

**County Council of Dorchester County  
Regular Meeting Minutes  
February 7, 2023**

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:00 p.m. on the 7<sup>th</sup> day of February, 2023. A roll call of the members was conducted. Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President and Rob Kramer, Jr. Also present in Room 110 was Jeff Powell, Interim County Manager; Donna F. Lane, Chief of Staff; Irene Barnes, Executive Administrative Specialist and Charles MacLeod, Interim County Attorney.

**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 Request to Sole Source – 911 Battery Back-Up System was added and the following items were removed: 1) Bid Award – Enclose Suite 036 – Innovation Center – Economic Development and 2) Board Appointment – Chesapeake Area Heritage Board. The Council approved the amended agenda.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Pfeffer reported total cash and investments as \$33,647,236.79.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on February 7, 2023 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; 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 and Rob Kramer, Jr. Also present in Room 110 was Jeff Powell, Interim County Manager, Donna F. Lane, Chief of Staff and Irene Barnes, Executive Administrative Specialist. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on February 7, 2023 at 5:04 p.m. to discuss the following items:

- 1- Approved the request of the Public Works Director to hire an individual to fill a Motor Equipment Operator II position by a 3 to 0 vote;
- 2- Approved the request of the Public Works Director to promote an individual to Motor Equipment Operator IV position by a 3 to 0 vote;
- 3- Approved the request of the Public Works Director to transfer a Maintenance employee to Public Works to fill the Motor Equipment Operator III position by a 3 to 0 vote;
- 4- Approved the request of the Public Works Director to adjust the salary of a specific Motor Equipment Operator IV employee by a 3 to 0 vote;
- 5- Approved the request of the Public Works Director to hire an individual to fill an Administrative Associate Advanced position by a 3 to 0 vote;
- 6- Approved the request of Planning & Zoning to hire an individual to fill the inspector position by a 3 to 0 vote;
- 7- Approved the request of the Detention Center Director to promote two individuals to fill Correctional Officers II positions by a 3 to 0 vote;
- 8- Approved the salary adjustment regarding specific employee(s) within the Sheriff's Office by 3 to 0 vote;
- 9- Confirmed the request of the State's Attorney to hire an Assistant State's Attorney by a 3 to 0 vote;
- 10- Received legal advice from the Interim County Attorney regarding the Legacy Infrastructure Repairs Request for Assistance; and,
- 11- Received legal advice from the Interim County Attorney regarding the solar project agreements.

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President and Rob Kramer, Jr. Also present in Room 110 was Jeff Powell, Interim County Manager, Donna F. Lane, Chief of Staff and Irene Barnes, Executive Administrative Specialist. Charles MacLeod, Interim County Attorney, joined the meeting late.

## **PRESENTATIONS**

### **COMMENDATION – LIFE SAVING ACTION**

The Council presented a Commendation to the following first responders to commend Deputy 1st Class Stephanie Wolf; Deputy Eddie Hults; Morgan Harris, Communication's Specialist; Ashley Schanken, Communication's Specialist; Ciana Dean Emergency Medical Technician; Loreal Vaughn, 911 Lieutenant; Anthony Shaeffer, Paramedic; Ben Shannon, Paramedic; Juanita Darby, Emergency Medical Technician; Kevin Bailey, Paramedic; Chief R J Helmer and Pam Thomas, Emergency Medical Technician, for saving the life of William Barrack, whom went into cardiac arrest on December 2, 2022.

### **PROCLAMATION - NATIONAL OUTDOOR SHOW MONTH**

The Council presented a Proclamation declaring February 2023 as National Outdoor Show Month. Those present were: Kathy Abbott, Terry Robbins, Bud Foxwell, Cindy Paul,

Lori Huber, Susan Windsor, Marlene Meninger, Miss Outdoors Kyla Diggs, Little Miss Genevieve Tyler and Little Mister Irving Cumberland IV.

## **MOTION TO ADOPT CONSENT AGENDA**

The Council adopted the Consent Agenda and acknowledged that 1) all items listed under the Consent Agenda have been distributed to each member of the Council for review; 2) are considered to be routine; 3) will be acted upon by motion in the form listed; 4) there will be no separate discussion of these items and 5) if discussion is desired, that item will be removed from the consent agenda and considered separately.

## **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

The Council approved the minutes of January 3, 2023 and January 17, 2023.

### **APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers as presented, with Councilman Detmer abstaining from payments to the Star Democrat.

### **HARRIET TUBMAN CEREMONY – ALPHA GENESIS COMMUNITY DEVELOPMENT CORPORATION**

The Council approved the request of Adrian R. Holmes, President and Program Director, Alpha Genesis Community Development Corporation to host a ceremony in honor of Harriet Tubman Day on Saturday, March 11, 2023 from 3pm to 6pm at the Beacon of Hope statue.

## **ACTION ITEMS**

### **OFFER TO PURCHASE – 1945 LINERS ROAD**

The Council accepted the offer of Drew Mueller, resident, to purchase 1945 Liners Road, Church Creek, Maryland for \$550. The Council acknowledged that the County's cost of acquisition was \$3,133.71. In response to Councilman Detmer's query, Ms. Lane explained that the County obtained the property because it was not purchased during the tax sale, with the cost mainly consisting of attorney fees. She also noted that, if sold, the County would no longer be responsible for property maintenance.

### **REQUEST FOR FINAL APPROVAL OF RIGHT-OF-WAY – BEULAH LANDFILL**

The Council provided the final approval, at the request of John Miller, land owner, to grant him a right-of-way to his 3.7 acre parcel behind the Beulah Landfill before he binds the License Agreement to cross the railroad track. The Council acknowledged that the next step is to prepare a Legislative Bill providing for the right-of-way grant, which will need to be adopted at a

Legislative Public Hearing. Councilman Pfeffer thanked Mr. Miller for being patient throughout the process and presented a question to Dave Edwards, Public Works Director, in which he responded that the right-of-way will not interfere with the landfill.

#### REQUEST TO SOLE SOURCE – HOOPERSVILLE ROAD REPAIR – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving Co. Inc. and expend \$5,835 to repair a section of Hoopersville Road that was damaged during a recent storm which will be funded by the FY22 Public Works Operating Budget contractual services line item.

#### REQUEST TO SOLE SOURCE – PARKS ROAD REPAIR – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving Co. Inc. and expend \$22,750 to pave Parks Road, currently a tar-and-chip road, funded by the FY23 Capital Budget Road Paving allocation of \$1,000,000. In response to Councilman Detmer's inquiry, Mr. Edwards explained that the ditches are about the same as other County roads. He also explained that when roads are improved, Public Works installs new crosspipes before a road is paved, so hopefully no further work is needed for at least 20 years.

#### BID AWARD – LANDFILL GRINDING RECYCLE SERVICES – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for landfill grinding recycle services to Bridges Land Management, the lowest bidder, at the cost \$1,275 per hour, funded by the FY23 Operating Budget Landfill Fund Balance Account. In response to Councilman Detmer's query, Mr. Edwards explained that the cost for the County to acquire its own grinding equipment will be roughly \$1.2 million. He further added that the company provides turnkey services. Pursuant to Councilman Pfeffer's question, Mr. Edwards explained that once the materials are ground, they will be used in place of dirt in some areas required by Maryland Department of the Environment.

#### BID AWARD – LANDFILL MOWING – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for landfill mowing services to Wielgosz Property Management, the lowest bidder, at the cost \$725 per month, funded by the Landfill Operating Budget contractual services line item.

#### BID AWARD – COUNTY FACILITIES/TAX PROPERTIES MOWING – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for mowing County facilities and tax sale properties to Marshall Property Management, the lowest bidder, at the cost \$1,970 per month, funded through the operating budget.

#### BID AWARD – MOWING – COUNTY MARINAS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for mowing County marinas to Wielgosz Property Management, the lowest bidder, at the cost \$650 per month, funded by the Public Works Operating Budget contractual services line item. Councilman Pfeffer thanked the Public Works staff for everything they do.

#### 2024 RURAL LEGACY APPLICATIONS – PLANNING AND ZONING

The Council approved the request of Jason Boothe, Environmental Planner, on behalf of Susan Webb, Planning and Zoning Director, to submit applications to the State for FY2024 Maryland Rural Legacy Program preservation funds, which are allocated through the Maryland Department of Natural Resources, with the areas being submitted in the following order of priority: 1) the Nanticoke Rural Legacy Focus Area; 2) Harriet Tubman Rural Legacy Focus Area; and 3) Eastern Shore Heartland Rural Legacy Focus Area. The Council acknowledged that the order of priority is rotated annually to ensure each area receives equal opportunity.

#### TRAVEL REQUEST – EVENTS IN ANNAPOLIS – TOURISM

The Council approved the request of Holly Gilpin, Tourism Director, to travel to Annapolis, Maryland to attend three events: 1) The Taste of Eastern Shore; 2) Destination Marketing Organization meeting and 3) Annapolis for Maryland Tourism Day from February 9, 2023 to February 10, 2023. The Council acknowledged that the costs include mileage (\$66.12), lodging in a hotel (\$111.83) and one meal (\$45), totaling \$222.95, funded by the FY23 Operating Budget lodging and meals line item.

#### LETTER OF SUPPORT REQUEST – THAITALIAN RESTAURANT EXPANSION – ECONOMIC DEVELOPMENT

Based on the request of Susan Banks, Economic Development Director, the Council agreed to provide a letter of support for the proposed expansion of Thaitalian Infusion Cuisine, LLC to a new location in downtown Cambridge.

#### REQUEST TO APPROVE – 2022 LAND PRESERVATION PARKS & RECREATION PLAN – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation and Parks Director, to approve the Dorchester County 2022 Land Preservation Parks & Recreation Plan, which is a requirement for the County's participation in Maryland's Program Open Space Local Grants program. The Council acknowledged that the plan is used to analyze the recreational needs of the County. Councilman Detmer expressed his appreciation of the plan and he looks forward to working with Mr. Trieu. Councilman Detmer and Councilman Pfeffer thanked Mr. Trieu and his staff for their hard work.

## NOTICE TO PROCEED REQUEST – WILDLIFE FENCE PHASE 2 PROJECT CONSTRUCTION – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to provide Long Fence with a Notice to Proceed for construction of the Wildlife Fence Phase 2 project. The Council acknowledged that: 1) all required permits are secured; 2) 75% will be funded by Maryland Aviation Administration; and, 3) the remaining cost will be funded by the Airport's FY23 Capital Budget CGE airport wildlife fence-phase 2 construction line item. Mr. Nuwer expressed that the contractor has proven to be a good and reliable company. Councilman Pfeffer thanked Mr. Nuwer and his staff for all that they do.

## COMMUNITY TRANSPORTATION ADVISORY COMMITTEE APPOINTMENT REQUEST – DELMARVA COMMUNITY SERVICES, INC.

The Council deferred the request of Keith Adkins, Deputy Director, Delmarva Community Services, Inc., to appoint board members to the Community Transportation Advisory Committee. Councilman Pfeffer explained that it is hard to find anyone that is willing to sit on a board.

## REQUEST FOR PARTICIPATION – DORCHESTER COUNTY PUBLIC SCHOOLS FEASIBILITY STUDY

Based on request from W. David Bromwell, Superintendent, Dorchester County Public Schools, the Council appointed Councilman Detmer to participate in the Dorchester County Public Schools Feasibility Study, with Councilman Pfeffer as backup in the event Councilman Detmer is unable to attend. Councilman Detmer expressed that this is a huge priority and it is very important for the community.

## LETTER OF SUPPORT – HB194 – LOCAL GOVERNMENT TORT CLAIMS ACT – CAMBRIDGE WATERFRONT DEVELOPMENT, INC.

The Council agreed to provide a letter of support for the House Bill 194 and Senate Bill 301, Local Government Tort Claims Act – Cambridge Waterfront Development, Inc. (CWDI), to include CWDI, in Dorchester County; providing that a requirement to provide notice of a claim does not apply to unliquidated damages actions against CWDI, or its employees; and generally relating to the Local Government Torts Claims Act.

## COUNTY APPOINTMENT – CAMBRIDGE WATERFRONT DEVELOPMENT

Based on a request from Matt Leonard, Executive Director, Cambridge Waterfront Development, Inc., the Council agreed to appoint Angie Hengst, IRONMAN Race Director, to the Cambridge Waterfront Development Inc. Board as the County's representative.

## BOARD APPOINTMENT – POLICE ACCOUNTABILITY BOARD

The Council appointed Mr. Adkins to the Police Accountability Board for District 5.

The Council agreed to reconvene the Charter Review Commission, prior to the 2024 Election, to consider changing the residency requirement of the Finance Director and the County Manager. The Council acknowledged that: 1) new or previous members may be appointed; 2) the report is needed before May 2024; and, 3) a deadline must be set to give the commission adequate time.

#### LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION DISCUSSION

The Council appointed Kenneth Rodgers, Department of Corrections Director, to the Local Government Justice Reinvestment Commission. The Council acknowledged that the State law that formed the Local Government Justice Reinvestment Commission does not require the Director of the Department of Corrections to be the County Board Appointee, however in the past, the Department of Corrections Director has served on this commission on behalf of the County.

#### GRANT SERVICES DISCUSSION

The Council accepted a proposal from Valerie Mann for contractual grant writing services. The Council acknowledged that: 1) the services will be provided at an hourly rate; 2) the County does not have a grants person; 3) this will provide a contact to Department Heads to answer questions about grants; and, 4) even though Ms. Mann will search for grant opportunities for the County, the Department Heads still need to look for grants on their own.

#### ROOM 209 COUNTY OFFICE BUILDING-SET UP FOR MEETINGS

The Council approved the request of Mr. Powell, to purchase an Owl System for Room 209 of the County Office Building due to the increased use of virtual meetings with a cost of \$1,050 for the system and \$300 for the wireless setup, funded by the other general government line item. The Council acknowledged that the Information Technology Department will install the system and wireless unit, as well as a conference phone. Mr. Powell explained to Council that: 1) he has witnessed several meetings where five or more people have tried to crowd into a camera to participate in a zoom call; 2) setting up room 209 for in person meetings has already been proven beneficial; 3) the camera captures the person who is talking, while simultaneously showing all participants in a 360 degree view; and, 4) the Owl can be moved from room to room, if needed.

#### POLL CONFIRMATIONS

The Council confirmed its decision in the interim of meetings, via poll, to cancel the Budget Work Session scheduled on Thursday, January 26, 2023 by a 3 to 2 (no response) vote.

#### FY23 AGRICULTURAL SCRAP TIRE COLLECTION EVENT

The Council approved the request of Mr. Edwards to proceed with an Agricultural Scrap Tire Collection event, which is specifically for farmers. In response to Councilman Detmer's questions, Mr. Edwards explained that: 1) the dates are to be determined, but he would like to

host the event before the beginning of farming season; 2) the event will be held on two consecutive Saturdays; 3) the event is free to participants; 4) the cost to the County will be reimbursed; 5) there will be a maximum tonnage allotted, once it is reached, the event will be over; and, 6) everything will be communicated to the public, prior to the event, to ensure fairness.

#### PAYMENT IN LIEU OF TAXES – SOLAR PROJECTS

The Council adopted a Resolution approving a Payment in Lieu of Taxes Agreement (PILOT) for the Egypt Road Solar project (51 MW solar energy system) on the west side of Egypt Road for the first 35 years of operation with an annual distribution of the revenue between Dorchester County and the City of Cambridge by adding the personal property tax rates of both for property located within the corporate limits of the City and dividing the revenue between the City and County according to each jurisdiction's portion of the personal tax burden applicable within the corporate limits of the City of Cambridge.

The Council also adopted a Resolution to accept a Payment in Lieu of Taxes for the Mustang One Solar project (2 MW solar energy system) located on the south side of Maryland Route 343, west of Cambridge, for the first 35 years of operation with an annual distribution of the revenue between Dorchester County and the City of Cambridge by adding the personal property tax rates of both for property located within the corporate limits of the City and dividing the revenue between the City and County according to each jurisdiction's portion of the personal tax burden applicable within the corporate limits of the City of Cambridge.

Mr. MacLeod explained that there are two PILOTs for solar projects within City of Cambridge which the Council wanted the City Commissioners to act upon them first. He noted that the City has approved the PILOTs. In response to Councilman Detmer's inquiry, Ryan Showalter, Attorney, explained that the City's buffer requirements are about the same as the County's and the County Code requires 50 feet from the adjacent residences and schools. Pursuant to Councilman Pfeffer's query, Mr. Showalter stated that there is a surety bond to ensure vegetation stays in good condition. He explained the differences between the two projects. He said there is a bond that is posted to guarantee survival of material, and that a variety of trees, shrubs and flowers are used to cover all the seasons to create a natural buffer. In response to Councilman Detmer's questions, Mr. Showalter further explained that: 1) a decommissioning plan is required by the State to remove all of the different components, noting that the County or the State has the ability to call the bond; 2) the property is currently flat and used for soy beans; 3) only a small portion of top soil will be removed for fire truck access roads, pilings to set the panels and concrete pads for inverters and collecting stations, which will be restored if decommissioned; 4) there is a passive panel that collects solar energy, but does not store it, so there should be no need for fire suppression measures, however, coordination with local fire companies will be done. Pursuant to Councilman Kramer's question, Mr. Showalter explained that if panels are damaged, it will reflect on a real time monitoring system and will be repaired. He stated that there is also a vegetation maintenance plan, which includes low grade seed mix that only needs to be mowed two to three times a year. Councilman Detmer explained: 1) he has some reservations about



solar; 2) the County needs to devise a plan to prevent future solar issues; 3) he spoke to Commissioner Lajan Cephas, City of Cambridge, who said the City feels very strongly about the projects; 4) he is not enthusiastic about moving forward before other framework is completed; and, 5) based on the fact that it is a City project and their strong feeling about moving forward, he would like to as well.

In response to a query from Lin Spicer, Chairman, Board of Appeals, Mr. MacLeod explained that the County does not have general authority to enter into PILOT agreements with any property owner; this is under specific state authorization for the County to negotiate with respect to certain energy generating equipment; and, this case is under specific state authority. Councilman Pfeffer added that the County no longer receives personal property taxes from business owners. He further explained that energy generating equipment owners are billed under personal property taxes at a 2.44% rate, so a PILOT can be negotiated with the property owner and Council to lessen the cost of solar developments, which will increase agricultural land from \$500 per acre to \$20,000 per acre. Mr. Spicer expressed his concern that the Planning Commission needs guidance to make an informed decision on solar projects. In response to Mr. Spicer, Ms. Lane reminded Council that the Commission's recommendation was presented to the Council and a bill was prepared, however, it did not pass or get adopted. She noted that the solar legislative process will need to be followed. Councilman Pfeffer added that additional consideration needs to be given because the State can now preempt the County, as well as determining how to ensure the best regulations are developed to protect the County, while also complying with State requirements.

#### **REQUEST TO SOLE SOURCE - 911 BATTERY BACK-UP SYSTEM**

The Council approved the request of Robbie Larimer, Acting 911 Manager, to sole source with Emergency Power Services, Inc. and expend \$6,179.19 from the 911 Contractual Services, with the remaining \$55,612.69 being funded by the Maryland 911 Board, for a total of \$61,791.88, to install a portable uninterruptable power supply dedicated only to the County backup 911 Center.

#### **COUNCIL'S COMMENTS**

The Council approved the request of Mr. Powell to add James Windsor, Emergency Management Planner, to the list of employees that have been approved to use a take-home-vehicle under the same stipulations.

Mr. Powell thanked Council for allowing him to be the Interim County Manager. He said he is very impressed with Department Heads and the staff that have rose to the occasion. He acknowledged that working at the County is not the easiest, but there is a cultural shift happening and asked staff to be patient while changes are being made. Mr. Powell said everything will be done in best interest of the tax payers.

acknowledged that working at the County is not the easiest, but there is a cultural shift happening and asked staff to be patient while changes are being made. Mr. Powell said everything will be done in best interest of the tax payers.

Based on Councilman Detmer's motions, the Council agreed to: 1) the preparation of a bill for introduction to provide a property tax credit to qualifying members of volunteer fire companies within the County using language from a prior bill; and, 2) for the waiver of a tipping fee to demolish a structure in Cokesbury and structures in the Town of Vienna as necessary. The Council recognized that there is a County resolution that allows for the tipping fee credits for municipalities and communities which may be applied in these cases.

Councilman Detmer stated that he has several concerns regarding solar and does not want: 1) heavy metal leaching into the ground; 2) firefighters breathing in any harsh chemicals; 3) top soil removed; 4) decommissioning to be burdensome; and, 5) the tax payers to pay for reconstruction of the land after decommissioning. Councilman Kramer said the Council wants to ensure that actions taken are keeping the best interest of the County in mind. Mr. Powell suggested the possibility of setting a limit on the maximum amount of acreage that can be developed into solar fields within the County.

Councilman Detmer brought up the Airport runway length, which Mr. Nuwer stated is 4,500 feet and there is a plan to extend the runway to 5,400 feet. He explained that private jets need a minimum of 5,000 feet to land, which restricts certain aircraft from landing in Cambridge. Councilman Detmer asked staff to obtain further information on who to contact about increasing the hangar capacity and lengthening the runway.

Councilman Detmer thanked the Department Heads for being very accommodating.

Councilman Detmer asked staff to determine how many acres are federally owned within the County, as he wishes to discuss the possibility of increasing taxes on federally owned land.

The Council appointed Susan Dukes to the Charter Review Commission as the District 4 appointment.

A motion made by Councilman Pfeffer to appoint James Collins, Sr. to the Planning Commission for District 4, failed due to the lack of a second.

Councilman Pfeffer thanked staff and the National Outdoor Show organizers and participants, wishing them the best of luck.

## **PUBLIC COMMENTS**

Kathy Abbott, resident, requested that the Dorchester County Sanitary District LLC (Sanitary District) update be held quarterly, noting that she is eager for the Brooks Road project to be completed. Mr. Powell stated that pursuant to Maryland Department of the Environment (MDE) staff that this project is first on the list. He said he is directly involved with MDE, which will be scheduling a meeting at the Madison Volunteer Fire Company location. Mr. Powell explained

the Health Department and the Sanitary District are all working together. Mr. Powell said MDE will be sending out information as the BIPS are addressed.

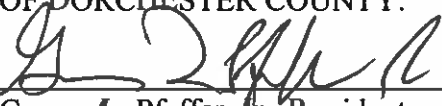
Mr. Spicer thanked the road workers and Mr. Edwards for cleaning Key Wallace Drive.

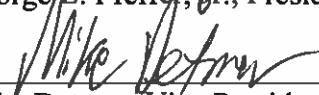
**ADJOURNMENT**

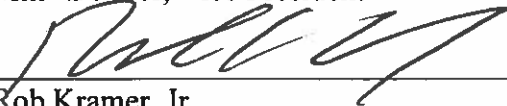
With no further business to discuss, the Council adjourned.

ATTEST:

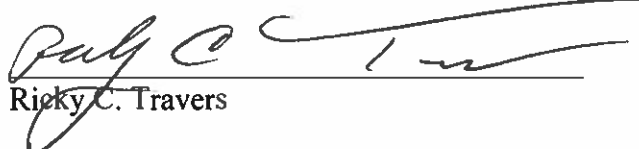
  
\_\_\_\_\_  
Jeff Powell  
Interim County Manager

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 March, 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: 2/7/23 ; Time: 5:03 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Detmer Seconded by Kramer ; Members in favor: \_\_\_\_\_ ; Opposed: \_\_\_\_\_ ; Abstaining: \_\_\_\_\_ ; Absent: Travis Niche

**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) x** "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) x** "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) x** "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."

**Continued →**

**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 consider the request of the Public Works Director to hire an individual to fill a Motor Equipment Operator II position	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 Public Works Director to promote an individual to Motor Equipment Operator IV position	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 Public Works Director to transfer a Maintenance employee to Public Works to fill the Motor Equipment Operator III position	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 Public Works Director to adjust the salary of a specific Motor Equipment Operator IV employee	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 Public Works Director to hire an individual to fill an	Public Discussion of applicant's names and job info could discourage people from applying for County jobs

	Administrative Associate Advanced position.	
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (1 )</b>	To discuss the request of Planning & Zoning to hire an individual to fill the inspector position.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (1 )</b>	To discuss promoting two individuals to fill Correctional Officers II within the Detention Center.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (1 )</b>	To discuss a salary adjustment regarding specific employee(s) within the Sheriff's Office.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (1 )</b>	To confirm the hiring of an Assistant State's Attorney.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b)(7 )</b>	Received legal advice from the County Attorney regarding the Legacy Infrastructure Repairs Request for Assistance.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
<b>§3-305(b)(7 )</b>	Received legal advice from the County Attorney regarding the solar project agreements	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)

4. This statement is made by Gen [Signature], Presiding Officer.

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**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: \_\_\_\_\_