

County Council of Dorchester County
Regular Meeting Minutes
August 1, 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 1st day of August, 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; Charles MacLeod, County Attorney; and, Donna F. Lane, Chief of Staff. William V. Nichols joined the meeting late.

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 items were added: Maryland Center for School Safety-Grant Application-Sheriff's Office; FY24 CORE Public Health Services Funding Agreement-Health Department; Maryland State Highway Administration Special Event Permit-Grand Fondo New York-Cambridge 2023 Race; and, Request to Use County Office Building-Parking Lot-Wreaths Across America Mobile Unit. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$21,168,381.45.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on August 1, 2023 at 5:03 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; §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; and, pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice. The Written Statement for Closing a Meeting under the Open Meetings is available upon request.

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; and, Donna F. Lane, Chief of Staff. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on August 1, 2023 at 5:03 p.m. to discuss the following items:

1. Notifications of recent personnel changes within the County were provided;
2. Discussed personnel items;
3. Received legal advice from the County Attorney regarding railbanking inactive railroads; and,
4. Received legal advice and 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 were Jeff Powell, Interim County Manager; Charles MacLeod, County Attorney; and, Donna F. Lane, Chief of Staff.

PRESENTATIONS

Councilman Nichols rejoined the meeting.

COMMENDATION – 2023 UNIVERSITY OF MARYLAND EASTERN SHORE CAMPUS QUEEN

The Council presented a Commendation to Mya Woods for being selected as the 55th Campus Queen at University of Maryland Eastern Shore.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of July 18, 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.

REQUEST TO SURPLUS VEHICLE – SHERIFF’S OFFICE

The Council approved the request of James Phillips, Sheriff, to surplus a 2015 Chevy Tahoe.

DEPARTMENT OF NATURAL RESOURCES WATERWAY IMPROVEMENT FUND GRANT AWARD – TYLERS COVE BOAT RAMP REPAIRS – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to accept a Department of Natural Resources (DNR) Waterway Improvement Fund Grant award of \$250,000, which will be fully funded by a DNR grant, for the Tyler’s Cove Phase I-Renovations boat ramp project with a performance period of July 1, 2023 to July 30, 2027.

BID AWARD – REPLACE SHOP OVERHEAD DOORS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award a bid to the lowest bidder, First Choice Garage Doors in the amount of \$53,330 to replace 11 overhead doors at the Highway Division shop which will be funded by the FY24 Capital allocation shop overhead doors.

NEW BRIDGE PAVING BID AWARD – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving Company Inc. to pave portions of New Bridge Road at the cost of \$7,150 funded by the FY24 Capital road paving allocation.

REQUEST TO AWARD BID – TREE TRIMMING PALMER’S MILL – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award a bid to Eastern Tree Service for tree trimming roughly two miles on Palmer’s Mill Road in the amount of \$18,500 which will be funded by FY24 Contractual Services line item in the Public Works budget.

REQUEST TO ACCEPT STORMWATER MANAGEMENT AGREEMENT – LOT 11 MARY’S COURT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to accept a Stormwater Management Agreement from Shawn McCuen for Lot 11 Mary’s Court, Cambridge.

BUDGET TRANSFER REQUESTS – PUBLIC WORKS – RECREATION & PARKS

The Council approved the FY24 Budget Transfer Requests for the following Departments: 1) Public Works; and, 2) Recreation & Parks.

FY24 CRITICAL AREA COMMISSION GRANT AWARD – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning and Zoning Director, to accept a FY2024 Critical Area Commission Grant Program Agreement grant award of \$9,000, with no match requirements, which will be used to pay for a portion of an Environmental Planner’s salary.

REQUEST TO ADVERTISE FOR PROPOSALS – HVAC SYSTEM – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to advertise a request for proposals for the design and construction of a new HVAC system within the Airport Terminal building which will be funded by the FY24 Capital Budget terminal HVAC line item.

BID AWARD – SCHOOL STREET ATHLETIC FIELD DESIGN CONSULTANTS – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation & Parks Director, to award a bid to the lowest bidder, Davis, Moore, Shearon & Associates, LLC to provide professional surveying, environmental, engineering consulting, and design services for proposed athletic fields at School Street property in the amount of \$28,970 funded by the FY23 Program Open Space funds.
The Council adjourned into Legislative Session.

LEGISLATIVE SESSION

PUBLIC HEARING – 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 a public hearing is being conducted on Bill No. 2023-8 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 and hearing none the public hearing was closed.

The roll call on Bill No. 2023-8 was: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – aye; and, Travers – aye.

The Council adjourned into Regular Session.

REGULAR SESSION

ACTION ITEMS

TRANSPORTATION VAN REPAIR REQUEST – DEPARTMENT OF CORRECTIONS

The Council approved the request of Kenny Rodgers, Director, Department of Corrections, to award a bid to the lowest bidder, Cambridge Collision Center, Inc. to repair the transportation van unit #5005 at the cost of \$2,657.90 funded by the Department's FY24 Operating Budget auto expenses line item. The Council acknowledged that the damage occurred prior to Mr. Rodgers' hiring as Director. Councilman Pfeffer cited concerns that one of the quotes did not include a price for a part for a camera.

OTHER

Ms. Lane announced the bid award bidders, costs and funding source of all of the bid award requests the Council approved as part of the Consent Agenda.

RESUSCITATION MEDICATION SYSTEM PROGRAM UPGRADE SOLE SOURCE REQUEST- EMERGENCY SERVICES

Based on a request presented by Ms. Lane, on behalf of Emergency Services, the Council agreed to sole source with Pediatric Emergency Standards, Inc. to upgrade to a new Handtevy Pediatric and Adult Resuscitation Administrator Portal at the cost of \$4,095.35 utilizing FY24 Operating Budget funds.

ENTERPRISE ZONE & DEPARTMENT UPDATES – ECONOMIC DEVELOPMENT

Susan Banks, Economic Development Director, provided the Council with a brief update on the Enterprise Zone in the County. She noted that the Town of Hurlock is updating their Enterprise Zone which had expired and can be renewed in October 2023. Ms. Banks presented a brief overview of the Economic Development Department (see attached).

EVENT REQUEST – SECOND ANNUAL CHALK ARTS FESTIVAL – DORCHESTER CENTER FOR THE ARTS

The Council approved the requests of Melissa Cooperman, Community Arts Coordinator, Dorchester Center for the Arts (DCA), to hold the Second Annual Chalk Arts Festival at the County Office Building on October 28, 2023 and October 29, 2023 from 10 a.m. to 4 p.m. each day. The Council acknowledged that: 1) the parking lot will be used as the canvas for artists; 2) the patio will be used as a music/performance stage; 3) access to the building will

be provided for handicap access to the stage, use of the bathrooms and to exhibit artwork made during a workshop at the middle and high schools on October 27, 2023; 4) the sidewalks will be used for vendors; 5) the festival is a free family-friendly event; and, 6) the cost of maintenance staff for this event will be provided to Ms. Cooperman prior to this event, which DCA will be responsible to pay.

Councilman Pfeffer expressed his understanding that in the past the Council has not allowed the use of the County Office Building. In response to an inquiry from Councilman Detmer regarding the availability of a life ring at the building, Jimmy Windsor, Emergency Management Planner, said he will follow up on this item.

HOST VENUE AGREEMENTS – IRONMAN® MARYLAND EVENTS

The Council agreed to enter into the Host Venue Agreements, presented by Angie Hengst, Race Director, The IRONMAN Group (IRONMAN) for the 2023-2028 IRONMAN Maryland and IRONMAN Eagleman events.

Mr. Powell noted concerns from constituents regarding the race routes. He stated that: 1) a route to Vienna will not be feasible due to the amount of intersections and lack of bicycle lanes, however he urges IRONMAN to continue to investigate additional routes; 2) the races provide substantial economic benefits and recognition of the City of Cambridge and Dorchester County; and, 3) a grant through Maryland Stadium Authority may be available to offset the agreed upon amount by 50% to 70%. Councilman Detmer stated that the races are a burden to the community but the benefits make it worthwhile. He thanked Ms. Hengst whilst encouraging her to continue to research additional outreach and mitigation to address concerns.

DORCHESTER COUNTY PROPERTY TAX ASSESSMENT APPEALS BOARD NOMINATION REQUEST

Based on the request of Russell Hurley, Sr., the alternate on the Dorchester County Property Tax Assessment Appeals Board (PTAAB), the Council agreed to nominate him as a member of the PTAAB to replace Donna Hooper, who resigned. The Council acknowledged that two additional nominations are needed to fill a member seats and the alternate position, however in the past, the governor has accepted nominations due to the lack of applicants.

TOWER AGREEMENT EXTENSION – GREENBRIAR TOWER – AT&T

The Council confirmed the third extension of the Tower License Agreement dated September 18, 2008 by and between the County Council and New Cingular Wireless PCS, LLC for the tower located at 2949 Greenbriar Road, Cambridge for an additional five year term from September 18, 2023 through September 17, 2028, under the same terms, covenants and conditions of the original agreement with the exception of the rent. The Council acknowledged that pursuant to this License Agreement the annual rent of the final five-year extension is \$12,608.06.

MARYLAND DEPARTMENT OF TRANSPORTATION OWNED RAIL RIGHT OF WAY & TRAIL OPPORTUNITIES

Based on a request of Heather Murphy, Director, Office of Planning and Capital Programming, Maryland Department of Transportation (MDOT), presented by Mr. Powell, the Council agreed to railbank inactive railroads to preserve the right-of-ways owned by MDOT and Maryland Transit Administration. The Council acknowledged that if the right-of-ways are not preserved, the roundabout on Maryland Route 14 and 392 will not be possible. Mr. Powell added this is only the start of the process and does not place an obligation on the County.

FY24 BUDGET REALLOCATIONS

The Council approved the following FY24 Budget reallocations:

- Reallocate \$83,029 of the FY24 Contingency Funds to increase: 1) the Maintenance Budget by \$51,500; 2) Circuit Court Budget by \$4,529; 3) State’s Attorney Budget by \$12,000; and, 4) the Human Resources Budget by \$15,000;
- Transfer \$344,000 of the American Rescue Plan Act funds from the Public Infrastructure Facilities Improvements Project to the Public Works Paving/Resurfacing Project; and,
- Fund the following agency requests from the FY24 Social Services’ Budgeted Appropriation
 - Cambridge Little League \$5,000
 - Chesapeake Center \$3,988
 - Chesapeake Housing Mission \$10,000
 - Dorchester Council On Aging \$5,000
 - Nanticoke Historical Preservation Alliance \$2,414
 - New Beginnings \$5,000
 - Pine Street Committee/Empowerment Center \$15,000
 - Pleasant Day Sr. Medical Day Care \$18,990
 - Snip/Tuck \$5,000
 - Tri-City Little League \$5,000

TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS – CLOVERDALE ROAD – ELLIOTTS ISLAND

Cloverdale Road

Based on a Traffic Safety Committee request of William T. Fleming, Sr., Transportation Supervisor, Dorchester County Board of Education (BOE), the Council agreed to: 1) add pavement markings to Cloverdale Rd to prevent traffic from blocking entrances to North Dorchester High School and North Dorchester Middle School; and, 2) allow the BOE to install the pavement markings.

Elliott’s Island Road

Based on a Traffic Safety Committee request of Matthew Parks, Elliott’s Island Volunteer Fire Company, the Council agreed to sole source with L.S. Lee, Inc. to install a guardrail on an area along Elliott’s Island Road at the cost of \$14,035 which will be funded by the FY23 Capital allocation for roadside guardrail replacement, due to safety concerns.

GOLF CART DISCUSSION

Councilman Detmer stated the following regarding golf cart usage on County roadways: 1) golf carts are only permitted on County roads within Taylors Island, Hoopers Island and Vienna; 2) operators of golf carts must have a valid driver’s license; 3) golf carts must be equipped with turn signals and brake lights; and, 4) traffic laws do apply to golf carts. After a brief discussion, the Council agreed to direct staff to design road signs relating to golf cart usage for these areas and present them to Council for approval at a future meeting. Councilman Pfeffer referenced complaints he received regarding the use of golf cards in East New Market and Secretary on main roads and in particular younger children driving them.

TRANSMISSION EXPANSION DISCUSSION

Based on the request of Councilman Detmer, the Council agreed that a Planning & Zoning staff member will listen

to monthly meetings regarding Mid-Atlantic Power Pathway's high transmission line expansion program and provide periodic updates to Council.

SHORELINE RESILIENCY DISCUSSION

Councilman Detmer expressed his concerns regarding shoreline resiliency. He explained that: 1) the National Oceanic and Atmospheric Administration launched a Climate Resilience Regional Challenge funding opportunity; 2) the focus of this grant is to achieve resiliency in coastal regions; 3) Larry White drafted a proposed project on behalf of the City of Cambridge; 4) a project proposal and a letter of intent is due by August 21, 2023; 5) there is no match requirement. Based on a request of Councilman Detmer, the Council agreed to turn this over to Mr. Powell to work with Ms. Webb and Mr. Windsor to prepare a list of members for a task force.

MARYLAND CENTER FOR SCHOOL SAFETY-GRANT APPLICATION-SHERIFF'S OFFICE

The Council approved the online submittal of a FY24 Maryland Center for School Safety grant application and the Budget/Spend Plan for funding of \$92,857 for overtime for School Resource Officers at the following schools: 1) Warwick Elementary School; 2) Vienna Elementary School; 3) North Dorchester Middle School; 4) South Dorchester K-8; 5) Dorchester Career & Technology Center; 6) North Dorchester High; and, 7) Countryside Christian.

FY24 CORE PUBLIC HEALTH SERVICES FUNDING AGREEMENT-HEALTH DEPARTMENT

The Council approved the request of Roger Harrell, Health Officer, to execute the Fiscal Year 2024 Core Public Health Services Funding Agreement between the County and the Maryland Department of Health totaling \$732,291 to provide local health services at the Health Department. The Council acknowledged that this amount is a large portion of the County's FY24 budget appropriation.

Mr. Harrell explained that: 1) the roughly \$400,000 deficit to meet the requirements of the State was funded by the American Rescue Plan Act; 2) he asked the Health Secretary and Maryland Association of Counties to review the formula that was used, as he believes the formula should be what the County match is based on; 3) the County has always overmatched by \$200,000 to \$300,000 each year; and, 4) the Council needs to be aware of this unfunded mandate.

MARYLAND STATE HIGHWAY ADMINISTRATION SPECIAL EVENT PERMIT-GRAND FONDO NEW YORK CAMBRIDGE 2023 RACE

Ms. Lane advised that pursuant to Lidia Flume, Grand Fondo New York (GFNY) Cambridge, Maryland Department of Transportation staff, has advised her that the County's Public Works Director or local government must sign the Maryland Department of Transportation State Highway Administration Permit for the Grand Fondo New York Cambridge 2023 Race to be held on October 1, 2023 due to the race course traveling through so much of the County. She noted that a Certificate of Liability Insurance has been provided by Ms. Flume which has been approved by the County's insurer, Local Insurance Government Trust. Ms. Lane said only the City of Cambridge entered into an agreement with GFNY for races in 2022, 2023 and 2024. Councilman Travers cited concern that after the County Council advised Ms. Flume that they were only interested in entering into one year, an agreement was made with the City of Cambridge to hold the race for three years. Ms. Lane provided additional information regarding the actions taken by County staff and the City regarding this agreement. Mr. Powell cited concern that the County had no input on this route, which is the same as the IRONMAN Maryland events. Councilman Kramer questioned why the race route cannot be changed, citing the negative impact it has on the Southern part of the County including restricted access to and from their homes. In response to a query from Councilman Travers, Mr.

Windsor said the event is only for bicyclists. The Council agreed to the execution of the permit by Mr. Powell, with Councilman Nichols and Councilman Kramer opposing. The Council also agreed to send a letter to the City of Cambridge that any events that incorporate the use of County resources should involve the County Council.

REQUEST TO USE COUNTY OFFICE BUILDING-PARKING LOT-WREATHS ACROSS AMERICA MOBILE UNIT

The Council approved the request of Sarah Geer, President, Trevor's Heroes, Inc., to locate a Wreaths Across America mobile unit at the back of the parking lot of the County Office Building from August 10 to August 14, 2023 from 9 a.m. to 3 p.m. The Council acknowledged that: 1) the unit will run off a generator; 2) they will provide a porta-potty for their use; 3) pursuant to Ms. Lane, Dave Edwards, Public Works Director, has no issues with this request; 4) public parking will still be available; and, 5) the cost for maintenance staff for this event will be provided to Ms. Greer prior to this event, which will be the Wreaths Across America's responsibility to pay. Councilman Detmer commended Ms. Geer and the organization for its support of veterans.

INTERIM COUNTY MANAGER'S COMMENTS

There were no comments.

COUNCIL'S COMMENTS

Councilman Nichols said it was a pleasure to watch Judge George Ames be sworn in as the Dorchester County Orphans Court Chief Judge, the first black Chief Judge, as well as Rick Price and Bernie Dryden. He thanked Mr. Ames for inviting him.

Councilman Travers said the Hurst Creek Coastal Resiliency Project was completed last spring. He said he was provided pictures two to three weeks ago which show that there has been a large amount of erosion. He noted that the outside beach is taking the brunt of the wave action as there are no buffers. Mr. Powell said he will look into this matter.

Councilman Detmer advised that he received additional complaints about New Bridge, and explained that the stones, placed to shore up the bank, have made it easier to launch kayaks and boats. He noted that the Sheriff has a standing order in place to ticket and tow vehicles that are blocking the road. The Council agreed to place "Do Not Block the Roadway" signs as an additional deterrence.

Based on a request of Councilman Detmer, the Council agreed to direct Planning & Zoning staff to identify land usage to create a pie chart showing the amount of land that is developable, agricultural (in and out of conservation), critical area, government owned, etc. to show what is available within the County and may help explore a solar cap. Mr. MacLeod stated that the Planning Commission will draft solar ordinances to present to Council and if a solar cap is not included, the Council can make amendments prior to moving forward with legislation. Ms. Webb stated that this falls in line with a project they are working on with the GIS map to include these layers on the map. Mr. MacLeod added that the information can also go to State and Federal agencies and to make a case that their Payment in Lieu of Taxes distribution are woefully low based on the amount of land the County does not have control over. Councilman Detmer added that this information can be used to seek changes.

Councilman Pfeffer mentioned that tonight is National Night Out, which encourage community involvement and lower crime rates, and noted that events being held in Secretary, Hurlock and Cambridge.

Councilman Pfeffer attended the 10th Anniversary of the Historical Freedom Shrine with Judge Ames, Judge Jews, and others. He applauded the 10 men who brought about voter reform, making it possible for Dorchester County to vote by district instead of at large, allowing for greater voter representation.

PUBLIC COMMENTS

Terri Robbins, James G. Busick Tennis Foundation (Foundation), cited concerns about vandalism at the School Street courts and Certificate of Liability insurance requirements.

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

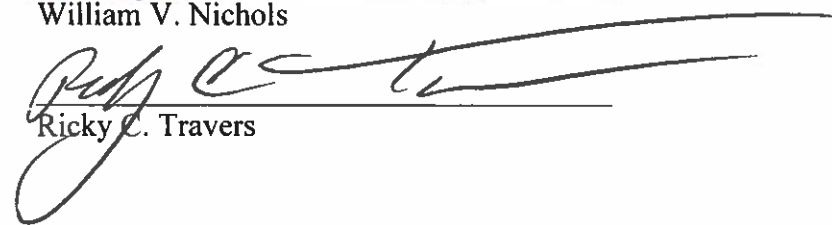
Mike Detmer, Vice President



Rob Kramer, Jr.

Absent

William V. Nichols



Ricky C. Travers

Approved the 15th day of August 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: 8/1/23; Time: 5:03 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Deltner Seconded by Kroner; Members in favor: Peffer, Deltner, Kroner, Nichols, Travis; Opposed: N/A; Abstaining: N/A; Absent: N/A.

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 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) (1)	To discuss personnel items regarding ...	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) (7)	To receive legal advice from the County Attorney regarding railbanking inactive railroads.	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) §3-305(b) (14)	To receive legal advice from the County Attorney and 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.

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: _____