

County Council of Dorchester County
Regular Meeting Minutes
June 6, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:05 p.m. on the 6th day of June, 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 were 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 Pfeffer led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the item Request to Sole Source – Food Truck Vendor – County Pool – Recreation & Parks was removed and a Resolution Adoption – to Fill Board of Education Vacancy – District 5 item was added. The Council approved the amended agenda

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$26,536,570.40.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on June 6, 2023 at 5:04 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 were 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 June 6, 2023 at 5:05 p.m. to discuss the following items:

- 1- Notifications of recent new hires and promotions within the County were provided;
- 2- Received legal advice from the County Attorney regarding the following:

- a. an organization;
 - b. a lease;
 - c. transfer of real property;
 - d. the Traffic Safety Committee.
 - e. a contract;
 - f. an agreement;
 - g. the Sanitary Commission; and,
- 3- Discussed a vacancy on the Board of Education.

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 were Jeff Powell, Interim County Manager; Charles MacLeod, County Attorney; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist.

PUBLIC COMMENTS

Councilman Pfeffer asked for public comments regarding the increase on the boat slip fees.

Steve Webster, resident, expressed his frustration of the 60% increase on boat slip rentals and explained that he does not understand the justification of the increase because Ragged Point only has one electrical outlet and the marinas are not in good shape. Mr. Webster asked the Council to be reconsider the large increase.

Bill Turner, resident, stated that every time Ragged Point is mowed, the grass clippings go into the boat and there is a boat blocking the slips which causes issues when he exits his slip.

Tina and Chuck Cummings, residents, said Taylors Island has issues with: 1) out of state boaters; 2) lines are being tied across their boat; 3) limited access to outlets; and, 4) boat protection during storms.

Wayne Paul, resident, stated that: 1) the channel at Tyler's Cove needs to be dredged as it is too small; 2) dumpsters are being filled by out of state visitors who do not abide by the speed regulations which causes damages to the boats on the docks; 3) the electric does not always work; and, 4) it is his understanding that it was to be paved two years ago.

Robert Travers, resident, noted that the Hooper's Island marina is in poor condition. He: 1) cited concerns about a loose board on the dock; 2) the electric does not work when it rains or during high tide; 3) there are no dumpsters; 4) there is only one place to unload; and, 5) there is no boat ramp.

Walter Cursey, resident, expressed his frustration of the increased fees and his concerns about the poor conditions of the docks at Ragged Point.

Councilman Pfeffer thanked everyone for the feedback and said Council will consider their concerns. He asked, in the meantime, that emails and phone calls regarding the boat slips be directed to the Council's Office. In response to Ms. Cummings's inquiry, the Council agreed to

place a moratorium on the fee increase until a discussion can be held regarding this matter.

PRESENTATIONS

COMMENDATION – MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION – SOFTBALL STATE CHAMPIONSHIP

The Council presented a commendation to the North Dorchester High School Softball Team for winning the Maryland Public Secondary Schools Athletic Association (MPSSAA) Softball State Championship.

COMMENDATION – MPSSAA TRACK & FIELD STATE CHAMPIONSHIP – GIRLS TRIPLE JUMP A1

The Council presented a commendation to La'Asia Todd, student, Cambridge South Dorchester, for winning the Girls Triple Jump A1 at the MPSSAA Track & Field State Championship.

COMMENDATION – MPSSAA TRACK & FIELD STATE CHAMPIONSHIP – BOYS 300 METER HURDLES 1A

The Council presented a commendation to Tori Willis, student, Cambridge South Dorchester, for winning the Boys 300 Meter Hurdles 1A at the MPSSAA Track & Field State Championship.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of May 9, 2023 and May 16, 2023.

APPROVAL OF DISBURSEMENTS

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

FY23-24 FIRST/SECOND QUARTER MEETING SCHEDULE

The Council agreed to adopt the County Council First/Second Quarter FY23-24 Meeting Schedule.

HOURS OF OPERATION – VISITORS CENTER – TOURISM

The Council approved the request of Holly Gilpin, Tourism Director, to close the Visitor's Center on County Holidays, with the exception of Memorial Day and the 4th of July and update the weekend hours of operation from 8:30 am to 4:30 pm, to 10:00 am to 2:00 pm. The Council acknowledge that Ms. Gilpin conducted a study regarding visitor traffic that justifies the changes.

LIVESTREAM POLICY ADOPTION

The Council adopted the Dorchester County Council's Chamber Livestream Policy which states that all meetings held within the Council's Chamber must be livestreamed and archived based on its May 16, 2023 decision.

MEMORANDUM OF UNDERSTANDING – BEHAVIORAL HEALTH SERVICES – WELLPATH – DETENTION CENTER

Based on the request of Kenny Rodgers, Director, Department of Corrections, the Council agreed to execute a new Memorandum of Understanding (MOU) between Behavioral Health Services, Wellpath and the Detention Center to provide clinical, medical and support services within the Detention Center. The Council acknowledged that: 1) the MOU signed on March 21, 2023 did not include Wellpath due to time constraints to proceed with a medical assisted treatment program; and, 2) Wellpath has now signed the MOU.

COOPERATIVE AGREEMENT – NOXIOUS AND INVASIVE WEEDS – MARYLAND DEPARTMENT OF AGRICULTURE

The Council approved the request of Jim Calao, Administrator, Weed Control Program, Plant Protection & Weed Management, to enter into a Cooperative Agreement between the Maryland Department of Agriculture and Dorchester County for cooperation in the control and eradication of noxious and certain invasive weeds for the period of July 1, 2023 through June 30, 2024.

REQUEST FOR CONSIDERATION – SANITARY DISTRICT COMMISSION REAPPOINTMENT

The Council approved the request of the Dorchester County Sanitary Commission members to reappoint Christopher Hauge and Samuel Monaghan to the Commission.

BUDGET TRANSFER REQUEST – RECREATION & PARKS – ECONOMIC DEVELOPMENT

The Council approved the FY23 Budget Transfer Requests for Recreation & Parks and Economic Development.

ACTION ITEMS

REQUEST TO PIGGYBACK– PURCHASE EQUIPMENT – PUBLIC WORKS

Roadside Tractor Mower

The Council approved the request of Dave Edwards, Public Works Director, to piggyback on the Marland Municipal Sourcewell Contract for the purchase of a roadside tractor mower replacement from Atlantic Tractor using reallocated American Rescue Plan Act funds at the cost of \$157,135.99.

Landfill Compactor

The Council approved the request of Mr. Edwards to piggyback on the MD Municipal Sourcewell Contract for the purchase of a landfill compactor from Carter Machinery Company, Inc. funded by the FY24 Capital Budget landfill compactor allocation at the cost of \$1,694,372.26.

Bush Hog Attachment

The Council approved the request of Mr. Edwards to piggyback on the MD Municipal Sourcewell Contract for the purchase of a bush hog attachment from Carter Machinery Company, Inc. funded by the FY24 Capital Budget landfill brush cutter allocation at the cost of \$7,742.27.

REQUEST TO PIGGYBACK – DRAINAGE REPAIRS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback on the Maryland Department of Transportation contract with David A. Bramble to make necessary drainage repairs in the area of Linthicum Drive funded by FY23 Contingency Funds at the cost of \$44,550.00. The Council acknowledged that the work needs to be completed as the drainage structures and pipes are failing.

REQUEST TO SOLE SOURCE – LANDFILL LITTER FENCE – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Meta Technologies to purchase additional landfill litter fence which will be funded by the FY24 Capital Budget litter fence allocation at the cost of \$57,800. The Council acknowledged that: 1) this was sole sourced because the new fence is compatible with the current litter fence used; and 2) the purchase is necessary to comply with Maryland Department of Environment requirements.

REQUEST TO PROCEED – AVIATION FUEL SUPPLIER CONTRACT – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to move forward with a contract between the County and Titan Aviation Fuels. The Council acknowledged its approval to change the fuel supplier at the November 15, 2022 Council meeting.

REQUEST TO ADVERTISE FOR PROPOSALS – SCHOOL STREET ATHLETIC FIELD DESIGN CONSULTANTS – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation & Parks Director, to advertise a request for proposals for professional surveying, design services, environmental and engineering consulting for the proposed School Street property athletic field, which will be funded by FY23 Program Open Space. The Council acknowledged that this will be advertised in the Star Democrat, Dorchester Banner, and Daily Times twice a week for a seven day period and on eMaryland Marketplace.

HOLIDAY OBSERVANCE REQUEST

The Council discussed the requests of Angela Chester, Chief of Records, Department of Corrections, and Timothy Bolden, Custody Supervisor, Department of Corrections, to observe the Juneteenth Federal Holiday. Mr. Bolden said Juneteenth became a Federal Holiday in 2021 and explained the history of the abolishment of slavery. Councilman Pfeffer stated that there is not enough time to adopt a resolution to amend the current holiday schedule prior to June 19, 2023. The Council agreed to add this item to the FY25 budget requests to be discussed further.

EVENT REQUESTS – DORCHESTER CENTER FOR THE ARTS

Melissa Cooperman, Community Arts Coordinator, Dorchester Center for the Arts, requested to use the County Office Building parking lot, Courthouse grounds and electrical outlets for the Dorchester Showcase on Sunday, September 24, 2023 from 12:00 p.m. to 5:00 p.m., with the understanding that the parking lot must remain public. Ms. Cooperman advised she received approval from the City of Cambridge to host the event and she will be requesting the cones and messaging board from the City. Mr. Powell explained the concerns of William H. Jones, Judge, Circuit Court, regarding public use of the Courthouse. The Council agreed to move forward with the request and allow Mr. Powell to work with Judge Jones on his concerns. Additionally, the Council agreed to provide support and assistance of Public Works staff by placing trashcans and blockades in areas of the event.

REQUEST TO USE COUNTY PROPERTY COUNTY OFFICE BUILDING GROUNDS – DUCK FESTIVAL – ROTARY CLUB/RFC

Based on the request from Michael Wheatley, the Council approved the use of the County Office Building grounds for the 3rd Annual Duck Festival on September 9, 2023 from 11 am to 6 pm, hosted by the Rotary Club and Rescue Volunteer Fire Company. The Council acknowledged that: 1) the front side of the parking lot will be used for grilling; 2) the City has approved the request to close Court Lane; 3) the event time may change once the event details are finalized but will stay within the approved timeframe; and, 4) the parking lot will remain open to the public.

HOUSING OF ADVANCED LIFE SUPPORT UNITS – HURLOCK VOLUNTEER FIRE COMPANY

The Council recognized the request of Brian Tolley, Hurlock Fire Company, to amend the Memorandum of Understanding to include the following: 1) the County shall clean and maintain the area used by County employees; and, 2) the County shall be liable for the phone and cable bills. The Council deferred the request to obtain clarification on what is included in the bills.

AMERICAN JOB CENTER MOU & RESOURCE SHARING AGREEMENT CONCURRENCE – UPPER SHORE WORKFORCE INVESTMENT BOARD

The Council approved the request of Dan Schneckenburger, Executive Director, Upper Shore Workforce Investment Board, for Council's concurrence of the Upper Shore Workforce Investment Board Local Workforce Development Area MOU 2023-2025 for the operation and

management of the American Job Centers in the Upper Shore Workforce Development Area. The Council acknowledged that Ms. Schneckenburger will provide a more in-depth agreement to Council once available.

POLICE ACCOUNTABILITY BOARD UPDATE

The Council received an update from Ms. Lane regarding the Police Accountability Board (PAB) who announced that the PAB is accepting resumes for the Administrative Charging Committee, which are due by 4 pm on June 30, 2023.

BOARD APPOINTMENTS – BUILDING CODE APPEALS – CHARTER REVIEW COMMISSION – ETHICS COMMISSION

Building Code Appeals

The Council appointed Greg Koski to the Building Code Appeals Board.

Charter Review Commission

The Council appointed Allen Nelson to the Charter Review Commission as an At-Large representative.

Other

The Council appointed Valerie Brown to the Planning Commission as an At-Large representative.

RESOLUTION ADOPTION – LEGISLATION TO FILL BOARD OF EDUCATION VACANCY – DISTRICT 5

The Council adopted Resolution 655; Resolution to Fill a Vacancy on the Dorchester County Board of Education, to appoint Christopher M. Wheedleton as the District 5 representative. The roll call for Resolution No. 655 was as follows: Pfeffer – aye; Detmer – aye; Kramer – nay; Nichols – absent; and, Travers – aye.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell stated that members are needed on the Building Board of Appeals. He went on to: 1) thank Bay County Communications for configuring the guest Wi-Fi; 2) state that open enrollment for employees has begun; 3) explain the new employee benefits of a \$10,000 life insurance benefit, Employee Assistance Program, and telemedicine; and, 4) introduce Karen Tolley as the new Finance Director. Ms. Tolley thanked the Council for the opportunity to serve the County.

COUNCIL'S COMMENTS

Councilman Kramer expressed his concerns regarding the boat slip fees, suggesting that the Council should be mindful of the generations of watermen within the County and look into repairing the marinas.

Councilman Detmer suggested: 1) the use of day passes at the marinas using a sticker system; and, 2) posting no camping signs in Elliotts Island. Mr. Edwards explained that almost all fishing areas are used for camping. Katie Coates, Sanitary District, added that there is a trash issue after the campers leave. Councilman Detmer noted that the Planning Commission will hold a special solar meeting on June 14, 2023 at 6pm.

PUBLIC COMMENTS

There were no additional comments.

ADJOURNMENT


With no further business to discuss, the Council adjourned.

ATTEST:



Jeff Powell
Interim County Manager

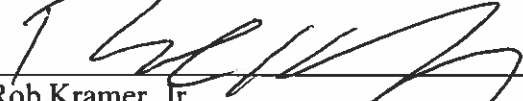
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:




George L. Pfeffer, Jr., President




Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 20 day of June, 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: 10/6/23; Time: 5:04 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Kramer 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)(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) (7)	To receive legal advice from the County Attorney regarding an organization.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding a lease.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding a transfer of real property.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding the Traffic Safety Committee.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding a contract.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding an agreement.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding the Sanitary Commission	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (1)	To discuss a vacancy on the Board of Education.	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 , 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: _____