

**County Council of Dorchester County
Regular Meeting Minutes
February 15, 2022**

The County Council of Dorchester County convened in Open Session at 6:04 p.m. on the 15th day of February, 2022. 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; George L. Pfeffer, Jr.; and, Ricky C. Travers. Libby Handley Nagel, Vice President was present via telephone. 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 item was added: Introduction of New Tourism Director. The Council approved the amended agenda.

APPROVAL OF MINUTES

The Council approved the minutes of January 18, 2022 and February 1, 2022.

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 \$18,961,676.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on February , 2022 at 5:03 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; George L. Pfeffer, Jr.; and, Ricky C. Travers. Libby Handley Nagel, Vice President, joined the meeting via telephone. 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 into a Closed Session at 5:04 p.m. on February 15, 2022 to discuss the following items pursuant to §3-305(b)(1):

1. Confirmed the hiring by the State's Attorney of an individual to fill a vacant Attorney position by a 5 to 0 vote;
2. Discussed personnel matters relating to specific persons; and
3. Discussed matters relating to a grievance.

Present on the conference call and in Room 110 were: Jay L. Newcomb, President; L William V. Nichols; George L. Pfeffer, Jr.; and Ricky C. Travers. Libby Handley Nagel, Vice President, joined the meeting via telephone. 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.

INTRODUCTION-TOURISM DIRECTOR

The Council introduced Holly Gilpin, the new Tourism Director.

PUBLIC HEARING-RESOLUTION TO AMEND COMPREHENSIVE WATER & SEWER PLAN-SUICIDE BRIDGE RESTAURANT

The Council convened into a public hearing on the amendment of Dorchester County's 2004 County Comprehensive Water and Sewer Plan to change the designation of a parcel designated as Parcel 24 of the Dorchester County tax map 12, zoned B-2 General Business, in the Hurlock District of Dorchester County, Maryland, known as Suicide Bridge Restaurant, from "no planned service" to "S-1" sewage service. Herve Hamon, Planning and Zoning Director, said this parcel is currently served by a domestic well, on-site-septic system and tile disposal. He noted that due to the age of the current system and the potential of a hydraulic failure the property owner's plan is to connect to the Town of Secretary sewerage facility. He summarized the plans and recognized those entities who provided letters of support including the Town. In response an inquiry from E. Thomas Merryweather, County Attorney, Mr. Hamon confirmed that the property owner will be responsible for acquiring a right-of-way for this project.

Glen Payne, a resident who lives approximately two-tenths of a mile from the sewer treatment plant spoke in favor of the hook up of Suicide Bridge Restaurant to that plant. Anthony Kupersmith, Attorney, Suicide Bridge Restaurant, spoke in support of the adoption of the resolution. Henry Short, Mayor, Town of Secretary, said the Town in favor of it, hoping Council will adopt resolution. Has another council member with him, also in favor with it. Working with suicide for last couple of ears. Able to answer questions none. Passed and adopted resolution.

MANAGERS COMMENTS

REFERRAL TO PLANNING COMMISSION-SOLAR ZONING ORDINANCE-PLANNING AND ZONING

The Council approved the request of Mr. Hamon to refer to the Planning Commission a Text Amendment for the Solar Zoning Ordinance for further study and investigation. He provided a brief summary of some of the items included in the draft plan.

REFERRAL TO PLANNING COMMISSION-ACCESSORY STRUCTURES REVISION-PLANNING AND ZONING

The Council approved the request of Mr. Hamon to refer to the Planning Commission a revised Accessory Structures Table for review with the goal of revising the Supplementary Regulations for review and recommendation.

COASTAL RESILIENCY PROGRAM CAPITAL PROJECTS GRANT AWARD-HURST CREEK LIVING SHORELINE PROJECT

The Council agreed to accept Coastal Resiliency Program FY20 Capital Projects Grant between the County and the Maryland Department of Natural Resources in a not to exceed amount of \$1,390,000 for the period of April 1, 2022 to June 30, 2023 for the construction of an approximately 1,200 linear foot living shoreline with climate-resilient natural features along the mouth of Hurst Creek along the Choptank River to protect residential infrastructure and demonstrate beneficial use of dredged materials. Based on the legal advice of Mr. Merryweather, the Council further agreed that the Grant Representative and Communications contact should be the President of the County Council. The Council acknowledged that Delmarva Resource Conservation and Development, Inc. be contractor to manage the project and will provide oversight of the contractor. In response to an inquiry from Councilman Pfeffer, Ms. Lane advised that \$40,000 was allocated for this project by the Council.

LETTER OF SUPPORT REQUEST-CONSTRUCTION-ASSISTING LIVING FACILITY-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to provide a letter of support to Greg Koski, Developer/Contractor for his investors for the construction of two independent living developments for citizens 62 years and over and an assisted living facility which will be comprised of condos/ranch style apartments as these construction projects will give local options to local senior citizens and will bring growth and jobs in the County.

REQUEST TO PURCHASE BODY ARMOR-EMERGENCY MEDICAL SERVICES-EMERGENCY SERVICES

Councilwoman Nagel made a motion to approve the request of Ms. Rahilly to purchase body armor for Emergency Medical Services employees, both full time and on call at the cost of \$20,500 from the Contingency Fund. Councilman Nichols seconded the motion. Councilwoman

Nagel cited her understanding that one reason Ms. Rahilly is seeking the purchase of the body armor, based on concerns about recent incidents in the City of Cambridge and due City Police Department. Pursuant to an inquiry from Councilman Travers, Ms. Rahilly advised that she has not spoken to Sheriff James Phillips regarding colors, level of protection, etc. Ms. Rahilly said research was conducted and a Level 3A vest without plates was selected. Councilman Travers expressed his belief that the request should be deferred until Ms. Rahilly provides information regarding the body armor that has been selected. In response to a question posed by Councilman Pfeffer, Ms. Rahilly said the cost per vest is \$500. Councilman Pfeffer queried whether a sufficient amount of vests will be purchased for both full time and part time Emergency Medical Services personnel, noting that they may have to be generically sized. The motion to approve Ms. Rahilly's request failed with Councilmen Newcomb, Travers and Pfeffer opposing. The Council acknowledged that Ms. Rahilly will submit additional information regarding the vests she proposes to purchase for its review and consideration at the next Council meeting.

2021 STATE HOMELAND SECURITY PROGRAM GRANT AWARD-EMERGENCY SERVICES

The Council approved the request of Ms. Rahilly to accept an adjusted 2021 State Homeland Security Program Grant Award of \$100,231 for the period of September 1, 2021 to April 30, 2025 for the following for Dorchester County: CBRNE Capabilities, Enhancing Cybersecurity with the County, Domestic violent Extremism, Addressing Emerging Threats within the County, Enhancing Protection of Soft Targets, Enhanced Information and Intelligence Sharing Enhanced Security and Intelligence Sharing, Enhanced Citizen Awareness of Emergency Preparedness, Prevention and Response Measures.

REQUESTS TO ADVERTISE FOR PROPOSALS-GYM FLOORING-BASKETBALL GOALS-RECREATION FACILITY-RECREATION AND PARKS

The Council approved the requests of Mike, Diaz, Recreation and Parks Director, to advertise for proposals for gym flooring and basketball goals for the Recreation Facility.

REQUESTS TO ADVERTISE FOR PROPOSALS-POOL-ZIP LINE-PAVILION-RECREATION AND PARKS

The Council approved the request of Mr. Diaz to advertise for proposals for a zip line and pavilion for the County pool for which FY22 Local Parks & Playground Infrastructure Funds will be utilized. In response to Councilman Nichols' questions, Mr. Diaz said: 1) the zip line travels a short distance, not the length of the pool; 2) it does not return; 3) the zip line will be placed at the deep in; and, 4) the goal is to have the entity who is selected by the Council to provide pool services to provide a lifeguard next to it. Councilman Nichols expressed concern about safety.

BID AWARD-POOL RENOVATION CONTRACT-RECREATION AND PARKS

Mr. Diaz presented his request to award the bid for the renovation of the County pool to the only bidder, for which FY22 Local Parks & Playground Infrastructure Funds will be utilized. In

response to a question from Councilman Nichols, Mr. Diaz said a request for proposals for pool services was advised in the Dorchester Banner. He expressed his belief that it was also placed on Emaryland Marketplace by Finance. Based on questions from Councilman Travers, Mr. Diaz advised that: 1) a vendor must be selected by the Spring in order to prepare for the upcoming pool season; 2) he spoke with one pool company that is not taking any more work; 3) another company is down multiple employees so they are not submitting a request. In response to another question posed by Councilman Travers, Ms. Lane said Emaryland Marketplace is a State of Maryland website; however, she is unsure whether it was placed on the website due to recent communications with Finance staff regarding training. Pursuant to a query from Ms. Lane, Mr. Diaz said he sent an email to Finance staff to place on this website; however, he did not receive confirmation of its placement. The Council acknowledged that he will re-advertise the request for proposals for the pool renovation if it was not placed on the website.

BID AWARD-POOL SERVICE CONTRACT-RECREATION AND PARKS

Mr. Diaz presented his request to award the Pool Service Contract for 2022 pool season to the only bidder. The Council acknowledged that Mr. Diaz will re-advertise for requests for proposals if it was not placed on the Emaryland Marketplace website.

GOOSE MONUMENT PRICE ADJUSTMENT REQUEST-RECREATION AND PARKS

The Council approved the request of Mr. Diaz to pay an adjusted price of Lake Source, LLC for the Goose Monument project for which Program Open Space funds are available. The Council acknowledged that the invoice previously approved by Council was \$17,774.13 and due to an increase in 2022 prices is now \$18,434.84.

USE OF COUNTY PROPERTY-EVENT-RECREATION FACILITY-RECREATION AND PARKS

Wayne Stone, Pastor, 3C USA Church Group, provided an overview of the Volt Dorchester Youth Services' program and plans for a "Kick Off Party" at the County's Recreation Facility on Leonard Lane on February 23, 2022 during which there will a 3 pt. basketball competition, free food and life concert. The Council approved Mr. Diaz's request for 3C USA Church Group to hold the event at the facility contingency upon approval of its Certificate of Liability Insurance which is currently being reviewed by Finance staff.

LAB AT EASTON-RECREATION AND PARKS

John Givens, Owner, Lab at Easton provided an overview of the company's organization and Jiu Jitsu class. He said their goals is to hold classes multiple days of the week. Pursuant to a query from Councilman Pfeffer, Mr. Diaz said the goal is for the company to be able to pay its staff for providing the classes, not for financial purposes. He advised that: 1) the admission fee will be \$99 per month; 2) the company wishes to have individuals sign up for six months' worth of classes; 3) there is a Recreation and Parks donation account that can be used to offset costs for those who are unable to pay the full amount; 4) a fee structure can be determined after individuals express interest in the class. In response to questions from Councilwoman Nagel,

Mr. Givens said the class will teach self-control, assist in character building and there will be competitions. The Council agreed that this company can hold a Jiu Jitsu class at the County's Recreation Facility contingent upon the County's insurer not having issues with proceeding with this program and the company providing a Certificate of Liability Insurance.

DRAINAGE REPAIR-FUNDING REQUEST-PUBLIC WORKS

Dave Edwards, Public Works Director, said he is seeking a funding source for stormwater drainage repairs which are needed under Hillcrest & Linthicum Drive and under Linthicum Drive and Buena Vista Avenue. He stated that: 1) both drainage structures are underground, closed in storm drain structures that tie into a storm water catch basin; 2) he work is confined space work. Total cost for both project would \$98,500.00; 3) he is seeking Councils permission to piggyback off of MDOT SHA (David A. Bramble) Contract XX1675474R for this work; 4) both structures will need to be repaired in the near future as they will become a liability to the County. Pursuant to questions from Councilman Nichols, Mr. Edwards advised that: 1) if there is a dry spring repairs can be extended by six months; 2) pipe should be available for purchase. Pursuant to an inquiry from Councilman Travers, Mr. Edwards said these drainage issues were discovered after viewing Sandy Hill Road. He explained that while working on that road a citizen stopped him about the other drainage issues. In light of additional questions from Council Members, Mr. Edwards said: 1) preformed contract will be used; and 2) the same size material be utilized. Councilman Travers made a motion to approve the repairs contingent upon identifying a funding source. Councilman Nichols asked whether funding was available in the current Public Works Department budget to purchase materials. Mr. Edwards said David A. Bramble will not purchase materials until a commitment is made. The Council approved the repairs contingent upon identifying a funding sources.

LETTER OF SUPPORT REQUEST-CULTA-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to send a letter of support of Culta, which has been located in the City of Cambridge since 2018, has expanded and as a result the County has experienced job creation, revitalization and professionalism with Culta and their staff to the City of Lumberton. Culta wishes to locate one of its facilities in this municipality.

CONTINUED DISCUSSION-GRAN FONDO CYCLING EVENT-MARYLAND SPORTS-ECONOMIC DEVELOPMENT

The Council acknowledged: 1) its February 1, 2022 deferral of a request to hold the Gran Fondo Cycling (GFC) event in the Count and accepted a Maryland Sports grant for the GFC event; and, 2) GFC representatives are seeking a three year contract at \$50,000 each year. The Council also acknowledged its request for Lidia Fluhme, President, Gran Fondo New York, Inc., to reach out to the following regarding the race: 1) the Sheriff's Office and City Police Department (CPD) to obtain firmer figures for law enforcement; 2) Mr. Edwards regarding the conditions of the roads that will used; and, 3) input from the City of Cambridge Council including about a match. Ms. Banks asked the Council to approve entering into a contract contingent upon its approval by the County Attorney and GFC's attorney. She said a match of \$11,250 from the Maryland Sports

grant will be provided for the first year, noting her hope that the same amount can be obtained for the remaining two years. Ms. Flume advised that: 1) she has received quotes from the Sheriff's Office and CPD; 2) GFC will pay the Sheriff's Office; 3) GFC will ask the City to waive the CPD costs; and, 4) four posts will be manned 15 to 20 minutes on Sunday morning. Ms. Banks confirmed that Mr. Edwards was contacted about the route. Mr. Edwards explained that: 1) the tide on Smithville Road will bill an issue; and 2) a number of muskrat runs will have to be addressed prior to the race. In response to Mr. Merryweather's inquiry, Ms. Fluhme said GFC will have cancellation insurance. The Council agreed to proceed with the race contingent upon a satisfactory contract by County Attorney and GFC. Councilman Newcomb opposed, noting that citizens in the South Dorchester area are concerned about the amount of races in their area which disrupt enjoyment of their property and cause traffic issues.

EMERGENCY RENTAL ASSISTANCE PROGRAM APPLICATION APPROVAL REQUEST-CORRECTION-LOCAL MANAGEMENT BOARD

Emergency Rental Assistance Program Applications for Approval

The Council approved the request of Nancy Shockley, Local Management Board Director, to approve the following applications for Round 23 and acknowledged that the application for Jones Estates, Bay Country, LLC was removed from the list of applications so staff can review the duplicate applications submitted by company:

Altair Apartments	\$ 19,944.00
Beaver Neck Village	\$ 3,588.00
Cambridge Club Associates, L.P.	\$ 5,915.00
Cambridge East Apartments LLC	\$ 2,600.00
Choptank Property Management	\$ 2,000.00
Ed James	\$ 7,500.00
Eugene Martinetti	\$ 4,127.00
Foxtail Crossing	\$ 1,042.00
Lisa Marshall	\$ 2,650.00
Roger Kurtz	\$ 6,750.00
Severn Management Co.	\$ 4,576.00

Correction

The Council acknowledged: 1) its approval at the February 1, 2022 meeting of a list of Emergency Rental Assistance Program Applications which included a payment of \$3,975 for NOVO Properties; and 2) Local Management Board staff have advised that the name of the applicant should have been Ruddy Duck, LLC. The Council recognized that correction and approved the application from this company.

HB 706-MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT-OFFICE OF RESILIENCE

Sherika Harris, on behalf of the Delegate Sheree Sample Hughes office, asked for someone from the County to be on a panel to speak about House Bill 706 entitled “Maryland Department of Emergency Management-Office of Resilience” which establishes an Office of Resilience in the Maryland Department of Emergency Manager. She explained that if this is approved there will be a Director and a person appointed as a Resiliency Officer to mitigate the red tape for citizens with the goal of providing services immediately after a flooding or other major event. The Council agreed to send a letter of support for House Bill 706 and have James Windsor, Emergency Management Planner, speak in support of this legislation on their behalf.

HB 633-EDUCATION-ACCOUNTABILITY AND IMPLEMENTATION BOARD-MEMBERSHIP-LETTER OF SUPPORT

Based on the request of Delegate Jeff Ghrist, District 36, the Council agreed to send a letter in support of House Bill 633 entitled “Accountability and Implementation Board-Membership-Letter of Support” which will require the Kirwan Commission Accountability and Implementation Board (AIB) implement geographic diversity in membership. The Council concurred with Delegate Ghrist’s statement that there should be a member from the Eastern Shore.

HB 429-PUBLIC SAFETY-LAW ENFORCEMENT-AGENCIES-BODY WORN CAMERAS

Based on information provided by Captain John Stichberry, on behalf of Sheriff James Phillips, the Council agreed to send a letter in opposition to House Bill 429 entitled “Public Safety-Law Enforcement-Agencies-Body Worn Cameras. The Council acknowledged that concerns regarding this legislation include that this bill would financially impact the County since: 1) every police officer in uniform and plain clothes will need a body camera including a new patrol officer; 2) there will be costs for video storage. The Council further acknowledged that the bill will also infringe on an officer’s privacy rights by requiring an officer who carries an agency weapon off duty to protect himself, his family and the public by requiring the officer to wear a body camera which may deter them from wanting to carry weapons off duty.

CHARTER REVIEW COMMISSION APPOINTMENTS

The County Council recognized that the following individuals have been appointed to the Charter Review Commission: 1) Linda Henry, At Large member; 2) Bruce Coulson, District #1; 3) Theresa Stafford, District #2; 4) Susan Dukes, District #4. The Council agreed to appoint Gene Lauer as the District #3 representative.

OTHER

The Council agreed to appoint Lin Spicer to the Electrical Board.

Based on the request of Beth Wilson, Director of Operations, on behalf of the Board of Education (BOE), the Council agreed to the BOE's presentation of its budget request at a FY 2023 Budget Work Session. The Council acknowledged that requests to attend the Budget Work Sessions will be addressed on a case by case basis.

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 1st day of March, 2022.