

**County Council of Dorchester County
Regular Meeting Minutes
August 16, 2022**

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 5:59 p.m. on the 16th day of August 2022. A roll call of the members was conducted. 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 were E. Thomas Merryweather, County Attorney; and Donna F. Lane, Acting County Manager.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols 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-Police Accountability Board Legislation and Emergency Rental Assistance Program Application Request-Local Management Board. The Council approved the amended agenda.

APPROVAL OF MINUTES

The Council approved the minutes of June 21, 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 \$12,118,458.08.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on August 16, 2022 at 5:31p.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 §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; 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 5:32 p.m. on August 16, 2022 to discuss the following items pursuant to §3-305(b)(1) and §3-305(b)(7).

- 1- Approved the request of the Emergency Services Director to hire an individual to fill the Emergency Services Administrative Specialist position by a 5 to 0 vote;
- 2- Discussed a proposed salary for a Department Head position;
- 3- Received legal advice from County Attorney regarding a memorandum of understanding for the use of certain facilities.

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 was Donna F. Lane, Acting County Manager. E. Thomas Merryweather, County Attorney, joined the meeting late in Room 110.

LEGISLATIVE SESSION

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO THE AUTHORITY OF SECTION 10-202 AND SECTION 10-206 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL SECTION 63-5(L) OF CHAPTER 63, ENTITLED BURIAL SITES PRESERVATION OF THE DORCHESTER COUNTY CODE PROVIDING FOR THE REPEAL OF THE DUTY AND POWER OF THE BURIAL SITES PRESERVATION BOARD TO REVIEW AND PROVIDE ASSESSMENT AND COMMENT TO THE DORCHESTER COUNTY DEPARTMENT OF PLANNING AND ZONING REGARDING THE ESTABLISHMENT OF BURIAL SITE AREA BOUNDARIES FOR RECORDATION OF APPROVED BOUNDARIES IN THE LAND RECORDS OF DORCHESTER COUNTY, AS APPROPRIATE, AND TO REPEAL AND REENACT SECTION 63-5(M) OF CHAPTER 63 AND SECTION 63-5(L) OF CHAPTER 63 OF THE DORCHESTER COUNTY CODE.

E. Thomas Merryweather, County Attorney, said before Council for introduction is legislation to repeal Section 63-5(L) of Chapter 63, Burial Sites Preservation Board, of the County Code repealing the duty and power of the Board to review and provide assessment and comment to the Dorchester County Department of Planning and zoning regarding the establishment of burial site area boundaries for recordation of approved boundaries in the Land Records of Dorchester County and repeal and reenact Section 63-5(M) of Chapter 63 and Section 63-5(L) of Chapter 63.

The Council agreed to proceed with publication of a public hearing on this matter.

INTRODUCTION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO TITLE 3, LAW ENFORCEMENT, SUBTITLE 1, POLICE ACCOUNTABILITY AND DISCIPLINE, OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO ESTABLISH A POLICE ACCOUNTABILITY BOARD AND AN ADMINISTRATIVE CHARGING COMMITTEE; SETTING FORTH THE QUALIFICATIONS FOR MEMBERS AND METHOD OF APPOINTMENT; PROVIDING

FOR A PROCESS TO RECEIVE AND REVIEW CERTAIN COMPLAINTS ALLEGING POLICE MISCONDUCT; SETTING FORTH THE DUTIES OF THE BOARD AND THE COMMITTEE; DEFINING CERTAIN TERMS; PROVIDING FOR THE STAGGERING OF INITIAL APPOINTMENTS TO THE BOARD AND THE COMMITTEE; PROVIDING FOR THE APPLICATION OF THIS ACT; AND GENERALLY RELATING TO POLICE ACCOUNTABILITY IN DORCHESTER COUNTY, MARYLAND.

Mr. Merryweather said legislation to establish a Police Accountability Board and an Administrative Charging Committee was previously introduced did not pass. Pursuant to an inquiry from Councilman Pfeffer, he was advised that Patrick Thomas, Special Legal Counsel, prepared the legislation. Mr. Merryweather advised that amendments can be made to the legislation during the public hearing process if there are not substantively changes. Councilman Nichols said he prefers having two at large members versus one at large member; changing the chairperson's term to three years like the other members; and the chairperson rotating every year.

Councilwoman Nagel said while she does not have a problem with the Sheriff implementing discipline, she believes that the board and not the Sheriff should engage in settlement negotiations. Councilman Pfeffer expressed his understanding that: 1) the Board will set the discipline; and, 2) if the Sheriff wishes to impose more disciplinary action the Administrative Charging Committee will either endorse or reject his proposal. He cited his belief that others will challenge the State law establishing these Boards which will then result in further legislation being passed. Councilwoman Nagel expressed her belief that family members of active police officers should not be Police Accountability board members. Membership of the Police Accountability Board was discussed by Council including consideration of the requirement for background checks on board members. Mr. Merryweather said the items that have been discussed are not of substance and can made at the public hearing.

The Council agreed to proceed with the publication of a public hearing and to have Mr. MacLeod attend the meeting at which it will be held with Councilwoman Nagel opposing.

REGULAR SESSION

The Council convened into Regular Session.

MANAGERS COMMENTS

DORCHESTER COUNTY FAMILY ADVOCACY CLINIC GRANT PROPOSALS-CIRCUIT COURT

The Council approved the request of William Jones, Circuit Court Judge and Mary O'Donnell, Magistrate, Circuit Court, to submit a FY 2022 Court Improvement Program Grant in the amount of \$329,000 for a Dorchester County Preventative Family Advocacy Clinic with no cash or in-kind match. The Council acknowledged that: 1) the Maryland Judiciary, Administrative Office of the Courts, Juvenile and Family Services, will administer the grant; 2) this pilot clinic will provide advocacy to empower families to overcome the underlying problems they are facing that place children in their care at risk of entering foster care; 3) the budget for this pilot clinic reflects that contracted members of the team will only be paid for approximately nine months of

the grant, once they are hired. Ms. O'Donnell said through this clinic they are hoping to serve 70 families a year. Councilman Pfeffer thanked her for being proactive with youth programs.

FY2022-2 OPERATING BUDGET AMENDMENT-BOARD OF EDUCATION

The Council approved the request of W. David Bromwell, Superintendent of Schools, to approve the Board of Education's FY 2022-2 Operating Budget Amendment to transfer \$250,000 from Operation of Plant and \$560,000 from fixed charges to: 1) Administration, \$65,000; 2) Student Health Services, \$10,000; 3) Student Transportation, \$485,000; and, 4) \$250,000 for Maintenance of Plant.

FY23 SENIOR CARE GRANT ANNUAL PLAN-DORCHESTER COUNTY SOCIAL SERVICE

The Council approved the request of Jenifer L. DuBosq, Director, Dorchester County Social Services, for this entity to continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding for the period of July 1, 2022 to June 30, 2023.

REQUEST TO USE EGYPT ROAD PARK-WILD GOOSE CHASE BIKE RACE-FRIENDS OF BLACKWATER

The Council approved the request of Rick Abend, President, Friends of Blackwater National Wildlife Refuge, to use Egypt Road Park as a rest stop for riders participating in the Wild Goose Chase Ladies Bicycle Ride fundraiser on September 11, 2022 from 9 a.m. to noon. The Council acknowledged that the organization will rent and set up a porta-pot and a 10' x 10' tent with refreshments in the first small field on the left entering the park.

REQUEST FOR TEMPORARY USE OF SPACE-EASTERN SHORE INNOVATION CENTER-BAYWATER ANIMAL RESCUE-ECONOMIC DEV

Based on a request of Susan Banks, Economic Development Director, the County agreed to Baywater Animal Rescue utilizing temporary office space for use by the Executive Director during the construction of a new facility (Baywater) that will include a veterinarian's office which is anticipated to be completed in November. The Council acknowledged that Baywater understands it will be required to obtain and maintain, at its own expense, insurance against loss or liability as stipulated in Section 3 of the proposed lease for the term of the Memorandum of Understanding which is August 16, 2022 to November 30, 2022.

FY23 CRITICAL AREA COMMISSION GRANT AWARD-PLANNING AND ZONING

The Council approved the request of Susan Webb, Planning and Zoning Director, to accept the FY 2023 Critical Area Grant Program Agreement grant award of \$9,000 with no match, which will be used to fund a portion of the salary for the Environmental Planner.

PROVIDER PARTICIPATION AGREEMENT-EMERGENCY SERVICES

The Council approved the request of Dozia Rahilly, Emergency Services Director, to continue to participate in the Medicaid Voluntary Supplemental program and for the execution of the Provider Participation Agreement.

GRANT AWARD-FY23 DESTINATION MARKETING ORGANIZATION GRANT-TOURISM

The Council approved the request of Holly Gilpin, Tourism Director, to accept a FY23 Destination Marketing Organization Grant award in the amount of \$259,248 with a grant term of July 1, 2022 to June 30, 2023 which does not require any match or in-kind funds as the Tourism Budget for Advertising and Promotion of \$130,500 will be used in conjunction with these grant funds.

REQUEST TO ADVERTISE FOR PROPOSALS-RE-ROOF HIGHWAY BUILDINGS-PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to advertise a request for proposals for the re-roofing several Highway Department buildings using funding from the FY23 Capital Budget.

REQUEST TO PURCHASE SECURITY CAMERA-BEULAH LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Edwards to purchase a security camera video system for Beulah Landfill from Bay Country Security Inc. in the amount of \$5,248 using funds from the Landfill Fund Balance.

GRANT MODIFICATION REQUEST-COUNTY BOAT RAMP REPAIRS-DEPARTMENT OF NATURAL RESOURCES-PUBLIC WORKS

The Council approved the request of Mr. Edwards to modify the Department of Natural Resources application, LG-0945H-21 to replace the Madison Boat Ramp Project with Tyler's Cove and to extend funds through June 2024 with no changes in cost or funding. In response to a query from Councilman Travers, Mr. Edwards said he will check on the condition of the Trenton Street boat ramp.

REQUEST TO APPLY FOR FUTURE DNR WATERWAY IMPROVEMENT FUND GRANT-TYLER'S COVE RAMP REPAIRS-PUBLIC WORKS

The Council approved the request of Mr. Edwards to apply for a Department of Natural Resources Waterway Improvement Fund Grant for phase 1 construction for Tyler's Cove in the amount of \$250,000 which will be fully funded by the DNR grant. The Council acknowledged that this will be an ongoing project that will need to be divided into several phases.

REQUEST TO ADVERTISE FOR PROPOSALS-CRUSHED STONE-PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise a request for proposals for crushed stone for the period of October 1, 2022 through September 30, 2024.

REQUEST TO AWARD BID-ALUMINIZED TYPE II METAL AND/OR HDPE DRAINAGE PIPE-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the contract for the purchase of Aluminized Type 2 Metal Pipe and/or HDPE Drainage Pipe for the period of September 1, 2022 to August 31, 2024 to Lane Enterprises, Inc. the only company that submitted a bid proposal. The Council acknowledged that funding under the drainage materials budget line item for FY23 will be used for this purpose.

BID AWARD REQUEST-COUNTY OFFICE BUILDING RESTROOM REMODEL-PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for the remodeling of the men's and women's downstairs restrooms in the County Office Building to the lowest bidder, Hill- Kimmell Contracting at \$69,250 using funding from the FY22 (\$50,000) and FY23 (\$50,000) Capital Budget allocated for this purpose.

REQUEST TO ADVERTISE FOR PROPOSALS-SNOW CONTRACTING SERVICES-PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise for proposals for snow contracting services.

GRANT APPLICATION SUBMITTAL REQUEST-PHASE 2 WILDLIFE FENCE-AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to execute and submit a grant to the Maryland Department of Transportation for phase two of the wildlife fence project for \$321,463.00, representing 75% funding of the total construction cost of \$428,617.00.

SPONGY MOTH SPRAYING COST ESTIMATES-LETTER OF ACCEPTANCE-PARTICIPATION-MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the written request of Craig Kuhn, Program Manager, Forest Pest Management, to participate in the Maryland Department of Agriculture's Forest Pest Management (FPM) Program for the identification and control of spongy moth populations for Dorchester County and its citizens. The Council acknowledged that: 1) based on information relating to spongy moth populations and trends in Dorchester County, up to 80 surveys will be conducted at an estimated County cost of \$1,360, which represents a 50% cost share on local costs to perform these surveys on non-State land; and, 2) this amount does not include additional funds that may be needed for aerial spraying.

GOVERNORS OFFICE OF CRIME CONTROL & PREVENTION HEROIN COORDINATOR PROGRAM GRANT AWARD-SHERIFFS OFFICE

The Council agreed to accept a Governor's Office of Crime Control & Prevention Heroin Coordinator Program grant award in the amount of \$48,700 to fund the salary costs of the Heroin Coordinator.

EMERGENCY RENTAL ASSISTANCE PROGRAM APPLICATION APPROVAL REQUEST-ROUND 36-LOCAL MANAGEMENT BOARD

The Council, based on the request of Nancy Shockley, approved the following Emergency Rental Assistance Program Applications.

Altair Apartments	\$1,878
Anastasia & Brandon Spear	\$3,095
Cambridge Club	\$3,445
DDT Holdings	\$4,328
Ed James	\$10,700
John & Bernie LLC	\$2,200
John Knox	\$3,600
LaToya Ferguson	\$3,000
Laurie Smith	\$4,900
Marty Mullaney	\$8,900

ADJOURNMENT

Councilman Pfeffer thanked members of the Council, staff and the public for reaching out to him due to the death of his father.

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