

**County Council of Dorchester County
Regular Meeting Minutes
December 7, 2021**

The County Council of Dorchester County convened in Open Session at 6:15 p.m. on the 7th day of December 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

There were no additions or deletions to the agenda.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with abstaining for payments made to Simmons Center Market.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$ 24,861,595.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on December 7, 2021 at 4:51 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; §3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and §3-305(b)(7) to consult with counsel to obtain legal advice. Present in Room 110 were: Jay L. Newcomb, President; William V. Nichols; George L. Pfeffer, Jr.; and, Ricky C. Travers. Also present in Room 110 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 4:52 p.m. on December 7, 2021 to discuss the following items pursuant to §3-305(b)(1), §3-305(b)(4) and §3-305(b)(7):

- 1- Approved the request of the Economic Development Director to hire an individual as a Business Development Manager to fill a vacancy by a 4 to 0 vote;
- 2- Discussed hiring a specific individual as a consultant;
- 3- Reviewed applications and agreed to hold interviews for the Tourism Director position by a 4 to 0 vote;
- 4- Agreed that an individual can remain on-call as a 911 Dispatcher by a 4 to 0 vote;
- 5- Agreed that an individual can remain on-call as a Paramedic by a 4 to 0 vote;
- 6- Discussed providing a specific employee overtime;
- 7- Approved the request of the Director of the Department of Corrections to hire individuals as Probationary Correctional Officers-Hourly Certified Officers by a 4 to 0 vote;
- 8- Approved the request of the Director of the Department of Corrections to promote an individual to Administrative Captain by a 4 to 0 vote;
- 9- Obtained legal advice from County Attorney regarding a matter relating to a proposed lease;
- 10- Obtained proprietary mapping information from a representatives of an entity.

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

ELECTION OF OFFICERS

The Council elected the following Officers by majority:

Jay L. Newcomb	President
Libby Handley-Nagel	Vice President

PUBLIC HEARING-AMENDMENT TO WATER AND SEWER PLAN-RELIANCE MOBILE HOME PARK

E. Thomas Merryweather, County Attorney, said a public hearing is being held on an Amendment to the Dorchester County Comprehensive Water and Sewer Plan for the Dorchester County Sanitary District to change the designation of an area located along Flamingo Road, in Rhodesdale MD, known as Reliance Mobile Home Park, Tax Map #16, Block #15, Parcel #21 and Election District #1, from "No Planned Service" to "S-1" (Planned Service within 2 years). Anthony Kupersmith, Attorney for Suicide Bridge Restaurant, spoke in favor of the amendment. The Council adopted a Resolution for this amendment.

PUBLIC HEARING-REDISTRICTING PLAN-COUNCIL DISTRICTS

The Council adjourned into a public hearing. Mike Detmer, Chair, Redistricting Commission, provided comments about the plan of Council Districts approved by the Redistricting Commission. No one signed up to speak. Susan Olsen, resident, spoke via telephone and asked if there would be an extended comment period. Mr. Merryweather said the Council: 1) can adopt the plan; 2) change the plan prior to that date; or, 3) taken no action. He noted that the plan automatically becomes law 90 days after the date the plan was submitted to the Council which was November 15, 2021. Councilman Newcomb advised Ms. Olsen she can submit comments within those 90 days. He cautioned that time is of the essence as if any changes are made a public hearing process will have to followed.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2021-18 AN ORDINANCE concerning: Amending the 2021-2022 Annual Budget and Appropriation Ordinance of Dorchester County.

E. Thomas Merryweather, County Attorney, said before Council for introduction is legislation to amend the 2021-2022 Annual Budget Appropriation Ordinance for Dorchester County to re-appropriate funds from prior Capital Budgets to repurpose \$429,460 for the purchase of a new replacement bulldozer for the landfill. He noted that no one signed up to speak. He asked if anyone present or via telephone wished to speak. There was no response.

The roll call on Bill No. 2021-18: Pfeffer-aye; Travers-aye; Nichols- aye; Nagel-aye; Newcomb-aye.

MANAGERS COMMENTS

FY22 CAPITAL GRANT AGREEMENT-DELMARVA COMMUNITY SERVICES

Ms. Lane advised that: 1) at its November 2, 2021 meeting, the County Council approved the submission by Delmarva Community Services (DCS) of FY 2023 grant applications for operating and capital funding to the Maryland Transit Administration for the below funds with the match being provided by DCS in conjunction with the amount the County awarded through its budget process; and 2) after receipt of the meeting follow up, Andrea Waters, Transportation Grants Specialist, sent FY22 Capital Grant paperwork for signature which differed from the grant agreement she sent for the November 2nd meeting and it was for a different amount. The Council approved the submission by DCS of the FY22 Capital grant agreement for \$50,000 for preventive maintenance.

2022 BROADBAND INFRASTRUCTURE GRANT REQUESTS

The Council acknowledged that; 1) Choptank Electric, Bay Country Communications and Talkie Communications who are applying for 2022 Broadband Infrastructure Grants are seeking a letter in Dorchester County in which they plan to install broadband recognizing them as an incorporated organization recognized as a partner by the local government; 2) Choptank and BCC are seeking a match; and, 3) pursuant to Kenrick M. Gordon, Director, Office of Statewide Broadband, the County can provide letters for multiple entities however, they prefer that the County support one company per area, if there is more than one area being applied for, after determining the company that would best serve the County's citizens. The Council agreed to send letters for Choptank and BCC on a non-exclusive basis and agreed to consider their match requests at its December 14, 2021 American Rescue Plan Act Work Session.

CORRESPONDENCE REQUEST-LOCAL LEGISLATIVE DELEGATION-POTENTIAL ADDITIONAL FUNDING SOURCE-FLOODING-EMERGENCY SERVICES

The Council agreed to send correspondence to the local legislative delegation requesting that the Department of Housing and Community Development program be reviewed and considered for additional funding for the flooding event that occurred within Dorchester County.

FY22 MD INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEM CARDIAC DEVICE GRANT AWARD-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to accept a FY22 Maryland Institute for Emergency Medical Services System Cardiac Device Grant award of \$20,000 for the purchase of two LP15 and a grant award of \$2,824 for AEDs. The Council acknowledged that there is a 50% County match.

STATE BUSINESS ADMINISTRATION DECLARATION-EMERGENCY SERVICES

The Council agreed to pursue a State Business Administration (SBA) Declaration under which Dorchester residents that were affected by the flooding event from October 29, 2021 will qualify and be eligible for any loans that may be available. The Council acknowledged that: 1) in order to meet the threshold for SBA, Dorchester will need to have 25 homes that have sustained an uninsured loss of 40% or more of the value of their home; 2) there is uncertainty as to whether it will be based on the market value or assessed value of the home; 3) based on Red Cross damage assessments, Dorchester had 13 total homes listed as major impacted homes per those assessments, 32 minor impacted homes, and 21 affected homes (66 total damage assessments); 4) Emergency Management staff have received a total of 117 damage reports however, not all of those reporting are reporting home damage; 5) to date, there has not been any state or federal funding allocated or made available to those impacted within Dorchester County; and, 5) the Maryland Department of Emergency Management has stated that is unlikely that Dorchester will reach the necessary threshold, however, the decision falls on Council.

OFFERS FOR COUNTY PROPERTY-131 MAIN STREET SECRETARY-FINANCE

The Council accepted the offer of Chet McWilliams to purchase 131 Main Street, Secretary, Maryland for \$8,000 which the County acquired via tax sale.

LETTER OF SUPPORT –LEGISLATION-LOCAL GOVERNMENT TORTS CLAIM-CAMBRIDGE WATERFRONT DEVELOPMENT INC.

Based on the request of Cambridge Waterfront Development, Inc. (CWDI), the Council agreed to send a letter of support for legislation to be filed noting that as a Member of the Local Government Insurance Trust (the "Trust"), and pursuant to Section 9.06(b) of the Trust Agreement, it agrees to sponsor CWDI for purposes of property, primary liability and excess liability insurance coverage which alters the definition of "local government" under the Local Government Torts Claim Act to include CWDI a nonprofit corporation serving as an economic development authority of Dorchester County and the City of Cambridge pursuant to a memorandum of understanding between these parties.

REQUEST FOR USE OF PROPERTY-VISITOR CENTER

The Council approved the request of Jessica Cook, APR Special Events Coordinator, Dorchester Banner, for the use of the Dorchester Visitor Center at Sailwinds Park in Cambridge, Maryland on Thursday, May 19, 2022 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 the spaces to be used are: Berm/Amphitheater Playground Restrooms; Mile-long boardwalk; and "Flying goose" monument fountain Beach area.

CONTINGENCY FUND REQUEST-HVAC UNIT REPLACEMENT-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to sole source with Gannons' Refrigeration Service, Inc. for a HVAC Unit Replacement at the cost of \$4,450 using monies from the Contingency Fund.

REQUEST TO SOLE SOURCE-BLUEDOT SOFTWARE-ECONOMIC DEVELOPMENT

The Council approved the request of Ms. Banks to sole source the purchase of Bluedot software on the basis that it is a collaborative effort between Talbot, Caroline and Dorchester Economic Development Offices which will assist with Eastern Shore Economic Recovery Project. The Council acknowledged that these offices are working with Midshore Regional Council and will use funds designated for the project.

CONTINGENCY FUND REQUEST-PIPE-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to use \$10,000 from the Contingency Fund to reimburse Public Works for expenditures used in pipe sales for the public. Ms. Lane advised Council that pursuant to Michael Spears, Finance Director, separate

line items, one for pipe used by Public Works and other for pipe sold to the public, can be included in the FY23 budget.

REQUEST TO ADVERTISE FOR PROPOSALS-LITTER REMOVAL SERVICE-PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise for proposals for a Litter Removal Service to allow for a contractor and crew to assist the Public Works Department with litter/debris removal at County facilities such as boat ramps, landfill locations and roadside areas that are the hardest with litter. The Council acknowledged that funding for this service will come from the Highway Departments Operating Budget.

Pursuant to questions posed by Councilman Pfeffer, Mr. Edwards advised: 1) a County employee will take the contractor/crew to the location; 2) an hourly rate will be paid; 3) during the winter months litter removal requests increase, particularly in the northern area of Hurlock; 4) typically ditching is halted in order for a County roads crew to conduct litter removal; 5) they were down several weeks the last time working mainly on the northern part of the County; and 6) inmate labor was used for this purpose until COVID restrictions were implemented. Bill Windsor, resident, stressed the need for litter removal along the route to the Beulah Landfill and for trash removal contractors to ensure that their loads are covered.

BID AWARD REQUEST-FUEL STATION SHED-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the Fuel Station Shed project to the lowest bidder, Peninsula Pole Buildings, at the cost of \$53,950 which project will provide shelter and safety to the new fuel station pumps. The Council acknowledged that funds will be from FY21 Capital Budget Fuel Pump Phase 2 allocation.

REQUEST TO SOLE SOURCE-EMERGENCY REPAIRS-TYLERS COVE MARINA-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Gee McClain, LLC for emergency repairs to Tyler's Cove Marina, using funds from a Department of Natural Resources Grant for \$90,000 set aside for Tyler's Cove repairs and from the Public Works Department Highway Division FY22 Budget. Councilman Travers questioned whether the repairs were necessary due to storm damage. Councilman Newcomb said areas are rotting due to water damage. In response to a query from Councilman Pfeffer, Mr. Edwards confirmed that it is difficult to identify a contractor who will perform a small quantity of work due to mobilization costs, including barges.

COMMUNITY FOCUS GROUP CONTRACT AGREEMENT-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Director to enter into a Community Focus Group Contract agreement with the Partnership for Learning at an amount not to exceed \$10,000 to conduct five Community Conversations to gather community feedback

that will be used to guide the Community Partnership's FY 23 funding request through the Governor's Office of Crime, Prevention, Youth and Victims Services. The Council acknowledged that in preparation for the submission of a FY23 funding proposal, the Community Partnership for Children is required to update its needs assessment/gap analysis/community plan.

PRIORITY TRANSPORTATION PROJECT CORRESPONDENCE

The Council acknowledged that the Maryland Department of Transportation is working through a list of priority projects from each county as a result of recent federal funding and discussed items to include in a priority letter for Dorchester County. The Council agreed to submit the following list of potential transportation improvements along State Highways in Dorchester County for future State of Maryland funding consideration:

- Maryland 343 at Crusader Road Roundabout
- Bucktown Road and Maryland Route 50 signalization with pedestrian crossing
- US Route 50 at Airey's Spur Road cross over with acceleration lanes
- Maryland Route 336 at Worlds End Creek pipe replacement
- Maryland Route 392 Hurlock from Main Street to Taylors Avenue sidewalk installation with street lighting
- Maryland Route 343 from Maces Lane to West Side Bypass new sidewalk installation
- North of Andrews Road pipe replacement
- Brookview Bridge replacement
- Waddells Corner calming measures
- Dockins Market intersection traffic light installation
- Maryland Route 392 and 14 roundabouts
- Maces Lane traffic light installation
- Maryland Route 331 and 392 intersection north to Hurlock in the area of Goose Creek Store past B&G and Gold Rush Apartments from the bank to end of development sidewalk installation

Bill Windsor, resident, made comments regarding the Maryland Route 331 and 392 intersection in Hurlock and the sidewalk installation. He also cited concerns about the potential placement of a roundabout at Waddells Corner due to the amount of tractor trailer traffic at that intersection.

THIRD/FOURTH QUARTER FY 21-22 MEETING SCHEDULE

The Council agreed to adopt the County Council Third/Fourth Quarter FY21-22 Meeting Schedule.

BUDGET ADOPTION SCHEDULE

The Council agreed to adopt the Fiscal Year FY23 Budget Adoption Schedule.

BOARD APPOINTMENT

The Council approved the request of Jenifer Dubosq, Director, Dorchester County Social Services, to appoint Clara Savage to the Adult Public Guardianship Review Board for representative of the local Department of Social Services to fill a vacancy as a result of the end of Jessica Dukes' term.

REFERRAL TO PLANNING COMMISSION-TEXT AMENDMENT-NON-WATER DEPENDENT STRUCTURES-PLANNING AND ZONING

The Council approved the request of Herve Hamon, Planning and Zoning Director to refer a text amendment of Bill 2021-14 to the Planning Commission for its review and recommendation to the Council. The Council acknowledged that the Critical Area Commission has made comments on the specific wording of the current bill.

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 18th day of January 2022.