

**County Council of Dorchester County
Regular Meeting Minutes
June 21, 2022**

The County Council of Dorchester County convened in Open Session at 6:08 p.m. on the 21st day of June 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; 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 Travers 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: Lease-Restaurant Space-Cambridge Dorchester Regional Airport. The Council approved the amended agenda.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$17,500,609.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on June 21, 2022 at 5:34 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; and, pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice. Present in Room 110 were: Jay L. Newcomb, President; Libby Handley Nagel, Vice President; 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 5:35 p.m. on June 21, 2022 to discuss the following items pursuant to §3-305(b)(1) and §3-305(b)(7):

- 1- Deferred a request of the Director of the Department of Corrections, to hire an individual to fill a vacant Secretary position;
- 2- Received legal advice from County Attorney regarding a lease;
- 3- Received legal advice from County Attorney regarding the use of County property by certain entities;

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

COMMENDATIONS-LIFE SAVING EFFORTS-BRANDON GIVENS, TYLER JONES

The Council presented Commendations to Paramedic Brandon Givens and Emergency Medical Technician Tyler Jones recognizing them for life saving efforts of a resident who was in imminent danger of death.

LEGISLATIVE SESSION

PUBLIC HEARING

BILL NO. 2022- 8 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO THE AUTHORITY OF TITLE 6, ELECTRICIANS, BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND, REPEALING AND REENACTING SECTION 82-8, RECORDS AND REPORTS OF BOARD, AND SECTION 82-12, APPLICATIONS FOR REGISTRATION, AND SECTION 82-13, COUNTY RESIDENTS PRESENTLY ENGAGED IN ESTABLISHED ELECTRICAL BUSINESS, AND SECTION 82-14, QUALIFICATIONS REQUIRED FOR REGISTRATION APPLICANTS, AND SECTION 82-16, EXAMINATIONS, AND SECTION 82-17, FEES AND BOND, AND SECTION 82-18, REVOCATIONS OR SUSPENSIONS OF REGISTRATION; HEARING, AND SECTION 82-19, RECIPROCITY OF CHAPTER 82, ELECTRICAL STANDARDS OF THE DORCHESTER COUNTY CODE PROVIDING FOR APPLICATIONS FOR REGISTRATION FOR MASTER ELECTRICIANS, JOURNEYPerson ELECTRICIANS, OR APPRENTICE ELECTRICIANS, AND PROVIDING THAT AN ELECTRICIAN GENERAL CLASS OF ELECTRICIANS IS ESTABLISHED IN DORCHESTER COUNTY, MARYLAND, AND PROVIDING FOR THE LICENSURE AND REGISTRATION OF QUALIFIED ELECTRICIAN GENERALS IN DORCHESTER COUNTY, MARYLAND, AND PROVIDING THAT ANY APPLICANT THAT APPLIES FOR REGISTRATION UNDER THIS CHAPTER THAT HAS BEEN LICENSED BY THE STATE BOARD OF ELECTRICIANS AS AN APPRENTICE ELECTRICIAN OR AS A JOURNEYPerson ELECTRICIAN OR AS A MASTER ELECTRICIAN ARE QUALIFIED FOR REGISTRATION AS IN SUCH GRADE UNDER CHAPTER 82, AND PROVIDING FOR FEES FOR REGISTRATIONS AND PERMITS, AND PROVIDING FOR INSURANCE REQUIREMENTS FOR REGISTRANTS, AND PROVIDING FOR REVOCATIONS OR SUSPENSIONS AND HEARINGS, AND PROVIDING FOR RECIPROCITY, AND PROVIDING GENERALLY FOR THE REGULATION AND REGISTRATION OF MASTER ELECTRICIANS, JOURNEYPerson

ELECTRICIANS, OR APPRENTICE ELECTRICIANS AND THE LICENSURE AND REGISTRATION OF ELECTRICIAN GENERALS.

E. Thomas Merryweather, County Attorney said Bill No. 2022-8 scheduled for legislative public hearing makes the following revisions to Chapter 82, Electrical Standards, of the Dorchester County Code: 1) Grandfathers all electrician general license holders on a status quo lateral basis until June 30, 2023; 2) all electrician general licenses shall expire on June 30, 2023 and shall have no future force or effect; 3) to updated Chapter 82 to be consistent with Senate Bill 762. Mr. Merryweather noted that no one signed up to speak. He asked if anyone on the telephone or in the audience wished to speak. Dennis Todd, resident said he wished to speak.

Mr. Todd said he was a Master Election in Dorchester County. In response to his question, Mr. Merryweather and Susan Webb, Acting Planning and Zoning Director, said all Electrician General License Holders will be grandfathered in until June 30, 2023 and will be required to pass the Master Electrician's exam and be licensed by the State by then.

The roll call on Bill No. 2022-8 was: Newcomb-aye; Nagel-aye; Nichols-absent; Pfeffer-aye; Travers-aye.

REGULAR SESSION

The Council convened into Regular Session.

MARYLAND ASSOCIATION OF COUNTIES ANNUAL VISIT

Maryland Association of Counties (MACo) President and Talbot County Council Member Laura Price and MACo Executive Director Michael Sanderson provided a state legislative and budget update which included items outlined on the attached document. Ms. Price thanked Councilman Pfeffer and Councilman Nichols, the County's MACo representatives for attending MACo Legislative Committee meetings. Councilman Pfeffer thanked Ms. Price and Mr. Sanderson for their experience and knowledge during the last three years. He also commended Ms. Price for her leadership as MACo President and Mr. Sanderson's direction to staff who assist local governments, noting that they speak to County Department Heads about pertinent issues. He asked Mr. Sanderson to thank his staff.

MANAGERS COMMENTS

LETTER OF SUPPORT-AMERICAN HERITAGE PRESERVATION FUNDING-MACES LANE COMMUNITY CENTER INC.

The Council approved the request of Ty Farrow, on behalf of Maces Lane Community Center, Inc., for a letter of support for the submission of its request for African American Heritage Preservation Program funding of \$100,000 for the Community Center project.

EVENT REQUESTS-DORCHESTER CENTER FOR THE ARTS

The Council approved the requests of Melissa Cooperman, Community Arts Coordinator, Dorchester Center for the Arts, to: 1) hold the Hooper's Island Chalk Arts Festival from November 5 and November 6, 2022 from 10 a.m. each day which is a free event open to the public which affect traffic even though the event is be located on private property; and, 2) to use the County Office Building parking lot, Courthouse grounds and electrical outlets for the Dorchester Showcase on Sunday, September 25, 2022 from 12:00 p.m. to 5:00 p.m. with the understanding that the parking lot must remain public. Ms. Coppersmith provided an overview of the activities that will be held at the Hooper's Island Chalk Arts Festival which will be held on her property. Dave Edwards, Public Works Director, based on a query from Councilman Newcomb, said he will set up a video message board a couple of days prior to the event.

REQUEST TO USE COUNTY PROPERTY-CIRCUIT COURT-COUNTY OFFICE BLDG GROUNDS-DUCK RACE FESTIVAL-RFC/ROTARY CLUB

The Council approved the request of Amy Craig, Past President of the Cambridge Rotary Club and Rescue Fire Company to use of the County Office Building grounds for food vendors and the Circuit Court grounds for spectator space to include the Spring Valley side of the property for family friendly activities on Saturday, August 13, 2022 for their second annual Duck Race Festival. The Council acknowledged that they have received permission from the City Council to close Court Lane that day for the use of the street for the water flume for the duck race.

FY23 AWARD-REQUEST FOR DESIGNATION-MOVING DORCHESTER FORWARD-LOCAL MANAGEMENT BOARD

Nancy Shockley, Local Management Board (LMB) Director, said pursuant to Section 8-301, Human Services, Annotated Code of State of Maryland, that each County is required to establish and maintain a local management board to ensure the implementation of a local interagency service delivery system for children, youth and families either as a: 1) a quasi-public nonprofit corporation that is not an instrumentality of the county government; or 2) a public agency that is an instrumentality of the county government. She advised that LMB has been collaborating with Moving Dorchester Forward for the past 18 months on several initiatives: community engagement, workforce development, early childhood initiatives, poverty alleviation and many more. She asked the Council to redesignate the Local Management Board as a quasi-public nonprofit corporation that is not an instrumentality of county government by designating Moving Dorchester Forward as the Local Management Board for Dorchester County effective July 1, 2022. She referenced the letters of support that were received in support of this action. She said she will retire and move to the non-profit organization to continue. In response to a query from Councilman Newcomb, Ms. Shockley confirmed that the Advisory Board will stay intact. She advised that she will stay with the County for a three month period to tie up loose ends and assist with the transition. In response to questions from Councilman Pfeffer, Ms. Shockley said: 1) no County funding will be required after the transition; 2) Susan Banks, Economic Development Director and Amy Craig, Clerk of the Court are Advisory Board members; 3) the County Council has the ability to revert the LMB back to the County by adoption of a resolution.

Roger Harrell, County Health Officer, said he was a founding member. He expressed his support for this transition which will provide the opportunity to leverage money from the State and nonprofit organizations.

The Council approved Ms. Shockley's request to reclassify the LMB from a public agency that is an instrumentality of county government to a quasi-public nonprofit corporation that is not an instrumentality of county government by designating Moving Dorchester Forward as the Local Management Board for Dorchester County effective July 1, 2022.

BID AWARD REQUEST-TRANSFER STATION REPLACEMENT RETAINING WALLS-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to award the Solid Waste Transfer Station bid for the replacement of retaining walls at the Golden Hill and Secretary Transfer Stations to Gee McClain, the lowest bidder, at total cost of \$73,704 (Golden Hill Station, \$39,604 and Secretary Station: \$34,100) using \$30,000 in FY 21/22 Capital and \$43,704 coming from the Landfill Fund Balance. Based on questions from Councilman Pfeffer, Mr. Edwards said: 1) after the project the area will be repaved; and, 2) he is uncertain what the timeline will be for the project as it is dependent on material availability.

SOLE SOURCE REQUEST-PAVING PORTION OF KIRWANS NECK ROAD-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving at the cost of \$19,250 to pave a portion of Kirwans Neck Road which is in poor condition using Public Works Operating Budget funds. In response to a question from Councilman Pfeffer, Mr. Edwards said: 1) the road is currently tar and chip; 2) a portion will be repaved in front of the church; 3) tidal water has adversely impacted the road; and, 4) drainage improvements will be made in that area before repaving.

REQUEST TO SOLE SOURCE-PAVING PORTIONS OF LINERS ROAD-PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving at the cost of \$115,374 to pave several areas of Liners Road which are in poor condition using Public Works Operating Budget funds. Pursuant to a query from Councilman Pfeffer, Mr. Edwards said: 1) tidal waters adversely impacted these areas; 2) drainage issues on a portion of the road have been addressed; and, 3) the sub base is failing.

TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS

The Council approved the recommendations of the Traffic Safety Committee meeting to: 1) the placement of two "No Parking No Stopping" signs on each side of Bucktown Road in the area of 4350 Bucktown Road to improve safety in this area; and, 2) not change the passing zone in this area due to the close proximity of MD 335 since passing should not be an issue and residents turning into 2004 Key Wallace Drive should not be affected with proper use of turn signals.

LEASE REQUEST-AIRCRAFT TIE DOWN-AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to enter into a tie-down lease with Bob Micheliche, a Caroline County resident, for his aircraft at the Cambridge-Dorchester Regional Airport on a month to month basis in the amount of \$60 monthly beginning May 17, 2022 which can be terminated when either party provides thirty days' notice.

NON PAYMENT OF LEASE-AIRPORT

The Council recognized that: 1) Carl Deakyne entered into a lease for spaces D and A2 in the South Hangar at the Cambridge-Dorchester Regional Airport effective October 5, 2021 to October 4, 2023; 2) as of June 7, 2022 he was five months behind in rent and had made no efforts to even make small payments despite assurances that he would do so; 3) pursuant to E. Thomas Merryweather, County Attorney, the County should declare a non-pay default under Section Ten (2) of the Lease and give Mr. Deakyne the 30 day notice of default and if the rent is not paid, terminate the Lease; and, 4) on June 15, 2022 Mr. Deakyne paid \$500. The Council agreed to send correspondence to Mr. Deakyne advising him to pay the amount due in full within 30 days or the County will proceed with eviction.

CHANGE ORDER REQUEST-RENOVATION OF RECREATION CENTER

The Council acknowledged that: 1) Local Parks and Playgrounds Infrastructure Funds (LPPI) allocated for the Renovation of the Recreation Center are \$500,000, of which \$300,000 has been estimated for the sport court floor replacement; 2) its award of the bid for the Recreation Center renovation to Hill-Kimmell Contracting at the cost of \$106,630; 3) due to an increase in costs the County Council approved a change order and to revise this amount to \$117,336; 4) when the ceiling tiles were removed for replacement the contractor discovered that there was insulation; 5) the contractor was not aware of this nor was it included in the bid documents provided to the contractor; 6) additionally when the contractor noticed that there were motorized damper vents they asked if they should be disconnected since they were covered by a wall; 6) Dave Edwards, Public Works Director, viewed the damper vents and advised that they should be disconnected and insulated from the inside. The Council approved a change order request for the ceiling insulation and the gym vent closure in the amount of \$4,552.34 which will be covered by LPPI funds.

AMERICAN RESCUE PLAN ACT DISCUSSION

Ms. Lane said at its June 14, 2022 American Rescue Plan Act (ARPA) Work Session Council reached a consensus to meet with all of the entities that submitted requests and municipalities. The Council agreed to hold a work session by the end of the month and for all to provide in writing the monies they have received from ARPA. Councilman Pfeffer opposed citing his belief that the Council has heard from the majority of the entities and has received information from the Board of Education.

POLL CONFIRMATIONS

- Since Shorefins uses the County pool during the pool season on Thursdays (Mondays to Thursday), by a 4 to 1 (no answer) vote, agreed to not allow the use of the pool by Volt 3C. Volt 3C is using some of the County park and areas in the County to hold their event.
- approved the below Emergency Rental Assistance Program Applications by a 5 to 0:

Name	Amount
Altair Apartments	\$580
Andrew Stephens	\$ 4,100
Ashok Zalavadia	\$ 11,200
Cambridge Commons	\$ 904
Ed James	\$ 5,725
Edward Pinder	\$ 7,754
Jones Estates LLC	\$ 2,240
Laurie Smith	\$ 3,325
Marty Mullaney	\$ 9,000
NOVO Properties	\$ 3,880
Presley Rae LLC	\$ 3,000
Terry McCollister	\$ 2,550
Woods Road Meadows	\$ 19,609

- agreed to allow the installation of three temporary signs at the old Mace's Lane High School property by Maces' Lane Community Center, Inc. which is leasing the property from the County by a 5 to 0 vote

LEASE-RESTAURANT SPACE-CAMBRIDGE DORCHESTER REGIONAL AIRPORT

E. Thomas Merryweather, County Attorney, said the Council negotiated a successful lease with Katie Rhea for restaurant space at the Airport. The Council agreed to move forward with the lease process.

OTHER

Councilwoman Nagel made a motion to move forward with obtaining live streaming Council meetings in light of the offer of Councilman Pfeffer to pay the cost of the first year of this service. Councilman Pfeffer said he withdrew his offer as the Council did not accept his offer. The motion was not seconded. The Council agreed to proceed with live streaming Council meetings as soon as possible.

Councilwoman Nagel made a motion to use \$150,000 from the FY22 Contingency Fund for repairs to roads in the County which Councilman Newcomb seconded for discussion. Councilman Travers said he wishes to view a list of roads to be repaired before making any decision to allocate the monies. In response to a question from Councilman Newcomb, Mr. Edwards said there is a great need for tar and chip, noting the funds can also be used for paving.

He explained that winter storms took a toll on the tar and chip roads. Councilman Pfeffer said he wants to hear from Department Heads and the Board of Education on whether they have any potential items and/or projects for which this funding can be utilized. He noted that the cost to pave one mile of road is \$150,000. He stressed the need to consider projects for which there is a greater need. Councilman Newcomb noted that the funds have to be committed by June 30, 2022. Councilman Newcomb and Nagel voted in favor of the motion and Councilmen Travers and Pfeffer opposed. Councilman Newcomb noted that Councilman Nichols, who is absent, can provide his vote. Councilman Pfeffer cited his belief that motion failed. The Council agreed to seek legal counsel's advice.

Mr. Edwards said Commercial Driver's License holders are now required to complete a mandatory training program. He expressed concern about the negative impact this legislation is having on local governments, including Dorchester County, and businesses across the Eastern Shore. He noted that there is a nationwide shortage of truck drivers.

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 16th day of August, 2022.