

County Council of Dorchester County
Regular Meeting Minutes
June 20, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:10 p.m. on the 20th 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.; and, 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 Pfeffer led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the following items were added: 1) Life Insurance – Sworn Deputies; and 2) Closure of an Area Ditch – Elliott Island Road. 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 \$24,684,258.84.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on June 20, 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.

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; and, 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 June 20, 2023 at 5:16 p.m. to discuss the following items:

- 1- Notifications of recent new hires and promotions within the County were provided; and;
- 2- Discussed matter regarding the Interim County Manager position.

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; and, 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 6, 2023.

APPROVAL OF DISBURSEMENTS

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

BUDGET TRANSFER REQUESTS – DEPARTMENT OF CORRECTIONS – PUBLIC WORKS

The Council approved the FY23 Budget Transfer Requests for the Department of Corrections and Public Works Department.

The Council adjourned into Legislative Session.

LEGISLATIVE SESSION

PUBLIC HEARING – MOWBRAY CREEK ROAD CLOSURE

BILL NO. 2023-7 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO § 12-512(D) OF THE LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CHAPTER 40, § 40-20 OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF CLOSING AND ABANDONING MOWBRAY CREEK ROAD, A PUBLIC COUNTY ROAD SITUATE IN THE FIRST ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND.

Ms. Lane said a public hearing is being conducted on Bill No. 2023-7 to for the purpose of closing and abandoning Mowbray Creek Road, a public county road situated in the First Election District of Dorchester County, Maryland.

Councilman Pfeffer asked for public comments. Hearing none, Council closed the public hearing and opened the floor for Council's discussion. The Council deliberated and voted to enact Bill No. 2023-7.

The roll call on Bill No. 2023-7 was: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – absent and, Travers – aye.

Mr. Powell confirmed with Dave Edwards, Public Works Director, that the County is abandoning maintenance of the road and it will not be closed.

The Council adjourned into regular session.

REGULAR SESSION

ACTION ITEMS

REQUEST TO SURPLUS – ATHEY LOADER – PUBLIC WORKS

The Council approved the request of Mr. Edwards to declare unit 431, a 1993 Athey Loader, as surplus property.

REQUEST TO ACCEPT STORMWATER MANAGEMENT AGREEMENT –WARWICK CROSSING– PUBLIC WORKS

The Council approved the request of Mr. Edwards to accept a Stormwater Management Agreement from Warwick Crossing, LLC for Lots 3-25 Warwick Crossing located in East New Market on Creamery Road.

REQUEST TO PIGYBACK – DUMP TRUCK PURCHASE – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback off of the State of Maryland Beltway International, LLC contract for the purchase of a new six-wheel dump truck for the Highway Division using the reallocated American Rescue Plan Act funds at the cost of \$209,282.50. Pursuant to the Council's inquiries, Mr. Edwards stated that: 1) the 6-wheeler will replace another, which is used for small roads since 10-wheelers are large; and 2) a snow plow as well as a salt spreader is included in the price.

CLINICAL ROTATION AGREEMENT – WOR-WIC COMMUNITY COLLEGE – EMERGENCY SERVICES

Based on the request of Debbie Wheedleton, Emergency Services Manager, the Council agreed to enter into a Clinical Rotation Agreement with Wor-Wic Community College for Dorchester Emergency Medical Services to serve as a field training site for Emergency Medical Technicians and Paramedic Programs from July 1, 2023 to July 1, 2026. The Council acknowledged that: 1) Patrick Macleod, MacLeod Law Group, LLC, altered the original agreement to provide for a renewal upon agreement of the parties as opposed to automatic renewals and deleted Paragraph 25, as it seemed inapplicable; and, 2) the Educational Institution shall secure and maintain liability insurance. Councilman Travers noted that by allowing the training, it will provide the County with better opportunities for retention and new hires will be familiar with the County's system.

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT – GRANT APPLICATION DISCLOSURE AUTHORIZATION – ECONOMIC DEVELOPMENT

Based on the request of Susan Banks, Economic Development Director, the Council agreed to execute the State Revitalization Programs Application Disclosure Authorization and Certification that will be submitted with a pass through grant for Mid-Shore Community Radio, (WHCP-FM). The Council acknowledged that: 1) Department Housing and Community Development (DHCD) allowed WHCP-FM to consider other locations for approval since they could not make the numbers work with the Packing House; 2) the grant was put on hold while WHCP-FM researched the other

locations; 3) WHCP has circled back to the Packing House location; and, 4) DHCD is currently going through their grant approval process.

REQUEST TO SOLE SOURCE – POOL PUMP – RECREATION & PARKS

The Council approved the request of Duc Trieu to sole source with Hill's Electric Motor Service, Inc. for the purchase of a spare pool pump at the cost of \$5,545.10 which will be funded by the Recreations and Parks FY23 Operating Budget contractual services line item.

REQUEST TO SOLE SOURCE – FOOD TRUCK VENDOR – COUNTY POOL – RECREATION & PARKS

Mr. Trieu notified Council that the request to sole source with Henry Vandyke, Owner, Lil' Bitta Bull, for food truck services at the County pool, allowing Mr. Vandyke to coordinate with various food truck vendors throughout the 2023 summer season, is no longer a viable option. He explained that the process was started too late in the season, so many vendors are fully booked. Mr. Trieu altered the request to allow food truck services as a special event at the County pool with the understanding that: 1) the closest restaurant cannot be within 200 feet from the pool; 2) the vendor must be approved by the City of Cambridge; 3) all food trucks must be licensed by Dorchester County Health Department; and, 4) all vendors must provide a Certificate of Liability Insurance, listing Dorchester County as an Additional Insured. The Council agreed that Mr. Trieu does not need their permission as this can be decided at a Department Head level.

HARRIET TUBMAN SCULPTURE MEMORANDUM OF UNDERSTANDING

The Council agreed to move forward with providing the Memorandum of Understanding (MOU) agreement to Alpha Genesis Community Development Corporation (Alpha Genesis) for review and consideration which will transfer ownership of the Harriet Tubman "Beacon of Hope" sculpture to the County. Mr. Powell noted that William Jones, Judge, Circuit Court, has no issues with the agreement. The Council acknowledged that once Alpha Genesis has reviewed the MOU agreement, it will be placed back on the agenda for its consideration.

BOAT SLIPS DISCUSSION

The Council discussed the boat slip fee increase that would have become effective as of July 1, 2023. Pursuant to Councilman Kramer's suggestion of lowering the fees back to the FY23 cost, contingent on repairs and boat owners obtaining insurance, Councilman Pfeffer expressed his belief that it is not feasible for senior watermen with older boats. Bill Turner, resident, spoke against the insurance requirement, stating concerns about the cost. Steve Webster, resident, added that insurance companies require surveys which may be unattainable for many watermen, especially those with wood boats. The Council reached a consensus to increase the fees by \$100 for three consecutive years, effective immediately. Councilman Pfeffer stated that they are reviewing short and long term goals and are working with the United States Army Corps of Engineers to improve boat ramps.

REQUEST FOR LEGAL COUNSEL ADVICE – MARIJUANA LEGALIZATION – MARIJUANA DISPENSARY ZONING

Pursuant to Councilman Detmer's request, the Council agreed to seek legal advice regarding marijuana legalization. Also based on Councilman Detmer's request the Council agreed to seek legal advice regarding marijuana dispensary zoning as well as input from the Planning & Zoning Department and the Planning Commission. The Council deferred the request of Holly Gilpin, Tourism Director, to place signage in the Dorchester County parks prohibiting the use of alcohol, tobacco and marijuana until legal advice is received.

LIFE INSURANCE – SWORN DEPUTIES

Based on the request of Mr. Powell, the Council agreed to obtain life insurance from The Standard for Sworn Deputies within the Sheriff's Office funded by the FY24 contingency fund, vacancies, and/or a possible supplemental budget at a cost of \$48,600 effective July 1, 2023. The Council acknowledged that: 1) the price is based on 45 employees; 2) the Officers will receive \$500,000 for accidental death & dismemberment and \$500,000 for active duty coverage; and, 3) the rate is guaranteed for three years.

CLOSURE OF AN AREA DITCH – ELLIOTT ISLAND ROAD

Based on a request from Councilman Detmer, the Council requested that Mr. Edwards provided a cost for a guardrail and signage on an area of Elliott Island Road that is being used as a boat ramp. In response to Council, Mr. Edwards explained that: 1) the property is owned by the Department of Natural Resources but the access is by the Counties right-of-way; 2) it is mostly used by duck hunters and small boats; 3) it is on a sharp curve where the whole road is blocked when a boat is launched; 4) water is drug onto the road in the winter causing ice conditions; and 5) guardrails should be installed due to the depth of the water.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell said: 1) two bids were received for the Airport Restaurant which will be presented to the Council for it consideration at a future meeting; and, 2) there are issues at the recycling center on Woods Road that need to be addressed.

COUNCIL'S COMMENTS

Councilman Detmer mentioned concerns about the cell tower in South Dorchester being disrupted, however, the cell carries aren't reflecting a problem. Mr. Powell said a letter has been drafted to the Public Service Commission which will be sent tomorrow and the vendor has been made aware that we are collecting information on the issue.

In response to Councilman Detmer's inquiry, Mr. Powell explained that the tax sale properties have been reduced to 150 and explained the new online process for the tax sale. Ms. Lane added that the tax sale starts on June 26, 2023 at 12:00 pm and ends on June 27, 2023 at 12:00 pm and can be accessed at Dorchester.marylandtaxsale.com. Mr. Powell stated that: 1) there is a \$50 registration fee; 2) there has been a large savings in man hours by using this system; 3) the ease of access has simplified tax payments; and, 4) the auction style is similar to EBay.

Pursuant to Councilman Detmer's suggestion, Mr. Powell advised that he will research the potential use of boat ramp stickers for daily permits. Councilman Travers explained that this has been reviewed previously and it was not feasible due to cost.

Councilman Detmer mentioned concerns about safety and sanitation on Wharf Road and other pavilion areas due to recreation vehicles spending the night.

PUBLIC COMMENTS

In response to Mr. Webster's inquiry, the Council members stated: 1) the Dorchester Career & Technology Center (DCTC) had firefighter classes but the minimum of 10 students that is required by the Maryland Fire Rescue Institute was not reached; 2) the Council will work on bringing the classes back to DCTC if Mr. Webster could provide a list of interested students; and, 3) students will need to be sponsored by a volunteer fire company.

Lindsey Wheatley, resident, expressed safety concerns due to the limited cell service and long response times of ambulances in South Dorchester. She suggested partnering with Blackwater or having a team at Gootee's Marine, Inc. It is accentual. Nickle and diming waterman. Ms. Wheatley also recommended: 1) a "Pay to Play Program" for tourists; and, 2) selling the County Office Building waterfront property to raise money for the County.

Councilman Detmer asked that the community calls the Sheriff's Office for non-emergency issues, such as all-terrain vehicles on County Roads, so they are aware of safety concerns within the County.

ADJOURNMENT


With no further business to discuss, the Council adjourned.

ATTEST:

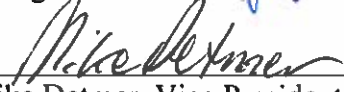


Jeff Powell
Interim County Manager

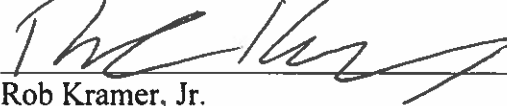
THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



George L. Pfeffer, Jr., President



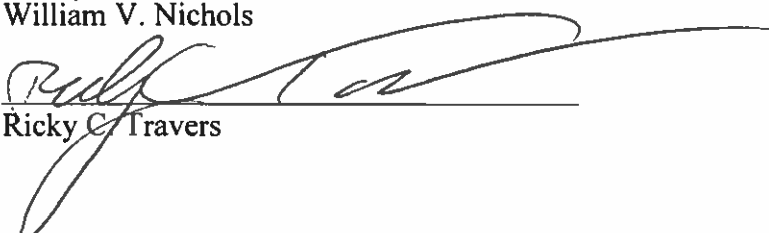
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 3 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: 6/20/23 ; Time: 5:16 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, Kramer, Travers, Detmer ; Opposed: _____ ; Abstaining: _____ ; Absent: Nichols .


**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 information regarding the Interim County Manager.	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: _____