

**County Council of Dorchester County**  
**Regular Meeting Minutes**  
**September 19, 2023**

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:16 p.m. on the 19<sup>th</sup> day of September, 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; and, 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 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: 1) Emergency Roof Repair – Request to Sole Source – Health Department – Public Works; and 2) Letter of Intent Discussion – Chesapeake College Queen Anne Technical Building. The Council approved the amended agenda.

**FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Pfeffer reported total cash and investments as \$22,765,353.65.

**CLOSED SESSION SUMMARY**

The Council convened into Regular Session on September 19, 2023 at 5:01 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; pursuant to §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.

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; Ricky C. Travers. Also present in Room 110 was Jeff Powell, Interim County Manager; Charles MacLeod, County Attorney; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on September 19, 2023 at 5:02 p.m. to discuss the following items:

1. Notifications of recent personnel changes within the County;
2. Personnel matter pertaining to the County Manager position;
3. Bid received for a specific County property lease; and,
4. Received legal advice from the County Attorney regarding State law for a specific board.

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; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist. William V. Nichols arrived late.

## **PRESENTATIONS**

### **PROCLAMATION – SUICIDE PREVENTION MONTH – FOR ALL SEASONS**

The Council presented a Proclamation declaring the month of September 2023 as Suicide Prevention Month.

### **PRESENTATION – BROADBAND UPDATES – CHOPTANK ELECTRIC COOPERATIVE**

Valerie T. Connelly, Vice President of Government Affairs & Public Relations; Tim McGaha, VP of Technical Services; Leroy Sverduk, VP of Engineering; and, Matt Tefteau, Manager of Government Affairs, Choptank Electric Cooperative, provided a broadband update to the Council (see attached presentation).

Ms. Connelly stated that: 1) Doug Scott is the new Chairman of the Board but was not able to attend due to an illness; 2) they applied for three grants for which the State did not have enough funding so they will reapply in 2024; and, 3) the project is estimated to be completed by the end of 2024.

In response to Councilman Travers inquiry, Mr. McGaha said they will also serve non-Choptank Electric customers. In response to Councilman Travers, Ms. Connelly said asked the Council and County Staff to continue to track which residents have poor or no service and to review the map once it is published to pinpoint areas of need. Pursuant to Councilman Pfeffer, Ms. Connelly explained that residents can call their office for more information and assistance with affordability programs. Mr. Tefteau said the school systems are working with them on marketing and outreach based on Councilman Pfeffer's query. Regarding Mr. Powell's question, Ms. Connelly stated that, as far as grants, the charge for installation over 1,000 feet will be waived.

## **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

The Council approved the minutes of September 5, 2023.

## APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented, with Councilman Travers abstaining for payments made to Simmons Center Market. Councilman Detmer noted his abstention of a payment made to APG that was on the vouchers that were approved at the September 5, 2023 Council meeting.

## REQUEST TO ENTER INTO AGREEMENT – STATE HIGHWAY ADMINISTRATION SALT UTILIZATION – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to enter into a three year agreement with the State Highway Administration to purchase salt at \$104.97 per ton during the period of September 1, 2023 to August 31, 2026 which would be funded by the Highway Division snow and ice account within the fiscal year it was obtained.

## REQUEST TO ADVERTISE FOR INTEREST – SNOW CONTRACTING SERVICES – PUBLIC WORKS

The Council approved the request of Mr. Edwards to advertise a request for interest in snow contracting services to be funded by the Snow & Ice FY24 Operating Budget contractual services account.

## REQUEST TO PURCHASE – MOTOROLA RADIOS – CORRECTIONS

The Council approved the request of Kenneth Rodgers, Department of Corrections Director, to purchase two Motorola radios from Motorola Solutions to replace radios that are in disrepair at \$6,613.76, to be funded by the FY22 Capital Budget Special Emergency Response Team Equipment line item.

## REQUEST TO ADVERTISE FOR PROPOSALS – INSTALL WALKING PATH – VIENNA – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation & Parks Director, to advertise a request for proposals, twice for a seven day period in the Star Democrat, Dorchester Banner, and the Daily Times (Salisbury), for the installation of a walking path in Vienna, Maryland using asphalt millings funded with FY23 Program Open Space funds. The Council acknowledged that the advertisement will be uploaded to eMaryland Marketplace.

## REQUEST TO TRAP & RELOCATE DELMARVA FOX SQUIRRELS – EGYPT PARK – RECREATION & PARKS

The Council approved the request of Mr. Trieu, on behalf of Trevor Michaels, United States Department of Agriculture, to trap five Delmarva fox squirrels within the woods of Egypt Park starting in October, for a period of two weeks, to reestablish the species in Delaware as part of a relocation project with the Maryland Department of Natural Resources and Delaware Department of Natural Resources & Environmental Control.

The Council acknowledged that: 1) small live cage traps baited with primarily corn will be used; 2) there is no risk to other animals or the public; 3) if more than five squirrels or gray squirrels are caught, they will be released; 4) traps will be open from morning to mid-day; and, 5) public access to the park does not need to change.

## **ANNUAL TRANSPORTATION MEETING TOPIC DISCUSSION**

The Council acknowledged its September 5, 2023 decision to pursue the below items during the Annual Transportation Meeting with Maryland Department of Transportation officials, which will be held at the October 3, 2023 meeting:

- MD 392/14 Intersection - Traffic / Geometric Improvements
- MD 336 - Worlds End Pipe Replacement
- MD 392 - Pedestrian Improvements through Town of Hurlock
- MD 331 - Railroad Crossing Improvements at Indiantown Road and Maryland 33
- US 50 - Turn Lane Improvements to Maryland 16 Mount Holly Road
- US 50 - Redo Pavement Markings in City of Cambridge (Cross Walks and Stop Bars)
- US 50 - Jersey Walls on Malkus Bridge are in Need of Painting
- Westbound US 50 at Chateau Road – Full Function Intersection
- Mount Holly Road -Rumble Strips
- Drawbridge - Pedestrian Safety – Visibility Improvements
- Maryland 16/US 50 Intersection – Construct a Full Function Intersection and Traffic Signal

The Council agreed to submit the following municipality requests to Mark Crampton, District #1 Engineer, State Highway Administration, as well for discussion at the October 3, 2023 Annual Transportation Meeting with Maryland Department of Transportation officials.

### Town of East New Market (ENM):

- MD 392/14 Intersection - ENM supports the installation of the roundabout
- Move speed limit signs further out on North & South Main Streets and Academy Street to widen the slower speed limit parameter
- Assistance with improving the speeding in town
- Would like more details on a potential State project to remove & replace brick sidewalks with concrete. ENM is a National Historic District
- Regular street sweeping throughout the year

### City of Cambridge:

- Ward 2 - Maces Lane/Washington Street intersection changes
- Ward 4 - Stanley Institute crosswalk and pedestrian signage
- Ward 5 - Cambridge Creek Bridge – bike & pedestrian improvements and noise dampening

## **FINAL ANNUAL TRANSPORTATION MEETING TOPIC DISCUSSION**

The Council acknowledged at its September 5, 2023 decision to pursue the following topics and legislation during the 2024 Maryland General Assembly Legislative Session:

- 1) Sanitary District;
- 2) Juvenile crime;
- 3) Doe hunting; and,
- 4) State law amendments that we pursued in FY23, see below:
  - o to amend Section 1-113 of the General Provisions Article of the Annotated Code of Maryland which requires legal advertisements and legal notices to be published in a “newspaper of general circulation;”
  - o to amend Section 10-312(f) of the Local Government Article of the Annotated Code of Maryland entitled “County property; housing projects; franchise; required notice,” as it relates to leases, to allow the County to enter into a lease for a term of five years or less, without providing notice of publication for three successive weeks; and,
  - o to amend Section 3-702 of the Labor and Employment Article of the Annotated Code of Maryland to exempt applicants for employment with Dorchester County as a 911 Dispatcher with Dorchester County’s 911 Center within the Department of Emergency Services; or as a Paramedic or Emergency Medical Technician with the EMS Division within the Department of Emergency Services; or a Correctional Officer at the Dorchester County Detention Center within the Dorchester County Department of Corrections from the prohibition on employers requiring or demanding that an individual submit to or take a polygraph examination as a condition of employment.

Ms. Lane said a meeting with the local State Legislators will be held on October 3, 2023.

## **ACTION ITEMS**

### **AUTOMATED EXTERNAL DEFIBRILLATOR UPDATE – SHERIFF’S OFFICE**

Sheriff James W. Phillips, Jr. provided the Council with an update on Automated External Defibrillators (AED). Sheriff Phillips stated that: 1) the Sheriff’s Office received a grant to supply all of the Sheriff’s vehicles with AEDs; 2) training on how to use the AEDs has been completed; and, 3) an ambulance will be dispatched immediately. He said this allows the Sheriff’s Office to attribute to the Public Safety umbrella to better serve the community.

Sheriff Phillips thanked the Council for supporting his goals and priorities, and for allowing him to command his office as necessary.

### **AMERICAN RESCUE PLAN ACT REALLOCATION REQUEST– PUBLIC WORKS**

The Council approved the request of Mr. Edwards to reallocate the remaining \$73,248.61 of the allotted \$610,000 in American Rescue Plan Act (ARPA) funds designated for the purchase of a dump truck, tractor mower and mini excavator to construct a pole building to replace the current Sign Shop. The Council acknowledged that this is an eligible ARPA expense.

## REQUEST TO PIGGYBACK MDOT OFFICE OF STRUCTURES CONTRACT – CULVERT REPLACEMENT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback on a Maryland Department of Transportation Office of Structures contract to replace culverts on Griffith Neck Road at \$482,694.90 and Hambrooks Boulevard at \$258,512.54, totaling \$741,207.44, funded by American Rescue Plan Act funds (\$725,000) and FY23 Capital allocation for infrastructure repairs (\$16,207.44).

In response to Councilman Pfeffer's inquiry, Mr. Edwards confirmed that this is not a sole source and noted that Covington Machine & Welding, Inc. is the company on the State's contract.

## BID AWARD – CRS-2/POLYMER – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award the bid for the supply and delivery of CRS-2/Polymer for asphalt resurfacing treatments to the lowest bidder, Russell Standard Corporation, at a cost of \$2.65/gallon for Freight on Buyer of product and \$2.90/gallon for delivery of product during the period of September 25, 2023 to September 30, 2025 funded by the Highway Division Operating Budget surface treatment/asphalt materials budget by fiscal year.

## EMERGENCY ROOF REPAIR – REQUEST TO SOLE SOURCE – HEALTH DEPARTMENT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Ruff Roofers and use Contingency Fund to complete an emergency repair of a section of the Health Department's roof at a cost of \$5,715.

Mr. Powell explained that the sole source is due to an active leak in the roof. He noted that Ruff Roofers completed the emergency roof repair at the Detention Center.

## ADMINISTRATIVE CHARGING COMMITTEE UPDATE – FUNDING

Ms. Lane provided an update on the Administrative Charging Committee (ACC).

The Council approved a stipend of \$100 per meeting for the ACC members.

The Council agreed to reimburse the ACC members \$500, plus the county per diem for meals during the required training. Mr. Powell noted that the per diem has not been updated for several years.

## LETTER OF INTENT DISCUSSION – CHESAPEAKE COLLEGE QUEEN ANNE'S TECHNICAL BUILDING

The Council discussed providing a Letter of Intent to Chesapeake College regarding the

construction of the Queen Anne's Technical Building, funded by the State and the five County partners: Caroline, Dorchester, Kent, Talbot, and, Queen Anne's, if approved.

Councilman Pfeffer explained that: 1) if approved, the current technical center will be demolished to create green space; 2) the deadline to make a decision is September 28, 2023; 3) if this is approved by a majority vote, all five counties will be responsible for funding a portion of the construction; and, 4) Dorchester County will be liable for \$3,700,000, based on population.

In response to Charles MacLeod, County Attorney, Councilman Pfeffer stated that if a local bond is issued, it will be provided to Queen Anne's County and the other Counties will contribute. Mr. Powell noted that Dorchester County is currently paying on a bond at \$100,000 per year. Councilman Detmer expressed his support of the construction, however, he said he is concerned about the additional annual expense stretching to 2045. Councilman Travers concurred, stating it is the right project, at the wrong time. Councilman Nichols suggested reviewing this again in six months.

The Council denied the letter of intent and agreed to submit a letter of support with no financial obligations.

#### **INTERIM COUNTY MANAGER'S COMMENTS**

Mr. Powell announced that: 1) the McKeil Point 1 Bermed Infiltration Pond (BIP) meeting is on Tuesday, September 26, 2023 at 6:30 p.m. at the Madison Firehouse, for which only residents of the first BIP are asked to attend; and, 2) the 2021 audit has been completed and is published on the website.

Mr. Powell thanked the Council for their continued support.

#### **COUNCIL'S COMMENTS**

Councilman Detmer said: 1) the Vienna Park is moving forward; 2) work on the Hurst Creek Shoreline will begin on Monday; and, 3) he would like to see the Dog Control phone line be routed to 911 due to staff working on the road, which leaves the office unmanned at times. The Council agreed to have staff work with the Sheriff's Office to redirect the calls to a more appropriate line.

Councilman Pfeffer expressed his support of the Warwick River Fest and thanked everyone for their hard work. He said this old tradition has been missed for 22 years.

#### **PUBLIC COMMENTS**

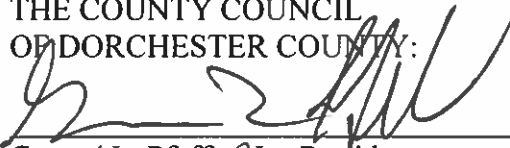
In response to inquiries from Terry Robbins, resident: 1) Councilman Pfeffer provided more information regarding the trapping and relocating of the Delmarva fox squirrels; and, 2) Mr. Trieu stated that the Paws in the Pool event went very well, with 16 total dogs attending. Mr. Powell added that the Sheriff's Office K-9 Unit enjoyed the event.


**ADJOURNMENT**

With no further business to discuss, the Council adjourned.

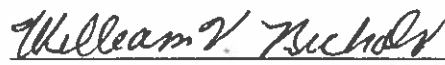
ATTEST:

  
\_\_\_\_\_  
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 3rd day of October, 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: 9/19/23; Time: 5:02 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, Travers, Nichols; Opposed: \_\_\_\_\_; Abstaining: \_\_\_\_\_; Absent: \_\_\_\_\_. Nichols entered late

**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.**

<b>Citation (insert # from above)</b>	<b>Topic</b>	<b>Reason for closed-session discussion of topic</b>
<b>§3-305(b) (1 )</b>	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
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (1 )</b>	Personnel information pertaining to the County Manager.	Public Discussion of applicant's names and job info could discourage people from applying for County jobs
<b>§3-305(b)(13 )</b>	Same topic as above	Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications
<b>§3-305(b) (14)</b>	To discuss a lease for a specific County property.	Public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
<b>§3-305(b) (7)</b>	Received legal advice from the County Attorney regarding compensation of a specific board.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)

4. This statement is made by , Presiding Officer.

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**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: \_\_\_\_\_