

County Council of Dorchester County
Regular Meeting Minutes
April 18, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:11 p.m. on the 18th day of April, 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; Charles MacLeod, County Attorney; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist.

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, Air Conditioning Unit Repair-County Office Building and Purchase of Equipment-Public Works were added, and, Request to Submit Fy24 Maryland Heritage Area Grant Applications – Tourism was moved from the Consent Agenda to Action Items. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$31,226,030.34.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on April 18, 2023 at 5:30 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)(13) to shield the disclosure of various types of personal information.

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, Charles MacLeod, County Attorney, 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 April 18, 2023 at 5:31 p.m. to discuss the following items:

- 1- Notifications of recent new hires and promotions within the County were provided;
- 2- Discussed an addition to County Employees' paid-time-off;
- 3- Notification regarding a specific inmate at the Department of Corrections was provided; and,
- 4- Discussed information regarding a specific employee.

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, Charles MacLeod, County Attorney, Donna F. Lane, Chief of Staff and Irene Barnes, Executive Administrative Specialist.

PRESENTATIONS

COMMENDATION – FIRST RESPONDERS LIFE SAVING EFFORTS

The Council presented a Commendation to the following first responders to applaud them for saving the life of Gretchen Dejter, whom had an aneurysm on March 8, 2022: Trey Davis, Firefighter and Emergency Medical Technician; Jamie Majors, Firefighter and Emergency Medical Technician; Alex Shorter, Firefighter and Emergency Medical Technician; Eddie Dean, Firefighter and Paramedic; Aiden O'Connor, Firefighter; Shyheim Dawson, Firefighter and Emergency Medical Technician; Mike Marshall, Paramedic; Tom Oliver, Firefighter and Emergency Medical Technician; Julie Schuyler, Firefighter and Paramedic; Barbie Lynch, Emergency Medical Technician; Steve Mills, Paramedic, Firefighter II and Deputy First Class; Lieutenant Kyle Mitchell; Deanna DeShields, Emergency Communication Specialist; Danny Patchett, Emergency Communication Specialist; and, Abby DeCarlo, Emergency Communication Specialist.

COMMENDATION – TEACHER OF THE YEAR

The Council presented a Commendation to Briana Beulah for being named Teacher of the Year 2023-2024.

COMMENDATION – FIRST CLASS TEACHER OF THE YEAR

The Council presented a Commendation to Wendi Bleyer for being named First Class Teacher of the Year 2023-2024.

PROCLAMATION – MOTORCYCLE SAFETY AND AWARENESS MONTH

The Council presented a Proclamation declaring May as Motorcycle Safety and Awareness Month.

PROCLAMATION – SEXUAL ASSAULT AWARENESS MONTH

The Council presented a Proclamation declaring May as Sexual Assault Awareness Month.

PUNCH ISLAND RESTORATION PROJECT UPDATES

Deborah SeBour, President, Punch Island Community Association, Inc., presented an update to Council regarding the Shoreline Conservation Breakwater and Living Shoreline Resiliency Restoration Project. Ms. SeBour explained that Taylors Island: 1) protects the Taylors Island Wildlife Management area; 2) protects the Blackwater Refuge; and, 3) is losing roughly 15-19 feet of shoreline each year. The Council acknowledged that Ms. SeBour is seeking money to offset the 25% match, \$3.75 million, of the \$11,250,000 Congressional funding provided by United States Army Corp of Engineers via the 510 Federal Program to restore and protect the Chesapeake Bay and its tributaries. The Council offered it's support in the project.

Pursuant to Councilman Pfeffer's inquiries, Ms. SeBour explained that: 1) there are 40 homeowners on Punch Island Road but few live there year-round; and, 2) she has not reached out to Planning & Zoning or Emergency Management in regards to finding funding through grants. Councilman Detmer added that he will be happy to share other contacts that may be of assistance.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of April 4, 2023.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented, with Councilman Travers abstaining from payments made to Simmons Center Market, and, Councilman Detmer abstaining from payments made to APG.

BUDGET TRANSFER REQUEST – TOURISM

The Council approved the FY23 Budget Transfer Request for Tourism.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING – PROPERTY TAX CREDIT – VOLUNTEER FIRE COMPANIES

BILL NO. 2023 – 3 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO MD. CODE ANN., TAX-PROPERTY § 9-260 TO ADD A NEW ARTICLE XXI, ENTITLED “PROPERTY TAX CREDIT FOR QUALIFYING

MEMBERS OF DORCHESTER COUNTY, MARYLAND VOLUNTEER FIRE COMPANIES” ESTABLISHING A TAX CREDIT AGAINST COUNTY PROPERTY TAX IMPOSED ON REAL PROPERTY OWNED BY QUALIFYING MEMBERS OF BONA FIDE DORCHESTER COUNTY VOLUNTEER FIRE COMPANIES, SUBJECT TO CERTAIN CONDITIONS, AND PROVIDING FOR THE AMOUNT THEREOF, ELIGIBILITY THEREFOR, AND PROCEDURES FOR APPLYING AND PROCESSING REQUESTS THEREFOR.

Ms. Lane said a public hearing is being conducted on Bill No. 2023-3 to add Article XXI, entitled “Property Tax Credit For Qualifying Members Of Dorchester County, Maryland Volunteer Fire Companies” establishing a tax credit against County property tax imposed on real property owned by qualifying members of bona fide Dorchester County Volunteer Fire Companies, subject to certain conditions, and providing for the amount thereof, eligibility therefor, and procedures for applying and processing requests therefor.

Councilman Pfeffer asked for public comments. Hearing none, Councilman Pfeffer closed the public hearing and opened the floor for Council’s discussion. The Council deliberated and voted to enact Bill No. 2023-3.

The roll call for Bill No. 2023-3 was as follows: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – absent; and, Travers – aye.

PUBLIC HEARING – SUICIDE BRIDGE RESTAURANT GROWTH ALLOCATION 2

BILL NO. 2023 – 4 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY TO AMEND THE OFFICIAL CRITICAL AREA MAP OF DORCHESTER COUNTY TO CHANGE THE CRITICAL AREA DESIGNATION OF A PORTION OF A 7.66 ACRE PARCEL OF LAND OWNED BY DAVID W. NICKERSON, TRUSTEE OF THE DAVID W. NICKERSON REVOCABLE TRUST, LOCATED AT 6305 SUICIDE BRIDGE ROAD, HURLOCK, MARYLAND AND SHOWN ON TAX MAP 12 AS PARCEL 16 FROM RESOURCE CONSERVATION AREA (“RCA”) TO LIMITED DEVELOPMENT AREA (“LDA”) PURSUANT TO § 68-12 OF THE DORCHESTER COUNTY CODE.

Ms. Lane said a public hearing is being conducted on Bill No. 2023-4 which amends the official Critical Area Map of Dorchester County to change the critical area designation of a portion of a 7.66 acre parcel of land owned by David W. Nickerson, Trustee of the David W. Nickerson Revocable Trust, located at 6305 Suicide Bridge Road, Hurlock, Maryland and shown on Tax Map 12 as Parcel 16 from Resource Conservation Area to Limited Development Area pursuant to § 68-12 of the Dorchester County Code.

Councilman Pfeffer asked for public comments. Ryan Showalter, Attorney on behalf of David Nickerson the Applicant, reiterated the purpose of the Critical Area growth allocation request, which is to enable overflow parking for customers of Suicide Bridge Restaurant, and emphasized the importance of the bill being enacted for the existing business. Mr. Showalter referenced the Findings of Fact supporting the Planning Commission’s favorable recommendation on the award of growth allocation. In response to a question from Council about next steps, if the Council

passes the bill, he explained that the State Critical Areas Commission must next approve the request, which the applicant hopes will be an item on their May meeting agenda. Councilman Pfeffer queried whether anyone wanted to provide additional comments. Hearing none, Councilman Pfeffer closed the public hearing and opened the floor for Council's discussion. The Council deliberated and adopted the Findings of Fact, and voted to enact Bill No. 2023-4.

The roll call for Bill No. 2023-4 was as follows: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – absent; and, Travers – aye.

The Council agreed to provide a letter to the Critical Area Commission asking that the applicant's request, which has been approved by the County, be included on the Commission's May meeting agenda.

INTRODUCTION – FY2023-2024 BUDGET

AN ORDINANCE CONCERNING: 2023-2024 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY.

Ms. Lane said before Council for introduction is legislation to introduce the 2023-2024 Annual Budget and Appropriation Ordinance. Sandra Tripp Jones, Budget Manager, presented an update on the FY24 proposed Budget and stated the schedule of the budget public hearing process, see below,

May 2, 2023 Regular Session/Budget & Constant Yield Hearing
May 9, 2023 Budget Public Hearing Only
May 16, 2023 Regular Session/Budget Legislative Hearing/Adoption Only

The Council agreed to proceed with the publication of a public hearing.

INTRODUCTION – 911 FEES

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO MD. CODE ANN., PUBLIC SAFETY § 1-311 TO AMEND CHAPTER 85 – EMERGENCY TELEPHONE CHARGE, § 85-1 OF THE DORCHESTER COUNTY CODE BY INCREASING THE 911 FEE FOR DORCHESTER COUNTY, MARYLAND TO \$1.50 PER MONTH.

Ms. Lane said before Council for introduction is legislation to amend Chapter 85 – Emergency Telephone Charge, § 85-1 of the Dorchester County Code to increase the 911 fee for Dorchester County, Maryland from \$1.00 to \$1.50 per month, for a total of \$2.00 with the inclusion of the \$0.50 State fee.

The Council agreed to proceed with the publication of a public hearing.

The Council adjourned into Regular Session.

REGULAR SESSION

ACTION ITEMS

BID AWARDS – COURTHOUSE SIDEWALK REPAIRS – FIRE EXTINGUISHERS – MARINE FACILITIES PORTABLE TOILETS – GENERATOR SERVICES – PUBLIC WORKS

Courthouse Sidewalk Repairs

The Council approved the request of Dave Edwards, Public Works Director, to award the bid to remove and replace 550' of concrete sidewalk, curb and gutter at the Circuit Court building, to the lowest bidder, W.M. Stone Concrete Construction, LLC, at the cost of \$56,750 which will be funded by the FY22 Capital Budget allocation for sidewalk repairs.

Fire Extinguishers

The Council approved the request of Mr. Edwards to award the bid for fire extinguishers to the only bidder, Delmarva Fire Protection, at the cost of \$4,330 which will be funded by FY23 Operating Budget funds from the various County Departments, depending on the location.

Marine Facilities Portable Toilets

The Council approved the request of Mr. Edwards to award the bid for marine facilities portable toilets to the lowest bidder, Harman's Septic Care, at \$1,810 per month with a total cost of \$10,860 from May 1, 2023 to October 31, 2023 which will be funded by a FY23 Department of Natural Resources Waterway Improvement Grant.

Generator Services

The Council approved the request of Mr. Edwards to award the bid for yearly generator maintenance services at the County Office Building, Circuit Court House, Highway Division, and the Airport to the lowest bidder, Barnes Electric, at an annual cost of \$4,580 which will be funded by the FY23 Operating Budget of each department.

REQUEST TO EXTEND – FOOD SERVICE CONTRACT – DEPARTMENT OF CORRECTIONS

The Council approved the request of Kenneth Rodgers, Director, Department of Corrections, to extend the food service contract with Aramark Correctional Services, LLC for a one-year period from August 1, 2023 to July 31, 2024 at \$2.41 per meal. The Council acknowledged that: 1) the average population is between 100-109; and, 2) the cost per meal increased by \$0.31 due to inflation.

PROPOSAL DISCUSSION – CONSULTING SERVICES – FINANCE

The Council approved the request of Mr. Powell and Faith Redmond, Assistant Finance Director, to contract with Government Finance Officers Association for consulting services related to an organizational assessment of the County's finance functions and procedures at a cost not to exceed \$35,000.

REQUEST TO ESTABLISH COMMUNITY PARK – VIENNA

Jerome Harris, resident, presented information to the Council regarding safety concerns for children and seniors that walk through the town of Vienna. He noted that just this week, there was a high speed chase through the town due to a drunk driver. Mr. Harris made a request to Council to convert a vacant lot on Vienna Back Street, Vienna Maryland into a Community Park to create a safe area for the community to partake in outdoor activities which has been a project he has been pursuing for over the last 10 years. Duc Trieu, Recreation and Parks Director, provided information to Mr. Harris regarding the FY23 Program Open Space projects. Mr. Trieu explained that the Council allocated \$50,000 for the project to include benches, picnic tables, etc. Councilman Detmer thanked Mr. Harris for his patience and stated that even though this a great project, they need to ensure the park will be safe and establish hours of operations.

POLICE ACCOUNTABILITY BOARD – CHAIRPERSON APPOINTMENT

The Council appointed Paul Riordan as the Chairperson of the Police Accountability Board.

REQUEST TO SUBMIT FY24 MARYLAND HERITAGE AREA GRANT APPLICATIONS – TOURISM

The Council approved the request of Holly Gilpin, Tourism Director, to apply for two FY24 Maryland Heritage Area Authority (MHAA): 1) MHAA Mini Grant for \$25,000 as a no match-pass through grant; and, 2) MHAA Management Grant for \$100,000 with a 100% match requirement, contingent on approval of the budget. The Council acknowledged that the MHAA Management Grant funds will be broken down as follows:

Personnel	-	\$10,000
Contractual Services	Planning	\$3,000
	Design Services	\$30,000
	Other-consultant	\$30,500
Printing & Publications	Newsletters	\$1,200
	E-Newsletters	\$1,600
	Plans	\$500
	CHA-Specific Brochures	\$5,000
Web Maintenance	-	\$300
Staff Development & Travel	Conferences	\$700
	Workshops	\$2,000
	Mileage	\$250
	Memberships	\$1,500
Workshops & Training Hosted by CHA	-	\$5,000
Office Expenses	Purchase/lease/installation/maintenance of computers, office furnishings, copiers, etc.	\$2,000
	Software purchase, lease, upgrade	\$5,000
	Postage	\$50
	Office Supplies	\$200
Board & Meeting Expenses	-	\$1,200
Total		\$100,000

AIR CONDITIONING UNIT REPAIR – COUNTY OFFICE BUILDING

On behalf of Mr. Edwards, the Council approved the requests presented by Mr. Powell, to contract with Carrier to repair the County Office Building HVAC system at the cost of \$10,291.00. Mr. Powell added that the County may explore a replacement of the system in the future.

PURCHASE OF EQUIPMENT – PUBLIC WORKS

On behalf of Mr. Edwards, the Council approved the requests presented by Mr. Powell, to award the bid to purchase a mini excavator to the lowest bidder, Carter Machinery Company, Inc. at the cost of \$170,332.90 which will be funded by the FY24 Capital Budget. The Council acknowledged that due to limited availability of the equipment it has to go on backorder and the cost is likely to increase if it is not purchased now.

INTERIM COUNTY MANAGER COMMENTS

Mr. Powell spoke very highly of employees, thanking Department Heads and staff. He stated that the level of communication is improving within the County.

COUNCIL COMMENTS

Councilman Travers added that the meeting was very positive with the amount of recognition given, bills, etc. and that the County is headed into the right direction. He thanked Mr. Powell for his hard work and dedication to the County.

Councilman Detmer expressed concerns regarding issues within the Sanitary District and safety within Public Schools.

Councilman Pfeffer stated that there is a feasibility study meeting at 6 pm on April 19, 2023 regarding the future of schools with the potential of consolidating schools. He added that Councilman Detmer will be attending, while the others will be at the Chesapeake College meeting.

PUBLIC COMMENTS

Steve Nuwer, Airport Director, stated that the Young Eagles Day event is coming up on April 29, 2023 which provides airplane rides and information to kids that will show them a career path into Aviation.

Bobby Aaron, resident, said she appreciates the Volunteer Fire Companies Tax Credit incentive and as the volunteer County Coordinator to the State she will be available to assist Council in the implementation of the tax credit.

Ryan Shay, resident, stated that he purchased a commercial property about a year and a half ago and shared the process he went through to obtain approval to build on the property. Councilman

Pfeffer thanked Mr. Shay for sharing his experience. Mr. Powell noted that an Ad Hoc meeting will be held tomorrow with all involved agencies to improve the permitting process.

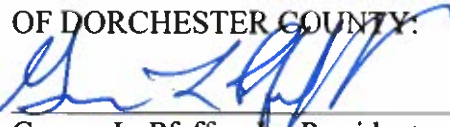
ADJOURNMENT

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



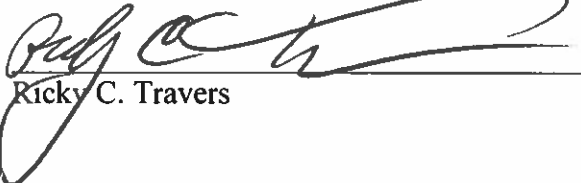
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 18th day of May, 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: 4/18/23; Time: 5:31 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Travers Seconded by Detmer; Members in favor: Pfeffer, Detmer, Kramer, Nichols, Travers Opposed: _____; Abstaining: _____; Absent: _____.

**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."

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)	Notifications of recent new hires and promotions within the County.	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 discuss an addition to County Employees' paid-time-off.	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 discuss information regarding a specific 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)(13)	To discuss expenses within the Department of Corrections due to a specific inmate.	Federal laws require us to shield the disclosure of various types of personal information, see, e.g., Health Insurance Portability and Accountability Act ("HIPAA"), 42 U.S.C. § 1320d et seq.

4. This statement is made by , 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: _____