

County Council of Dorchester County
Regular Meeting Minutes
May 3, 2022

The County Council of Dorchester County convened in Open Session at 6:16 p.m. on the 3rd day of May 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; Libby Handley Nagel, Vice President; William V. Nichols; and, Ricky C. Travers. Present via telephone was George L. Pfeffer, Jr. 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

There were no additions or deletions to the agenda.

After publication of the agenda, the following items was: Chapter 82 Electrical Standards Revision Discussion. The Council approved the amended agenda

APPROVAL OF MINUTES

The Council approved the minutes of May 15, 2022 and April 19, 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 \$17,886,297.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on 3rd of May, 2022 at 5:21 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613, open to the public and via telephone 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; and pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice.

Present on in Room 110 and on the telephone were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; William V. Nichols; and Ricky Travers. Present via telephone was George L. Pfeffer, Jr. 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 5:22 p.m. on May 3, 2022 to discuss the following items pursuant to §3-305(b)(1) and §3-305(b)(7):

1. Received clarification regarding compensation for specific employees in the Public Works Department;
2. Discussed the performance of specific employee(s) in the Planning and Zoning Department;
3. Approved the request of two individuals to change their status from full time status as a Paramedic to on call status by a 4 to 0 vote;
4. Agreed to hire an individual to fill the vacant Emergency Medical Services Director position in Emergency Services by a 4 to 1 vote, with one proxy vote.
5. Confirmed the hiring by the State's Attorney of an individual as the Criminal Clerk for District Court for the State's Attorney's Office and a salary adjustment by a 4 to 0 vote;
6. Discussed the filling of the Executive Administrative Specialist position in the Council's Office;
7. Received legal advice on a matter relating to a lease agreement;
8. Received legal advice on a legislative matter; and
9. Received legal advice on video and audio recording.

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

RECOGNITION OF CORRECTIONAL OFFICERS WEEK-MAY 2 TO MAY 6, 2022

Council recognized Correctional Officers' Week from May 2 to May 6, 2022. Present from the Detention Center were: Kenny Rodgers, Director; Major Tommy Robinson; Capt. Ronda Stanley; Lt. Corey Aubrey; Sgt. Arthur Nelson; Sgt. Angie Chester; Cpl. Jackie Horner and Cpl. Lasheka Dennis.

BUDGET PUBLIC HEARING

The Council convened into a budget public hearing. E. Thomas Merryweather, County Attorney said this is the first of two public hearings on the proposed FY2023 Budget. Ms. Lane advised that: 1) the second public hearing will be held on May 10, 2022 at 6:02 p.m. after which the County Council can make changes to the proposed Budget; and, 2) a legislative public hearing/adoption is scheduled for May 17, 2022 at 6:02 p.m.

There were no public comments.

REGULAR SESSION

The Council adjourned to Regular Session.

REQUEST FOR FUNDING-UPDATE-THE PACKING HOUSE-CROSS STREET PARTNERS

Jodie Hardesty, MERGE Community Manager, Cross Street Partners, provided an update on the Packing House and presented a request for \$800,000 from the County for the project. The Council agreed to schedule an American Rescue Plan Act work session and consider the request at that meeting.

CONSTANT YIELD HEARING

Michael Spears, Finance Director, said a Constant Yield Hearing is required as part of the budgetary process. He explained that when assessments increase, the State calculates a tax rate that will be at a lower rate to have the same amount of tax revenue. He noted that this rate is lower than the budgeted amount, which remains unchanged from last year. He said the required notice was placed in a news publication which lists all of the revenues. There were no public comments.

MANAGERS COMMENTS

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING-MCKEIL POINT-SECTION ONE-SANITARY DISTRICT

The Council approved the First Amendment to Memorandum of Understanding for McKeil Point Section One from Dorchester County Sanitary District, LLC. The Council acknowledged that Mr. Merryweather will make the minor revisions made by the City attorney and move forward with execution by all parties.

REQUEST FOR LANDFILL TIPPING FEE DISCOUNT-WAIVER-WALLACE TEMPLE AMC ZION CHURCH

Deborah Humphreys, Head Trustee, Wallace Temple AME Zion Church, in Vienna, presented her request for a discount or waiver of tipping fees for the removal of the Wallace Temple structure located on 4935 Kraft Road. Pursuant to queries from Councilman Newcomb and Councilwoman Nagel, Ms. Humphreys said the building is approximately 100 x 80. Mr. Edwards estimated the tonnage to be 25 to 35 tons which equates to five to six dumpsters. Councilwoman Nagel said she will contact the Vienna Volunteer Fire Company to inquire whether a controlled burn of the structure can be done. The Council agreed to waive the Landfill Tipping Fee for the structure with the understanding that there may be a controlled burn in lieu of demolition of the structure.

SPECIAL EVENTS AGREEMENT(S)-USE OF COUNTY PROPERTY-TCR MANAGEMENT

The Council approved the request of Jason Chance, TRC Event Management, to enter into a Special Events Agreement between this entity, the County Council and the Sheriff's Office for the 2022 Cambridge Crab Run on May 8, 2022 from 7 a.m. to noon for the following public safety services in form of two Deputies and two vehicles at the cost of \$550. The Council acknowledged that the Deputies who provide services for this event until this agreement will receive premium overtime.

The Council also approved Mr. Chance's request for use of the County Tourism grounds for the Maryland Freedom Swim on Sunday, May 15th, 2022 from 9 a.m. to approximately noon. The Council acknowledged: 1) Holly Gilpin, Tourism Director, has no changes about this use; 2) the Park will remain open; and, 3) set up and cleanup will be done by TCR Event Management and their staff.

REQUEST TO SOLE SOURCE-PAVING CHRIST ROCK PARK PARKING LOT-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to sole source the paving of the Christ Rock Park parking lot with Russell Paving Company, Inc. at the cost of \$52,190 using FY22 Recreation and Parks Capital funds designated for this purpose. Councilman Pfeffer questioned the reason for the sole source. Mr. Edwards explained that the County has an agreement with the contractor to perform paving and receives royalties from the use of the blacktop plan. In response to another question from Councilman Pfeffer, Mr. Edwards said this is the least expensive option.

SOLE SOURCE REQUEST-PAVING-PORION OF BAILEY STORE ROAD-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source the paving of a portion of Bailey Store Rd near MD 313 with Russell Paving Company, Inc. at the cost of \$8,925 using Highway Division Operating Budget funds.

REQUEST TO ACCEPT STORMWATER MANAGEMENT AGREEMENTS- BRECKENRIDGE BARN-WARWICK CORP-PUBLIC WORKS

The Council approved the request of Mr. Edwards to accept the following Stormwater Management Agreements for: 1) Breckenridge Barn, LLC which is located at 4032 Mill Road in Linkwood; and, 2) Warwick Corporation/ Dollar General is located at Corner of Rt. 392 and Poplar Street Hurlock, Maryland. The Council acknowledged that the companies have provided surety/performance bonds.

REQUEST TO SOLE SOURCE-PAVING-INTERSECTION OF INDIANTOWN ROAD AND REED ROAD-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source the paving of the intersection of Indiantown Road and Reid Road with Russell Paving Company, Inc. at the cost of \$5,300 using Highway Division Operating Budget funds.

SURPLUS PROPERTY DECLARATION REQUESTS

The Council approved the request of Susan Webb, Acting Planning and Zoning Director, to declare a desk as surplus property. The Council further approved the request of Sheriff James Phillips to declare five Zoll AED Defibrillators as surplus property, which are no longer used by the Sheriff's Office.

FY22 COPS HIRING PROGRAM APPLICATION SUBMITTAL REQUEST-SHERIFF'S OFFICE

The Council approved the request of Sheriff James Phillips to submit an application for FY22 COPS Hiring Program monies to fund a minimum of three but ideally five new entry-level Sherriff's Deputy positions with Councilman Nichols opposing by written proxy. The Council acknowledged that: 1) the program will fund up to 75% of the cost of salary and benefits for three years, or \$125,000 whichever is less; 2) the County will need to keep officer for a period of a year after the expiration of the grant; and, 3) the County will have to pay the cost for vehicles and equipment.

CLEARINGHOUSE REVIEW COORDINATOR APPOINTMENT

The Council appointed Susan Webb, Acting Planning and Zoning Director, as the County's lead Clearinghouse Review Coordinator to ensure the consistency of proposed federal/state-funded projects and state real property changes with local plans and policies.

CITIZEN PARTICIPATION AND ANTI-DISPLACEMENT PLANS

The Council approved the request of Hayley Effland, Grant Accountant, on behalf of Mike Spears, Finance Director, to approve the Citizen Participation and Anti-Displacement Plan. The Council acknowledged that she is currently working with Delmarva Community Services staff on a Community Development Block Grant which requires that these plans be updated.

DORCHESTER COUNTY PROPERTY TAX ASSESSMENT APPEALS BOARD

The Council acknowledged that: 1) Diana Willey has resigned as a member of the Property Tax Assessment Appeals Board. so there is a vacancy; 2) David Whitten's term will expire on June 1, 2022; 3) pursuant to §3-103 of the Tax Property Article of the Annotated Code of Maryland, the Council is required to submit three (3) nominations for each appointment to the Property Tax Assessment Appeals Board; and, 4) the Board members serve a five year term.

PLANNING COMMISSION

The Council appointed David Brohawn as the District 3 representative on the Planning Commission.

ANNUAL HOUSING BOND ALLOCATION-DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Council approved the written request of Maddy Ciulu, Director, Single Family Housing, Maryland Department of Housing and Community Development (DHCD), to transfer Dorchester County's 2022 tax-exempt housing bond allocation of \$1,233,078 to the Community Development Administration (CDA) for the CDA Maryland Mortgage Program.

TRAVEL REQUEST-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, for her and Jimmy Windsor, Emergency Planner to the MDEM-Emergency Management 2022 Symposium in Ocean City, Maryland from May 31 until June 3, 2022. The Council acknowledged that: 1) the symposium is free of cost due to County membership; 2) rooms will be paid with Emergency Management Planning Grant funds which are \$140 a night per person/room which equates to approximately \$450 per person for total of \$900.

POLL CONFIRMATION

Council acknowledged its decisions in the interim between meetings, via poll, to:

- approve the following Emergency Rental Assistance Program applications by a 4 to one vote (no response):

Altair Apartments	\$1,659.00
Cambridge Club Apartments	\$4,950.00
Cambridge Commons	\$2,114.00
Cherril Duncan	\$3,150.00
Christopher Adams	\$4,800.00
Ed James	\$6,100.00
JKL Holdings	\$5,225.00
Rob Lowe	\$7,500.00
Marion Wheatley	\$4,410.00
Martin Mullaney	\$12,780.00
Safelock Properties	\$4,719.00
Severn Management	\$14,164.00
Woods Crossing Apartments	\$4,110.00
Woods Road Meadows	\$6,515.00

- approve the request of the Emergency Services Director for Lt. Stevanus to attend the 2022 Motorola Conference in Orlando, Florida from April 24 to April 27, 2022 by a three to two (no response) vote.

CHAPTER 82 ELECTRICAL STANDARDS REVISION

Mr. Merryweather said due to the passage of Senate Bill 762 “Electricians Act-Revisions” by the Maryland General Assembly on May 30, 2021 which will become effective July 1, 2022 revisions need to be made to Chapter 82 entitled “Electrical Standards” of the County Code through the passage of legislation. He explained that: 1) under the new bill there are only three classes of electricians which are Master Electrician, Journeyman Electrician and Apprentice Electrician that is under the control of a licensed Master Electrician; 2) there is a General Electrician Classification in Dorchester County which is not recognized by the State so individuals with this classification will have to pass a Master Electrician exam by July 1st; and, 3) the Council can take legislative action either to grandfather this classification indefinitely or identify a specific period of time for them to pass the exam. The Council asked Mr. Merryweather to draft legislation to give the General Electricians until June 30, 2023 to pass the Master Electrician exam and become certification.

Councilman Newcomb thanked Beth Wilson, Director of Operations, Dorchester County Board of Education, for speaking to the Board of Education which identified school sites to use as polling places. Mr. Wilson said the following schools will be used as polling places: Vienna Elementary, Warwick Elementary, South Dorchester K-8, Maces Lane Middle School and Maple Elementary. Michael Spears, Finance Director, thanked the Board of Education for making Maces Lane available for the County’s June 21, 2022 tax sale.

Councilman Newcomb announced that Mr. Spears advised Council today that he will be retiring as of October 1, 2022. The Council agreed to advertise for this position. Councilman Newcomb noted that Mr. Spears has said he is willing to assist with the training of new Finance Director. In response to a query from Councilman Newcomb, Mr. Spears said he has been with the County for 27 years.

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 17th day of May, 2022.