

County Council of Dorchester County
Regular Meeting Minutes
July 3, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:08 p.m. on the 3rd day of July, 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; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Travers led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the Poll Confirmations were moved from the Consent Agenda to Action Items and FY24 Categorical Budget – Board of Education was removed. Ms. Lane noted that the Council did not discuss legal items with legal counsel as noted on the Agenda. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$28,303,516.39.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on July 3, 2023 at 5:15 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, §3-305(b)(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.

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; 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 July 3, 2023 at 5:16 p.m. to discuss the following items:

- 1- Reviewed changes to employee benefits which included information regarding specific employees;

- 2- Notifications of recent personnel changes within the County were provided; and,
- 3- Discussed bids received for a specific County property before a contract is awarded.

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.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of June 20, 2023.

APPROVAL OF DISBURSEMENTS

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

LEASE EXTENSION – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, on behalf of Dalcom, LLC, to exercise the second 1-year extension for the office space at the Airport Terminal building effective August 1, 2023 to July 31, 2024 on the same terms as the lease dated June 2019.

BUDGET TRANSFER REQUESTS – ECONOMIC DEVELOPMENT – RECREATION & PARKS

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

REQUEST TO SURPLUS VEHICLES & EQUIPMENT – EMERGENCY SERVICES – PUBLIC WORKS

Emergency Services

Based on a request presented by Ms. Lane, on behalf of Emergency Services, the Council agreed to surplus a 2008 ambulance.

Public Works

The Council approved the request of Dave Edwards, Public Works Director, to surplus the following:

- Unit 299; 98 International 10 Wheel Dump
- Unit 210; 02 Sterling 10 Wheel Dump
- Unit 547; 04 Gradall
- Unit 542; 06 Bobcat Mini Excavator
- Unit 625; 07 New Holland Tractor Mower
- Unit 124; 01 Chevy Pickup

- Unit 132; 08 Ford Pickup

GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION DOMESTIC VIOLENCE GRANT AWARD – SHERIFF'S OFFICE

The Council agreed to accept a Governor's Office of Crime Control & Prevention Domestic Violence grant award in the amount of \$17,900 to fund the salary costs of overtime for the Data Entry Clerk with no local match and an award period of July 1, 2023 to June 30, 2024.

FY24 SENIOR CARE GRANT ANNUAL PLAN – DORCHESTER COUNTY SOCIAL SERVICES

The Council approved the request of Jenifer L. DuBosq, Director, Dorchester County Social Services, for this entity to continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding for the period of July 1, 2023 to June 30, 2024.

REVISED FY24 BUDGET & FUND BALANCE REQUEST – CHESAPEAKE COLLEGE

The Council approved the request of Clifford Coppersmith, President, Chesapeake College, for approval of the College's revised FY2024 Operating Budget to reflect an increase in FY2024 State funding resulting from the Senator John A. Cade Formula & Budget Reconciliation & Finance Act, which will be used for: 1) an additional salary increase to full time employees of 3% which was not included in the original FY2024 budget; and, 2) four new positions (Welding Instructor, Grants Coordinator/Writer, Grants Accounting Manager and an Assistant Director of Public Safety). The Council acknowledged that the revised budget does not require additional monetary support from the County.

The Council also approved the request of Mr. Coppersmith to use \$50,000 of the College's Fund Balance for replacing and updating interior door locks on both the Wye Mills and Cambridge campuses.

REQUEST TO USE COUNTY GROUNDS & ELECTRIC – CUBMOBILE DERBY

The Council approved the request of Mike O'Connor, Cubmobile Chair, Boy Scouts of America Del-Mar-Va Council, to use the County Office parking lot, grounds and electricity. The Council acknowledged that they will need two sets of bleachers from Recreation & Parks for the Annual Cub Scout Cubmobile Derby on October 8, 2023. The Council acknowledged that: 1) Mr. O'Connor contacted the City of Cambridge to request the closure of Court Lane to host the event on Sunday; and, 2) a Certificate of Liability insurance will be provided prior to the event.

REQUEST TO RESERVE DOCKAGE & COUNTY GROUNDS – CHOPTANK HERITAGE SKIPJACK COMMITTEE

The Council approved the requests of Lou Hyman, Race Committee Chair, Choptank Heritage Skipjack Race, to: 1) reserve dockage along the County Office Building bulkhead for the 27th Annual Choptank Heritage Skipjack Race; 2) use the parking lot from September 22 to September 23, 2023 (race day), and electric; and, 3) use the side yard of the County Office Building property,

along the sidewalk leading from the parking lot, as well as the setup of a tent with the intent of using a local caterer to supply food for the event.

PUBLIC HEARING – VARIOUS FARM LEASES

The Council convened into a public hearing.

Ms. Lane said a public hearing is being held on the following lease renewals with: 1) Delmarva Native Plants, LLC for four acres of tillable farmland on Bobtown Road for a three-year term at an annual rent of \$1,000; 2) John Trice, Jr. for 60 acres of farmland on Gravel Branch Road for a five-year term at \$65.63 per tillable acre; and, 3) Garrett Luthy for 90 acres of tillable farmland on Cordtown Road for agricultural use only for a two-year term at an annual rent of \$13,300.

Councilman Pfeffer asked for public comments. Hearing none the Council agreed to move forward with the lease renewals.

The Council adjourned into Legislative Session.

LEGISLATIVE SESSION

INTRODUCTION – ETHICS COMMISSION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO THE AUTHORITY OF TITLE 5, SUBTITLE 8, PART II OF THE GENERAL PROVISIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND AMENDING CHAPTER 88 OF THE DORCHESTER COUNTY CODE ENTITLED “ETHICS” RELATING TO PUBLIC ETHICS TO ADD THAT THE ETHICS COMMISSION SHALL MEET AT LEAST ONE TIME EACH YEAR, AND TO INCORPORATE AMENDMENTS ENACTED BY THE MARYLAND GENERAL ASSEMBLY PURSUANT TO HOUSE BILL 363 – CHAPTER 252, ACTS OF 2021, AND HOUSE BILL 1058 – CHAPTER 425, ACTS OF 2021

Ms. Lane said before Council for introduction is legislation for the purpose of the General Provisions Article of the Annotated Code of Maryland amending Chapter 88 of the Dorchester County Code entitled “Ethics” to add that the Ethics Commission shall meet at least one time each year, and to incorporate amendments enacted by the Maryland General Assembly pursuant to House Bill 363 – Chapter 252, Acts Of 2021, and House Bill 1058 – Chapter 425, Acts Of 2021.

Councilman Pfeffer asked for public comments. Hearing none the Council agreed to proceed with the publication of a public hearing.

The Council adjourned into Regular Session.

ACTION ITEMS

OFFERS TO PURCHASE PROPERTY – 1100 RACE STREET

The Council deferred two offers to purchase 1100 Race Street, Cambridge, Maryland 21613 until more information is received regarding the City of Cambridge's land bank.

REQUEST TO SOLE SOURCE – ROAD REPAIRS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving to patch and pave 1.12 miles of Jenkins Creek Road from the area of Bayberry Road to the end of the road at the cost of \$229,035 which will be funded by American Rescue Plan Act funds.

REQUEST TO APPLY – DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND GRANT – CAMBRIDGE WATERFRONT DEVELOPMENT INC.

Based on the request of Matt Leonard, Executive Director, Cambridge Waterfront Development Inc. (CWDI), the Council agreed that CWDI will start the process of applying for a Department of Natural Resources (DNR) Land and Water Conservation Fund grant on behalf of the County for expanding and activating the beach and promenade. The Council acknowledged that: 1) the grant requests can be up to \$1,000,000; 2) a 50% match is required, which can be satisfied by using Program Open Space funds, also administered by the DNR; 3) the County would have to apply for the Program Open Space funds; 4) the Land and Water Conservation Fund grant application is due July 31, 2023; 4) CWDI will prepare and manage the grant on behalf of the County; and 5) the performance period is three years.

REQUEST TO ESTABLISH PARTNERSHIP – YOUTH CRISIS CENTER – MARYLAND DEPARTMENT OF HEALTH – SHORE COUNTIES

Based on the invitation of Queen Anne's County, the Council agreed to submit a letter of support for participating Shore Counties to establish a partnership with the Maryland Department of Health to obtain their expertise and leadership to continue with the planning and the implementation phase of a Residential Treatment Center for Children and Adolescents at the Upper Shore Community Mental Health Center. The Council acknowledged that monetary support has not been requested at this time.

TIME TO CARE ACT DISCUSSION – MARYLAND ASSOCIATION OF BOARDS OF EDUCATION/MARYLAND ASSOCIATION OF COUNTIES

The Council discussed the Maryland Time to Care Act (TTCA), passed on April 9, 2022, which requires employers to provide workers up to 12 weeks of job-protected paid leave to care for themselves or certain family members when specific criteria are met effective January 1, 2026. The Council acknowledged that: 1) employers that do not opt out of the State TTCA program will automatically be enrolled in the State program; 2) if enrolled into the State program premiums begin on October 2024; 3) the Maryland Association of Boards of Education (MABE) and Maryland Association of Counties (MACo) have established a TTCA program; and 4) to roll out a collaborative program available to school systems and Counties throughout the State,

MABE/MACo will need an appropriate level of commitment from interested school systems and counties as early as July 1st, 2023 but no later than September 1, 2023. After a brief discussion, the Council agreed to submit a non-binding letter of interest.

BOARD APPOINTMENTS

The Council made the following board appointments: 1) Robert Sturla to the Building Code Appeals Board; 2) George Ames to the Ethics Commission; and, 3) Glenn Bramble to the Charter Review Commission.

TAX SALE PROPERTY PROPOSED CHANGES

The Council agreed to change the time allotted to pay real property taxes in arrears from two years to one year. Therefore, beginning in June 2024 the tax sale will occur annually.

HOUSING OF ADVANCED LIFE SUPPORT UNIT – HURLOCK VOLUNTEER FIRE COMPANY

Ms. Lane said at the June 6, 2023 meeting, the Council: 1) recognized the request of Brian Tolley, Hurlock Fire Company, to amend the proposed Memorandum of Understanding (MOU) between Dorchester County and the Hurlock Volunteer Fire Company, for the housing of Advances Life Support staff and an ambulance, to include that the County shall clean and maintain the area used by County employees as well as be liable for the phone and cable bills; and, 2) deferred the request to obtain clarification on what is included in the bills. Ms. Lane stated that, pursuant to Mr. Tolley, the County has a separate phone line and cable account that it has always paid; and, the request for the clause is to ensure that issues relating to dishes and the area around the County ambulance are cleaned. Based on the request of Mr. Tolley, the Council agreed to enter into the amended agreement.

POLL CONFIRMATION

The Council confirmed its decision in the interim of meetings, via poll, to: 1) provide a letter of support for a grant application submitted by the Harrisville Malone Cemetery Maintenance Fund for the Malone's Methodist Episcopal Church Stabilization and Restoration project with no County funding commitment by a 4 to 1 vote; and, 2) support changes in BayVanguard Bank by a 5 to 0 vote.

INTERIM COUNTY MANAGER'S COMMENTS

Pursuant to Mr. Powell's inquiry, Steve Nuwer, Airport Director, provided an update on the Young Eagles Day event, and thanked Mr. Powell and the Council for their support.

Mr. Powell expressed his appreciation of the following: 1) James W. Phillips, Jr., Sheriff, for taking over 911 Communications and fully migrating into to the new 911 system; 2) Mr. Edwards for the quick work on Elliott Island Bridge and for completing tree trimming to ensure the safety of farmers transporting equipment on the roadways; and, 3) Faith Redmond, Assistant Finance Director, and Trudy Foxwell, Treasury Manager, for ensuring the property tax sale was successful.

COUNCIL'S COMMENTS

In response to Councilman Nichols, Mr. Powell said the tax bills should be finalized in about two weeks.

On behalf of Councilman Kramer's recommendation, the Council agreed to hold appreciation days for each department within the County to be coordinated by Mr. Powell.

Councilman Travers stated that repairs are imperative on the Back Creek Dock.

Councilman Detmer revisited the suggestion of boat ramp stickers, asking staff to research this further.

The Council wished everyone a happy and safe 4th of July, noting the meaning and importance of the holiday.

As a follow up to a previous meeting, Councilman Pfeffer explained that cannabis is only permitted for residential use and cannot be used in public.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

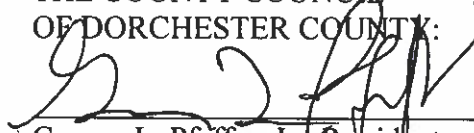
With no further business to discuss, the Council adjourned.

ATTEST:



Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



George L. Pfeffer, Jr., President

By phone

Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols

Absent

Ricky C. Travers

Approved the 18 day of July, 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: 7/3/23; Time: 5:15 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: Kramer, Pfeffer Nichols, Detmer, Travis; 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)	To review changes to employee benefits which included information regarding specific employees.	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 receive notifications of recent personnel changes 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) (14)	To discuss bids received for a specific County property before a contract is awarded.	Public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

