

**County Council of Dorchester County
Regular Meeting Minutes
January 3, 2023**

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 5:12 p.m. on the 3rd day of January, 2023. A roll call of the members was conducted. Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; Ricky C. Travers. Also present in Room 110 was Jeff Powell, Interim County Manager and Donna F. Lane, Executive Assistant to 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 MINUTES

The Council approved the minutes of November 15, 2022 and November 30, 2022.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$ 33,853,415.51.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on January 3, 2023 at 5:00 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: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; Ricky C. Travers. Also present in Room 110 was Jeff Powell, Interim County Manager and Donna F. Lane, Executive Assistant to County Manager. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on January 3, 2023 at 5:02 p.m. to discuss the following items:

- 1- Discussed matters relating to grievances.

- 2- Approved the request of the Director of Planning and Zoning to seek a proposal to extend the contract of a consultant that provides planning services relating to the comprehensive rezoning process by a 5 to 0 vote;
- 3- Approved the request of the Director of Planning and Zoning to hire an individual to fill the position of GIS Specialist by a 5 to 0 vote;
- 4- Approved the request of the Director of Emergency Services to deny the request of a Paramedic to remain on-call after resignation by a 5 to 0 vote;
- 5- Approved the request of the Director of Emergency Services to change the status of a Paramedic from full time to on-call by a 5 to 0 vote;
- 6- Approved the request of the Director of Emergency Services to hire an individual as a full time Paramedic and individuals as on-call Emergency Medical Technicians by a 5 to 0 vote;
- 7- Approved the request of the Director of Emergency Services to promote two Emergency Medical Technicians to Paramedic, by a 3 to 2 vote and the other by a 5 to 0 vote;
- 8- Approved the request of the Acting Finance Director to hire an accounting consultant to assist with audits by a 5 to 0 vote;
- 9- Approved the request of the Acting Finance Director to hire a temporary consultant to assist with Treasury Manager duties by a 5 to 0 vote;
- 10- Confirmed the request of the State's Attorney to make salary adjustments for the positions of Deputy's State's Attorney and the Senior Assistant State's Attorney by a 5 to 0 vote;

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; Ricky C. Travers. Also present in Room 110 was Jeff Powell, Interim County Manager and Donna F. Lane, Executive Assistant to County Manager.

PROCLAMATION – HUMAN TRAFFICKING PREVENTION MONTH.

The Council presented a Proclamation declaring January 2023 Human Trafficking Prevention Month.

ANNOUNCEMENT

Councilman Pfeffer announced that Jeff Powell, Interim County Manager and Ms. Lane will be handling the Managers Comments.

MANAGERS COMMENTS

BYRNE JUSTICE ASSISTANCE GRANT AWARD – ANTI-VIOLENCE INITIATIVE – SHERIFF’S OFFICE

The Council, based on the request of James Phillips, Dorchester County Sheriff, accepted the Byrne - Justice Assistance Grant Program, Dorchester County Anti-Violence Initiative grant award of \$43,132 with the performance period of October 1, 2022 to September 30, 2023 and no match requirements. The Council acknowledged that grant will be used to provide funding to the Sheriff’s Office for overtime and equipment to support the Dorchester County Anti-Violence Initiative as referenced below:

Personnel:

\$10,000 – Overtime

Equipment:

\$7,632 – Virtual Court Appearance Technology

Other:

\$22,500 – Communications Headset Tactical Team

\$ 3,000 – Lighting Equipment Tactical Team

REQUEST TO ADVERTISE FOR PROPOSALS – MAPPING SERVICES – ZONING CODE – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning and Zoning Director, to advertise a Request for Proposals for an outside consultant to complete new zoning maps, funded by the current Contractual Service Account FY23 Operating Budget line item. The Council acknowledged that maps must be completed using the geographic information system and be in a digital format.

BID AWARD – RE-APPRAISAL – OBSTRUCTION REMOVAL PHASE 2 – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to accept the proposal from W.R. McCain & Associates of \$3,000 to re-appraise the Burns property, Parcel F9, using the Airport’s Contractual Services FY23 Operating Budget line item as part of the Airport’s Obstruction Removal Phase 2 project. The Council acknowledged that new appraisal is needed for the trial on June 20, 2023 regarding the condemnation for the purpose of avigation easement.

Pursuant to a query from Jeff Powell, Interim County Manager, Mr. Nuwer stated that the avigation easement is for the removal of trees, not to transfer property.

REQUEST TO ADVERTISE FOR PROPOSALS – MOWING COUNTY OWNED PROPERTIES – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to advertise a Request for Proposals for mowing County owned properties as follows; 1) landfill locations; 2) marina and boat ramps for two year contracts and 3) facilities and tax sale properties. The

Council acknowledged that these requests for proposals will be combined into one advertisement.

REQUEST TO ADVERTISE FOR PROPOSALS – LANDFILL GRINDING RECYCLE SERVICES – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to advertise a Request for Proposals for Landfill Grinding Recycle Services which will be funded by the Landfill Fund Balance. The Council acknowledged that services are required by the Maryland Department of the Environment to remain compliant with the landfill's operating permit.

TRANSFER TAX & RECORDATION REFUND – CAMBRIDGE WATERFRONT DEVELOPMENT INC. HOLDINGS

The Council approved the request of Matt Leonard, Executive Director, Cambridge Waterfront Development Inc. (CWDI), to refund the recordation and transfer taxes that CWDI paid to acquire the "Hospital Property" consisting of 300 Bryn Street, 400 Bryn Street and 2 Aurora Street as follows:

Recordation Tax: \$10,000
County Transfer Tax: \$7,500

LETTER OF SUPPORT REQUEST – TAX EXEMPTION — CWDI HOLDINGS

Based on the request of Mr. Leonard, the Council agreed to provide a Letter of Support to CWDI to accompany their Application for Exemption Governmentally Owned Property for the "Gateway Property" (101 Sunburst Highway and 103 Sunburst Highway) and "Port Property" (Hayward Street) and "Hospital Property."

REQUEST TO USE COUNTY GROUNDS & ELECTRIC – CUBMOBILE DERBY

The Council approved the request of Mike O'Connor, Cubmobile Chair, Boy Scouts of America Del-Mar-Va Council, to use the County Office parking lot, grounds and electricity. The Council acknowledged that they will need two sets of bleachers from Recreation & Parks for the Annual Cub Scout Cubmobile Derby on March 19, 2023. The Council acknowledged that 1) Mr. O'Connor contacted the City of Cambridge to request the closure of Court Lane to host the event on Sunday and 2) a Certificate of Liability insurance will be provided prior to the event.

BOARD APPOINTMENTS - COINCIDE WITH COUNCIL TERMS

Ethics Commission (not by district)

The Council appointed Margaret M. Whitten to the Ethics Commission, as the District 4 representative.

Board of License Commissioners (by district)

Councilmen Travers, Pfeffer, and Detmer said they will serve on the Board of License Commission,

OTHER

The Council approved the appointment of Michael Larrimore, Sr. to the Police Accountability Board.

In pursuant to Councilman Pfeffer's question, regarding the Board of Appeals (BOA), Susan Webb, Planning and Zoning Director explained that the meetings can only be held when the alternate member is available since there are three vacancies on the board. In response to the vacancies, the Council approved the appointment of Blaine Williamson to the BOA as the District 5 representative.

Mr. Powell stated that he appreciate the Council's trust in him and thanked the staff for their great work ethic, when there is a nationwide employment issue. He recognized Donna Lane, Executive Assistant to County Manager and Duc Trieu, Recreation and Parks Director and thanked the Department Heads for 100% participation during a meeting, noting there is a solid foundation to build on.

COUNCIL'S COMMENTS

Councilman Kramer stated he is looking forward to working with Mr. Powell

Councilman Travers reminded everyone of the busy week ahead with the Maryland Association of Counties conference. He said it is going to be a great opportunity to 1) form new relationships; 2) meet those at the State level; 3) obtain information on legislation passed or being pursued; and 4) take advantage of seminars and trainings.

Councilman Detmer asked Mr. Powell to research the pros and cons of allowing on-call/24 hours staff to use County vehicles, in hopes it will allow staff to respond to an emergency call faster. Councilman Pfeffer added that this may cause tax ramifications to employees.

Councilman Kramer thanked Mr. Edwards for addressing the causeway storm damage in Hoopers Island on such short notice. Councilman Pfeffer added that Ms. Edwards was able to put a team together to reopen the road. In response to Councilman Travers question about accessing the damage, Mr. Edwards explained that the cost of the causeway damages will not meet the \$250,000 threshold of the Maryland Emergency Management Agency or the Federal Emergency Management Agency, noting that damages include guardrails, bulkhead, a washed out road and a temporary patch failing. Mr. Edwards further explained that the guardrail repair started last week, were previously approved and funds were earmarked under the Capital Budget.

Councilman Detmer noted that Griffiths Neck had additional damage during the storm. Mr. Edwards stated the barrels were installed and additional repairs will be made using American Rescue Plan Act funds. Mr. Edwards said the threshold is only for isolated areas and cannot be bundled with other areas.

In response to Councilman Pfeffer regarding a newspaper article, Mr. Edwards said he does not know what the project is, for the setting aside \$100,000 for jetties in Hoopersville.


ADJOURNMENT

With no further business to discuss, the Council adjourned.

ATTEST:



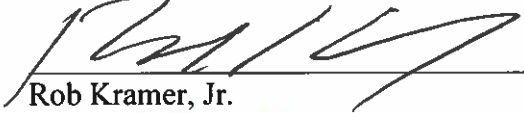
Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY;


George L. Pfeffer, Jr., President



Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 7 day of February, 2023.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING
("CLOSING STATEMENT") UNDER THE OPEN MEETINGS ACT (General
Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4 before closing the meeting.

1. Recorded vote to close the meeting: Date: 1/3/23 Time: 5:00 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Nichols Seconded by Detmer; Members in favor: Pfeffer, Detmer, Kramer, Nichols, Davis; Opposed: N/A; Abstaining: N/A; Absent: N/A.

**2. Statutory authority to close session (check all provisions that apply).
This meeting will be closed under General Provisions Art. § 3-305(b) only:**

- (1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals";
- (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business";
- (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto";
- (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State";
- (5) "To consider the investment of public funds";
- (6) "To consider the marketing of public securities";
- (7) "To consult with counsel to obtain legal advice";
- (8) "To consult with staff, consultants, or other individuals about pending or potential litigation";
- (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations";
- (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans";
- (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying examination";
- (12) "To conduct or discuss an investigative proceeding on actual or possible criminal conduct";
- (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter";
- (14) "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.";
- (15) "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (1)	To discuss grievances filed by several personnel at the Sheriff's Office regarding pay.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	To consider the request of the Director of Planning & Zoning to seek a proposal to extend the contract of a consultant that provides planning services relating to the comprehensive rezoning process.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	To consider the request of the Director of Planning & Zoning to hire an individual to fill the position of GIS Specialist.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	<p>To discuss the following requests recommended by Emergency Services Director:</p> <ul style="list-style-type: none"> -For a Paramedic to remain on-call after resignation -To change the status of a Paramedic from full time to on-call -Hire an individual as a full time Paramedic and individuals as on-call Emergency Medical Technicians -Promote two Emergency 	Public Discussion of applicant's names and job info could discourage people from applying for County jobs

	Medical Technicians to Paramedics	
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	To consider the request of the Acting Finance Director to hire an accounting consultant to assist audits.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	To consider the request of the Acting Finance Director to hire a temporary consultant to assist with Treasury Manager duties.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
§3-305(b) (1)	To confirm request of the State's Attorney to make salary adjustments for the positions of Deputy's State's Attorney and the Senior Assistant State's Attorney	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
§3-305(b)(13)	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications

4. This statement is made by Georj Puff A, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ **For a meeting closed under the statutory authority cited above:**

Time of closed session: _____

Place: _____

Purpose(s): _____

Members who voted to meet in closed session: _____

Persons attending closed session: _____

Authority under § 3-305 for the closed session: _____

Topics actually discussed: _____

Actions taken: _____

Each recorded vote: _____

➤ **For a meeting recessed to perform an administrative function (§ 3-104):** Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____