

**County Council of Dorchester County
Regular Meeting Minutes
May 2, 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 2nd day of May, 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 Detmer led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the following item was removed: Proclamation – Building Safety month. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$29,078,052.69.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on May 2, 2023 at 5:45 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.

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 May 2, 2023 at 5:46 p.m. to discuss the following items:

- 1) Notifications of recent new hires and promotions within the County were provided; and,
- 2) Discussed personnel items regarding two specific departments.

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, Donna F. Lane, Chief of Staff and Irene Barnes, Executive Administrative Specialist.

FY24 BUDGET PUBLIC HEARING

The Council convened into a budget public hearing. Ms. Lane, said this is the first of two public hearings on the proposed FY2024 Budget. Ms. Lane advised that: 1) the second public hearing will be held on May 9, 2023 at 6:02 p.m. after which the County Council can make changes to the proposed Budget; and, 2) a legislative public hearing/adoption is scheduled for May 16, 2022 at 6:02 p.m.

There were no public comments.

Sandra Tripp-Jones, Budget Manager, presented a brief overview of the draft operating, capital and grants budgets. She explained that the proposed budget was based on the previously approved FY23 budget. Councilman Pfeffer stated that: 1) the proposed budget bill is available on the Dorchester County website; 2) a public hearing will be held at the next meeting on May 9, 2023; and, 3) constituents should contact their Councilman or the County Office with any concerns.

With no additional comments, the public hearing concluded.

CONSTANT YIELD HEARING

Ms. Tripp-Jones said a Constant Yield Hearing (CYH) is required as part of the budgetary process. She explained that when assessments increase, the State calculates a tax rate that will be at a lower rate to have the same amount of tax revenue. She noted that this rate is lower than the budgeted amount, which remains unchanged from last year. She said the required notice was placed in a news publication which lists all of the revenues.

There were no public comments.

Ms. Tripp-Jones explained that the State has determined, based on increase in the real property assessable base that the County's potential real property tax revenue will increase by 3.1% and to maintain the same revenue levels as the prior year. The County would have to adopt new Constant Yield tax rates provided by the State. She added that the current tax rate is \$1 per \$100 of assessment. Councilman Pfeffer explained that the purpose of this hearing is to provide the public the opportunity to provide input on the proposed rate. Mr. Powell stated that the State has removed the requirement to hold a CYH so this will be the last year that one will be held. Councilman Pfeffer added that the CYH makes it seem like the County is increasing taxes however the revenue increase is due to assessment changes. Ms. Tripp-Jones stated that the County will adopt the tax rates as part of the FY24 Budget bill.

With no additional comments, the Council closed the hearing.

MEETING WITH MUNICIPALITIES – TAX DIFFERENTIAL – TAX REBATE

Ms. Lane said that the proposed FY24 Budget includes rebates for seven municipalities and differentials for the City of Cambridge and Town of Hurlock which are unchanged from last year's budget. Ms. Tripp-Jones explained that they are the same rate but equate to a small difference of value due to increased assessments. She stated that the County proposes to continue the same rebates as approved in FY23.

There were no public comments.

Councilman Pfeffer thanked Steve Rideout, Mayor of Cambridge and Susan Dukes, Mayor of Secretary, for attending the meeting.

With no additional comments, the meeting ended.

PRESENTATIONS

COMMENDATION – CAMBRIDGE SOUTH DORCHESTER SCHOOL SENIOR CLASS PLAY

The Council presented Commendations to the participants of the Cambridge South Dorchester High School Class of 2023 Senior Play, "Peter and the Star Catcher."

PROCLAMATION – CORRECTIONAL OFFICERS WEEK

The Council presented a Proclamation declaring May 8, 2023 to May 12, 2023 as Correctional Officers Week.

BOARD OF HEALTH

Roger Harrell, Health Officer, provided an update on: 1) COVID-19 vaccine and testing rates; 2) the update of the birth and death certificate system for which delays may occur as they work through the new process; and, 3) overdoses have declined with three deaths year to date, compared to nine in 2022.

Pursuant to Councilman Nichols inquiry regarding vaccines for Omicron, Mr. Harrell stated that seniors 65+ years old or those with immune deficiencies should be vaccinated, if they are not up to date on their shots, which they provide free of charge. Mr. Powell expressed concerns regarding log jams within Environmental Health and the percent of the County that is undevelopable due to critical areas and septic issues. Mr. Harrell concurred, stating he is working on these issues with the Maryland Department of Environment.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of April 18, 2023.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented, with Councilman Detmer abstaining from APG.

DORCHESTER COUNTY HEALTH DEPARTMENT – ACKNOWLEDGEMENT OF SERVICES – DEPARTMENT OF CORRECTIONS

The Council approved the request of Kenny Rodgers, Director, Department of Corrections (DOC), to renew the agreement between the Dorchester County Health Department (DCHD) and the DOC, which allows DCHD to provide health services to the Detention Center.

REQUEST TO EXTEND – ENGINEERING CONSULTANT CONTRACT – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to extend the AECOM Technical Services, Inc. professional services agreement by one calendar year, maintaining all current terms and conditions, which will then provide sufficient time to exercise the public bidding process in preparation for June 29, 2024.

SURPLUS PROPERTY DECLARATION REQUEST – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning and Zoning Director, to declare a 2007 Chevrolet Silverado, Blue, ID #1082, Tag #MD-LG77842, VIN #1GCEC14X27713064, as surplus property.

GRANT MODIFICATION REQUEST – DEPARTMENT NATURAL RESOURCES WATER IMPROVEMENT FUND – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to modify the Department of Natural Resources Water Improvement Fund Grant agreement to: 1) provide a one-year extension to complete the Hoopersville Boat Ramp Facility renovation; and, 2) update the scope of work to reflect a new deliverable schedule.

ACTION ITEMS

EASEMENT AGREEMENT – BOBTOWN ROAD – JOHN MILLER

The Council agreed to enter into an easement between Dorchester County, Maryland and John K. Miller, Jr., to use a dirt lane running across the County's property located on Bobtown Road, Hurlock, Maryland on Tax Map 5, Grid 11 as Parcel 62 for Mr. Miller to access his 3.7 acre parcel behind the County's property located on Tax Map 5, Grid 18 as Parcel 64.

FEDERAL AVIATION ADMINISTRATION GRANT APPLICATION REQUEST – RUNWAYS RESURFACE PROJECT – AIRPORT

The Council approved the request of Mr. Nuwer to submit a Federal Aviation Administration Grant application for professional environmental services associated with the planned Runway

16-34 and Taxiway Rehabilitation project for \$52,538.40, with a 10% match requirement of \$5,837.60, which will be expended from the Airport's FY24 Capital Budget contingent upon Council's approval.

BID AWARD – RECYCLING SERVICES – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for recycling services at the current landfill locations and the site off of Chesapeake Drive to the only bidder, Republic Services, at the cost of \$24,238.28 per month, which will be expended from the Landfill Recycling account.

LEASE RENEWAL – GOLDEN HILL TRANSFER STATION – LANDFILL – PUBLIC WORKS

The Council approved the request of Mr. Edwards to renew the lease between the County and Gootee's Marine, Inc. for the Golden Hill Transfer Station for an additional three year period at \$700 per month. The Council acknowledged that the previous annual rent was \$6,000.

DORCHESTER COUNTY HIGHWAY PRIORITIES – PUBLIC WORKS

The Council approved the request of Mr. Edwards to submit the following list of transportation improvements along State Highways in Dorchester County for future State of Maryland funding consideration:

- MD 392/14 Intersection – Traffic / Geometric Improvements
- MD 336 – Worlds End Pipe Replacement
- MD 392 – Pedestrian improvements through Town of Hurlock
- MD 331 – Railroad Crossing improvements at Indiantown Road
- US 50 – Turn Lane improvements to MD 16 Mount Holly Road
- US 50 – In City of Cambridge redo pavement markings (cross walks and stop bars)
- US 50 – Jersey Walls of Malkus Bridge are in need of painting

After a brief discussion, the Council approved scheduling a meeting between the City of Cambridge, the Mayor and the County Council to discuss road issues. Mr. Powell will obtain ideas from all Department Heads.

HOUSING OF ADVANCED LIFE SUPPORT UNITS – EMERGENCY SERVICES

The Council agreed to enter into the same Memorandum of Understanding with the higher rate of \$1,000 per month for the housing of Advanced Life Support Units and staff between the County and the following Volunteer Fire Companies: 1) Eldorado Brookview; 2) Hurlock; and, 3) Madison.

STATE AND FEDERAL LAND-PAYMENT IN LIEU OF TAXES

Councilman Detmer explained that the State and Federal Government own roughly 88,000 acres within the County and due to payments in lieu of taxes, the annual taxes received from the State is \$500,000, and \$50,000 from the Federal Government. He further explained that the County maintains the roads and provides emergency services throughout the State and federally owned land. Councilman Detmer expressed concern that the County is not receiving enough taxes from these properties to cover the County's expenses in these areas. After a brief discussion, the Council agreed to have Mr. Powell form a task force to gather more information on the topic and to send a letter to the government agencies requesting additional funding.

AMERICAN RESCUE PLAN ACT DISCUSSION

Ms. Lane noted that before Council are requests for American Rescue Plan Act (ARPA) Fund monies for its review and consideration as well as a spreadsheet with items for which these funds have been approved or identified as potential projects.

The Council agreed to de-obligate \$2,087,041 in ARPA funds from the following projects:

- | | |
|---|-------------|
| 1) Choptank Broadband | \$99,716 |
| 2) Health Department Design & Feasibility Study | \$1,987,325 |

The Council agreed to re-obligate the \$2,087,041 in ARPA funds to the following projects:

- | | |
|--|-----------|
| 1) Ambulance | \$500,000 |
| 2) Finance Barrier | \$30,000 |
| 3) County Office – GovPilot | \$40,000 |
| 4) Council Office – Salary & Classification Study | \$140,000 |
| 5) Public Works Highways – Dump Truck | \$225,000 |
| 6) Public Works Highways – Tractor Mower | \$185,000 |
| 7) Public Works Highways – Mini Excavator | \$200,000 |
| 8) Sheriff – AEDs in DCSO Vehicles | \$80,000 |
| 9) Public Works Highways – Paving (reduce
Capital paving budget by \$500,000) | \$500,000 |
| 10) Packing House Remodel | \$200,000 |
| 11) Public Works Marina | \$193,000 |
| 12) Infrastructure Feasibility Needs Assessment
& Planning | \$700,000 |
| 13) Emergency Medical Services – Tower Battery
Replacement | \$30,000 |
| 14) Emergency Medical Services – Uninterrupted
Power Supply Replacement | \$60,000 |

The Council acknowledged that: 1) the State is considering retracting unused funds; 2) the total recommended ARPA budget is \$3,083,000; 3) \$700,000 is water and sewer related; and, 4) the Health Department project is still a necessity.

Mr. Powell stated that the shift in funds from Capital to Operating and instead using ARPA funds is the only way to pay the Kirwan bill to prevent an estimated 10% property tax increase. Councilman Pfeffer explained that: 1) the ARPA funds will not be an option next year if the County receives another large Kirwan increase which will result in property taxes increasing; 2) citizens need to voice their concerns to State Legislators; 3) the State has set aside \$900,000 for Kirwan for the first two years so it has been predicted that the State will be in a deficit in years three and four; and, 4) Councilman Detmer and State Delegates will be attending a meeting organized by Councilman Pfeffer at the Town Hall on May 4, 2023.

LETTER OF SUPPORT – RESIDENTIAL DEVELOPMENT – THE TIDES AT RIVER MARSH

The Council agreed to provide a letter of support to Wes Moore, Governor, regarding the residential development of The Tides at River Marsh.

BOARD APPOINTMENT – SOCIAL SERVICES

The Council approved the request of Jenifer DuBosq, Director, Dorchester County Department of Social Services, to appoint Robin “Lamont” Goodson to serve on the Dorchester County Social Services Board for a three-year term commencing on June 1, 2023.

LETTER TO U.S. ARMY CORPS OF ENGINEERS – DREDGING – FISHING CREEK & SURROUNDING AREAS

The Council agreed to provide a letter to Carol Lazo, Government Affairs Officer, U.S. Army Corps of Engineers, Baltimore District, to offer its support of the Fishing Creek dredging and to request the prioritization of dredging in the surrounding areas as follows: 1) Back Creek; 2) Muddy Hook; and, 3) Hearn's Cove.

INTERIM COUNTY MANAGER’S COMMENTS

Regarding a question that Councilman Travers had at a previous meeting about electricity programs, Mr. Powell stated that the County is currently in a program which expires in 2026 and he is gathering more information on the rates.

He also stated that the Climate Solutions Now Act of 2022 bill makes broad changes to the State’s approach to reducing statewide greenhouse gas emissions and addressing climate change, adding that this is a job for a Facilities Manager.

The Council approved a request from Mr. Powell to reallocate a \$17,500 grant for a feasibility study to the City of Cambridge for their land bank. The Council acknowledged that: 1) the funds are being retracted because they were not used for the purposes of the grant; and, 2) the State will need to approve the reallocation prior to the transfer.

Mr. Powell announced the passing of Casper Taylor, former Speaker of the House of Delegates. He explained that Mr. Taylor went above and beyond to have projects within the County

approved, such as the Hyatt Regency Chesapeake Bay Golf Resort, Spa and Marina. Mr. Powell expressed that we owe Mr. Taylor for everything he has done for the County.

COUNCIL'S COMMENTS

Councilman Nichols concurred with Mr. Powell adding that Mr. Taylor had a heart of gold and took a personal liking to Dorchester County, making it what it is today.

Councilman Kramer expressed concerns about an emergency call last week regarding an assault where no law enforcement units were available to assist them, causing a panic moment on the radio. Councilman Pfeffer stated that the County Deputies frequently back up the City of Cambridge to ensure the safety of the Emergency Medical Service personnel and that this topic will be part of the discussion with the City.

Councilman Detmer mentioned the following:

- Trash pickup is needed at the 4900 block of Maiden Forest;
- A pothole is forming near 4800 block of Centennial Road;
- With prior arrangements, litter picked up in public areas can be taken to the landfill for free;
- The school bus signs in Galestown and the Suicide Bridge crosswalks have been installed;
- There are three upcoming Design Team meetings: 1) May 8, 2023 for North Dorchester; 2) May 9, 2023 regarding Cambridge South Dorchester; and, 3) May 10, 2023 for South Dorchester.
- The County Job Fair will be held on May 4, 2023 and May 11, 2023 at multiple locations;
- Reiterated Councilman Kramer's concerns about the emergency radio call, noting the vacancies at the Sheriff's Office;
- Staff was put in an unsafe situation today with the public, applauding them for their actions taken to resolve the issue. Mr. Powell stated that training, outreach for escalation and self-defense was implemented today to ensure the safety of staff.

Councilman Pfeffer stated that:

- There is massive shortage in Law Enforcement;
- All County positions are important which is why a salary study will be completed to determine appropriate salaries, however the focus is on Law Enforcement due to shortages;
- Councilman Kramer, Councilman Detmer and himself will be attending the Planning Commission meeting tomorrow at 12 p.m. to discuss solar legislation.

PUBLIC COMMENTS

Terry Wheatley, resident, shared her experience at the University of Maryland Shore Medical Center at Cambridge, stating that her mother waited in the Emergency Room for 18 hours before she was transferred to Easton due to bed shortages in the surrounding hospitals and lack of ambulances available for transport once a bed was available.


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



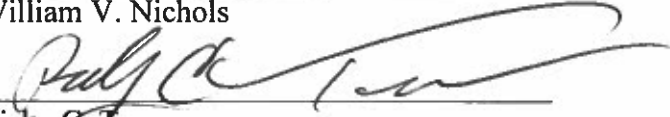
Mike Detmer, Vice President



Rob Kramer, Jr.

Absent

William V. Nichols



Ricky C. Travers

Approved the 16 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: 5/2/23; Time: 5:45 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: Detmer, Kramer, Pfeffer, Travers, Nichols; 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 personnel items regarding two specific departments	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 G. J. [Signature], 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: _____