 1- Approved hiring an individual through a temp agency to assist with weed control by a 5 to 0 vote;
- 2- Approved the hiring by Brett W. Wilson, Circuit Court Judge of an individual to fill a Paralegal/Judicial Assistant position by a 5 to 0 vote;
- 3- Approved the request of the Emergency Services Director to hire an individual as an on call Emergency Medical Technician by a 5 to 0 vote;
- 4- Approved the request of the Emergency Services Director to hire an individual to fill the vacant Emergency Medical Services Manager position by a 4 to 1 vote;
- 5- Approved the request of the Emergency Services Director to promote an employee from a 911 Dispatcher to Shift Supervisor by a 5 to 0 vote;
- 6- Deferred a discussion regarding a salary adjustment for an employee due to acting capacity;
- 7- Approved the request of the Emergency Services Director to change the status of a Paramedic from on call to full time by a 5 to 0 vote;
- 8- Approved the request of the Planning and Zoning Director to hire an individual to fill an Inspector vacancy by a 5 to 0 vote;
- 9- Approved the request of the Public Works Director to hire an individual to fill a vacant Mechanic position by a 5 to 0 vote;
- 10- Approved the request of the Public Works Director to hire an individual as a Motor Equipment Operator II by a 5 to 0 vote;
- 11- Discussed a personnel matter relating to a specific County employee.

Present in Room 110 were: Jay L. Newcomb, President; Libby Handley Nagel, Vice 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 in Room 110.

#### **COMMENDATION-RETIREMENT-CAROL CRUE**

The Council presented a Commendation to Carol Crue congratulating her on her retirement and commending her 23 years of service to Dorchester County.

#### **COMMENDATION-YEARS OF SERVICE-VICKY SIMMONS**

The Council presented a Commendation to Vicky Simmons for her 33 years of service to Dorchester County.

### **COMMENDATION-YEARS OF SERVICE-JOEY HUGHES**

The Council presented a Commendation to Joseph Hughes for his 26 years of service to Dorchester County.

### **PUBLIC HEARING-LEASE-RESTAURANT SPACE-AIRPORT**

E. Thomas Merryweather, County Attorney, said a public hearing is being held on a proposed lease with Katie Rhea for restaurant space for Katie's at the Airport at the Cambridge-Dorchester Regional Airport for another twelve month period with all rent, terms and conditions remaining the same. He stated that included in the lease is an adjustment to the semi-monthly net rent payments to an amount of the percentage of indoor occupancy provided for the restaurant as established by any future Governor's COVID-19 Emergency Orders during the period of the COVID-19 pandemic. He noted that no one signed up to speak and received no response when he asked if anyone present or on the telephone wanted to speak. The Council agreed to proceed with the lease.

### **MARYLAND ASSOCIATION OF COUNTIES ANNUAL VISIT**

Councilman Pfeffer, the County's Maryland Association of Counties (MACo) Legislative representative, introduced Michael Sanderson, Director, Maryland Association of Counties and Commissioner Wilbur Levensgood, President.

Commissioner Levensgood advised that recently MACo received information that the State Board of Public Works is sharing expenses with their election. He said Mr. Sanderson will provide updates on MACo's legislative and other activities as well as speak about the Kirwan Commission. He thanked the Council for allowing him and Mr. Sanderson to speak.

Mr. Sanderson noted that he provided the Council a packet of information regarding MACo's legislative and other activities. He referenced the MACO's winter conference for County officials. He said he is hopeful that during the 2022 Maryland General Assembly Legislative Session business will be conducted in person. He advised that during the 2021 Legislative Session MACo staff were able to utilize the relationships they build in the past. He recognized that State and County Elections will occur in 2022 which entities are also charged with redistricting this year. He said he fully expects that there will be a short special session in early December to redraw congressional districts. He noted that there are technical issues with school funding, medical and public safety recovery due to the pandemic so he anticipates policy debates along those lines. He said MACo has assisted local jurisdiction with their plans to utilize American Rescue Act Plan monies, noting an event will be held in Annapolis this week regarding this Plan which will include discussions regarding broadband rollout and leveraging non-profit organizations. He referenced an action by the State Board of Elections to enter into a \$4 million contract for poll books and printers which would have been 100% funded by counties in the State. He explained that MACo staff, on behalf of the membership, worked with Board of Public Works staff to lessen the burden on local jurisdictions with the result being a 50/50 split between the Board of Elections and the counties.

Councilman Nichols said his main concern is the cost to implement the Blueprint for Maryland's Future Act legislation based on Kirwan Commission recommendations. Mr. Sanderson noted that the Act which will be gradually implemented over a ten year span is expensive. He noted that the State has a couple of years of funding to cover the first several years of its implementation. Councilman Pfeffer thanked Commission Levengood and Mr. Sanderson for their leadership last year and assistance to the local jurisdictions and their staff.

## **MANAGERS COMMENTS**

### **2021 COMPREHENSIVE PLAN ADOPTION-PLANNING AND ZONING**

The Council recognized that a public hearing was held on August 17, 2021 on the 2021 Comprehensive Plan at the August 17, 2021 meeting which was deferred so they could review the plan in its entirety.

Herve Hamon, Planning and Zoning Director, said: 1) the last Comprehensive Plan was adopted in 1996; 2) the plan is a tool that allows the County to evolve with time and changing economic demands which will also allow the updating of the Zoning Ordinance and map; and 3) the proposed plan references agri-tourism whereas the 1996 plan does not. He asked the Council to consider the adoption of the 2021 Comprehensive Plan.

Councilman Pfeffer referred to certain sections in the plan that need to be amended due to the fact the revision of the plan being several years ago. He noted that he spoke individuals from several municipalities who said they were not aware that a draft plan was available. Mr. Hamon said due to its size, a link to the proposed plan was posted on the County's website on July 30, 2021. The Council agreed deferred its consideration of the adoption of the plan until October 19, 2021 to provide time for Planning and Zoning to provide the municipalities a link or copy of the plan and for their review. The Council acknowledged that action must be taken on the plan by November 15, 2021 which is 90 days from the August 17, 2021 public hearing.

### **USE OF AMBULANCE FOR MUSIC VIDEO REQUEST**

After Mr. Merryweather said he no issues with the request of Lesley Murrill to use a County ambulance, stretcher, mask and have an Emergency Medical Technician present for a music video depicting an emergency scene after a shooting which will be used to combat youth violence on September 25, 2021, the Council approved the request. City of Cambridge Commission Sputty Cephas, and Mr. Smith said the goal is to promote a positive message. The Council acknowledged that Mr. Murrill will ensure that the City of Cambridge Police Department is aware of the shooting of this video and will have their church security staff present.

### **REQUEST TO SOLE SOURCE-PROPERTY MAINTENANCE FOR CERTAIN PROPERTIES-PLANNING AND ZONING**

The Council approved the request submitted by Susan Webb, Assistant Planning and Zoning Director, on behalf of Herve Hamon, Planning and Zoning Director, to sole source with two

companies for property maintenance using funds from the Department's contractual line item in the FY22 Operating Budget. The Council acknowledged that since the current property maintenance agreement will be expire on October 9, 2021 Planning and Zoning will submit a request to advertise for proposals for property maintenance for its consideration at a future meeting. Councilman Newcomb queried what actions can be taken to stop reoccurrences on properties from which items were removed previously. Ms. Webb said legislation can be drafted to address repeat offenders.

#### **REQUEST TO SOLE SOURCE-PAVING-TOWN POINT ROAD-BROADVIEW DRIVE-PUBLIC WORKS**

The Council approved the request of Dave Edwards, Public Works Director, to sole source with Russell Paving to pave Town Point Rd and Broadview Drive using \$ 392,800.00 in State Aid Funds along with \$97,698.00 from FY 20/21 Capital funding for 2021 Infrastructure Initiative.

#### **REQUEST TO ADVERTISE-SNOW CONTRACTING SERVICES-PUBLIC WORKS**

The Council approved Mr. Edwards' request to advertise for proposals for Snow Contracting Services.

#### **REQUEST TO SOLE SOURCE-PAVE CUL-DE-SAC-CANNON ROAD-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to sole source with Russell Paving to pave the Cul-De-Sac on Cannon Road at the cost of \$6,900 using funding from the FY 20/21 Infrastructure Initiative allocation. Pursuant to an inquiry from Councilman Pfeffer, Mr. Edwards said the Cannon Road at Whitehall be paved.

#### **REQUEST TO PROCEED WITH REPAIRS-SANDY HILL ROAD DRAINAGE-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to sole source with David A. Bramble Inc. to perform drainage work that involves a catch basin under Sandy Hill Road at the cost of \$23,250 which will be funded by the FY20/21 Infrastructure Initiative. In response to a question posed by Councilman Travers, Mr. Edwards said the catch basin under the middle of the road needs to be properly fixed which will tie into the junction box. Councilman Travers noted that citizens complained about having to place rocks in one area of the road.

#### **REQUEST TO SOLE SOURCE-PAVE PORTION-GREGORY ROAD-PUBLIC WORKS**

The Council approved the request of Mr. Edwards to sole source with Russell Paving to pave a portion of Gregory Rd that has extensive water damage at the cost of \$12,700 using funding from the FY 20/21 Infrastructure Initiative allocation.

## TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS-PUBLIC WORKS

Mr. Edwards said the Traffic Safety Committee met on September 9, 2021 to review several requests. He provided the Council an overview of the Committee member's recommendation.

The Council approved the recommendation for the placement of a temporary speed display sign on Hambrooks Boulevard for 10 days to advise citizens of the 25 mph speed limit. In response to inquiries from Councilman Travers and Pfeffer, Mr. Edwards said the same section of this road was addressed at a prior meeting and a VMS board will be used. The Council also approved the following recommendations: 1) placement of two horse crossing signs on Lone Pine Road; 2) placement of two 25 mph speed limit signs on Kelly Road; 3) two deaf child signs on Perseus Road; 4) placement of "No Parking" signs in the area of 3542 and 3600 Green Point Road; 5) placement of two deaf child signs in the area of 1839 Town Point Road; and 6) placement of a "No Dumping" or "No Littering" sign on Adams Road. Based on the recommendation of the Committee, the Council approved Mr. Edwards proceeding with obtaining bids for tree trimming on Palmers Mill road to improve visibility and safety of motorists which will cost approximately \$33,000. Mr. Edwards said work was recently completed on this road to address water pooling on the road.

## REQUEST TO SOLE SOURCE-MADISON BAY BULKHEAD AND PARKING LOT REPAIRS-PUBLIC WORKS

The Council approved the requests of Mr. Edwards to sole source with: 1) Gee McClain for the bulkhead replacement at the Madison Bay Marine Facility at the cost of \$86,250; and, 2) Russell Paving the paving of the facility's parking lot after construction at the cost of \$42,300. The Council acknowledged that funding for this project will be from the FY 20/21 Capital Infrastructure Initiative.

Councilman Pfeffer queried whether there are Department of Natural of Resource (DNR) Grant funds that can be sought for this type of work. Mr. Edwards said several of the County's marine facilities are in need of bulkhead repair, including Tyler's Cove. He advised that Public Works staff aware working with DNR representatives to procure funding for this purpose. In response to a question posed by Councilman Newcomb, Mr. Edwards said reimbursement for repairs to Ragged Point due to a tropic storm have been received. He also confirmed for Councilman Newcomb that only the bulkhead at the Madison facility owned by the County will be repaired.

## REQUEST TO REPLACE LANDFILL TRACTOR-PUBLIC WORKS

The Council approved the request of Mr. Edwards to purchase a replacement tractor for the Landfill from the lowest bidder Atlantic Tractor, using a State of Maryland contract at the cost of \$110,461.45. The Council acknowledged that the following funds will be used for this purchase: 1) insurance payout of \$49,599 received from the County's insurer, Local Government Insurance Trust; and, 2) \$60,862.45 from the Landfill Fund Balance.

## **REVERSION OF PROGRAM OPEN SPACE FUNDS-RECREATION AND PARKS**

The Council approved the request of Michael Diaz, Recreation and Parks Director, to send correspondence seeking the reversion of Program Open Space Funding of \$23,939 for the Busick Tennis Courts. The Council acknowledged that once reverted these funds will be added to the County's allocation.

## **REQUEST TO SUBMIT LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE PROGRAM-RECREATION AND PARKS**

The Council approved the request of Mike Diaz, Recreation and Parks Director, to submit the following proposed projects for FY22 funding through the Local Parks & Playgrounds Infrastructure Program: Dorchester County Recreation Center facility upgrades, School Street Field Complex Lighting and, a Dorchester County pool renovation project. The Council requested that the proposed cost of each project be modified so that they reflect that they are estimates. The Council acknowledged that once Program Open Space approves the projects, they will be submitted for Board of Public Works approval and no funds can be expended on these projects until that approval is obtained. The Council acknowledged that funds of \$1 million have been allocated to Dorchester County. Councilman Nichols cited his belief that bids should be sought for these project. Mr. Diaz explained that he only received estimates. Based on a query from Councilman Travers he said he will seek bids. In response to a question posed by Councilman Nichols, Mr. Diaz said the proposed floor for the sports court will be a plastic connecting floor which has a long lifespan. He said the proposed Recreation Center facility upgrades include the installation of eight foot walls on the side not utilized by the Boys and Girls Club for insulation.

## **REQUEST TO APPLY FOR GRANT FUNDING-GRANT FONDO CYCLING EVENT-STADIUM AUTHORITY-ECONOMIC DEVELOPMENT**

The Council approved the request of Susan Banks, Economic Development Director, to submit a grant to the Stadium Authority for \$25,000 for a new outdoor event, the Grand Fondo Cycling event, which will be scheduled to be held in Cambridge in October 2022 to 2024. The Council acknowledged that there is a \$50,000 sign of agreement for each of the years which is currently planned to be split between the County and the City at \$12,500 each.

## **STEERING COMMITTEE-AMERICAN RESCUE PLAN ACT**

Councilman Pfeffer suggested the establishment of a Rescue Plan Act (ARPA) Steering Committee to obtain input on proposed uses of ARPA funding from Department Heads and stakeholders in the County including the Chamber of Commerce and the Department of Social Services. He said this would be an advisory committee which will submit suggestions to the County for the use of the funds. Councilman Nichols expressed his preference for the County and Finance staff meeting in a work session to discuss the use of these funds, particularly there are several County projects that need to be funded. The Council agreed to hold a Work Session.

## POLL CONFIRMATIONS

The Council, confirmed its following decisions in the interim between meetings, via poll:

- approved the following Emergency Rental Assistance Program Applications by a 3 to 2 (no response) vote:

Medicine Hill, LLC	\$ 11,565
RIG Holding, LLC	\$ 3,300
Severn Management Co.	\$ 5,291
Steve Robbins	\$ 17,000

- approved request of Department of Public Works to apply for a Department of Natural Resources Grant/Water Way Improvement Fund (WIF) for FY23 in the amount of \$150,000 for construction funds to complete repairs to the Crocheron Boat Ramp bulkhead and parking lot area, the second phase of this project which will be fully funded by DNR and authorized Public Works staff to submit the online application via correspondence by a 3 to 2 (no response) vote.

## REQUEST TO USE LEFTOVER MATERIAL-WAIVE FEES FOR BUILDING-ELDORADO BROOKVIEW VOLUNTEER FIRE COMPANY

Based on a motion made by Councilwoman Nagel, the Council agreed to waive the stormwater management fee of \$1243.68 and the grading permit for \$50.00 for a total of \$1293.68 for the building being constructed by the Eldorado-Brookview Volunteer Fire Company, since it provides a service to the community. Mr. Merryweather confirmed that these fees can be waived as this volunteer fire company provides essential services to residents. He noted that legislation can also be adopted to exempt volunteer fire companies from these fees.

The Council approved the request of Dave Edwards, Public Works Director, to provide unused ditching spoil dirt to Eldorado Brookview-Volunteer Fire Company, to fill in areas of the property on which the building will be constructed. Pursuant to an inquiry from Pfeffer, Mr. Edwards explained that the reason the County cannot use this material is due to Maryland Department of Environmental Regulations, which the volunteer fire company, is not subject to.

## EMERGENCY RENTAL ASSISTANCE PROGRAM APPLICATIONS-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, to approve the following Emergency Rental Assistance Program Applications:

Altair Apartments	\$ 10,530
Cambridge Club Associates, L.P.	\$ 22,398.35
Don Coale	\$ 2,450
Edward Duvall	\$ 4,400
Jones Estates, Bay Country, LLC	\$2,254.36
Severn Management Co.	\$ 8,432



**OTHER**

Councilman Pfeffer said municipalities, volunteer fire companies and citizens have expressed concerns about the movement of Unit 200 out of the Eldorado area which results in Unit 600 in the Town of Hurlock being pulled out of Hurlock. He expressed his belief that a study should be sought or a work session should be scheduled to address the locations of the County's Advanced Life Support Units and staff. The Council agreed to have a study conducted on the best locations for the placement of County EMS stations.

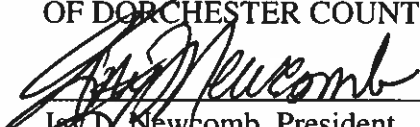
**ADJOURNMENT**

With no further business to discuss, the Council adjourned.

ATTEST:

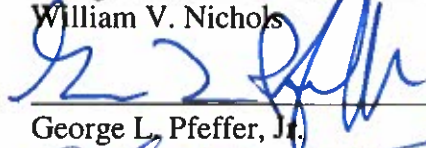
  
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Donna F. Lane  
Acting County Manager

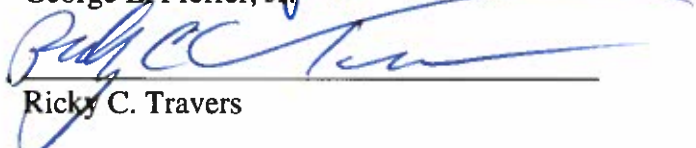
THE COUNTY COUNCIL  
OF DORCHESTER COUNTY:

  
\_\_\_\_\_  
Jay D. Newcomb, President

  
\_\_\_\_\_  
Libby Handley Nagel, Vice President

  
\_\_\_\_\_  
William V. Nichols

  
\_\_\_\_\_  
George L. Pfeffer, Jr.

  
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Ricky C. Travers

Approved the 5<sup>th</sup> day of October, 2021.