

County Council of Dorchester County
Regular Meeting Minutes
November 7, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:03 p.m. on the 7th day of November, 2023. A roll call of the members was conducted. Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; Ricky C. Travers. Also present in Room 110 were Jeff Powell, Interim County Manager; Charles MacLeod, County Attorney; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Detmer led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the FY24 Governor's Office of Crime Control and Prevention Local Warrant Apprehension and Absconding Grant Program Grant Award – Sheriff's Office item was added and the Request to Accept – Amended Medical Services Contract – Well Path – Corrections was removed.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$39,586,820.45.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on November 7, 2023 at 5:00 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613 and motioned to adjourn into Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; and pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice.

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

The Council convened in a Closed Session on November 7, 2023 at 5:01 p.m. to discuss the following items:

- 1) Notifications of recent personnel changes within the County were provided;
- 2) Received legal advice from the County Attorney regarding the liability of Board and Commission members;
- 3) Received legal advice from the County Attorney regarding the implementation of a specific resolution and financing of a specific project; and,
- 4) Received legal advice from the County Attorney regarding the application of the Open Meetings Act per the invitation of Cambridge Waterfront Development Inc.

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. Charles MacLeod, County Attorney arrived late.

PRESENTATION

PROCLAMATION – APPRENTICESHIP WEEK

The Council presented a Proclamation declaring November 13-19, 2023 as Apprenticeship Week.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of October 17, 2023.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

REQUEST TO ADVERTISE FOR PROPOSALS – POLE BUILDING – HIGHWAY SIGN SHOP – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to advertise a request for proposals to construct a pole building to replace the current Highway Sign Shop.

GOCCP BYRNE JUSTICE ASSISTANCE GRANT AWARD – VIOLENCE REDUCATION – SHERIFF’S OFFICE

Based on the request of Sheriff James Phillips, the Council accepted a Governor’s Office of Crime Control & Prevention Byrne Justice Assistance Grant award of \$28,816 for four long-term use camera units and two remote portable cameras, with a performance period of October 1, 2023 to September 30, 2024 and no match requirements.

REQUEST TO ADVERTISE FOR PROPOSALS – COMMERCIAL HANGAR DEVELOPMENT – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to advertise a request for proposals seeking interest from independent commercial developers with experience in aviation to build hangars on a land-lease basis in an effort to explore development opportunities at the Airport.

MARYLAND DEPARTMENT OF TRANSPORTATION (MDOT) MARYLAND AVIATION ADMINISTRATION SPECIAL GRANT AWARD – TERMINAL HVAC – AIRPORT

The Council recognized its October 17, 2023 decision to award the bid for the Airport HVAC replacement to Gannon's Refrigeration Service Inc. at \$465,000.

Based on the request of Mr. Nuwer, the Council accepted a MDOT Maryland Aviation Administration Special Grant Award of \$348,750 with a 25% match, which will be funded by the Capital Budget terminal HVAC line item of \$112,500 and Contingency Funds of \$3,750, and has an expiration date of June 30, 2024.

ACTION ITEMS

REQUEST TO PURCHASE – TRANSPORT VEHICLE – CAGE – CORRECTIONS

The Council approved the request of Kenneth Rodgers, Corrections Director, to purchase: 1) a transport vehicle from the lowest bidder, Preston AutoPlex, for \$40,000; and 2) a 2023 Ford Explorer Front Partition from the lowest bidder, Global Public Safety, at \$1,069 with both being funded by the FY23 Capital Budget replace transport vehicle line item.

BID AWARDS

Replace Rooftop Heating Unit – Gym – Corrections

The Council approved the request of Mr. Rodgers to award a bid to the lowest bidder, Gannon Refrigeration, to remove and replace the Detention Center's Gym rooftop heating unit for \$40,250, which includes a \$14,500 credit, funded by the FY22 Capital Budget gas furnace for the Detention Center. The Council acknowledged that several companies viewed the site but did not provide quotes.

Councilman Nichols questioned the credit. Councilman Pfeffer asked that clarification be provided to the Council.

HVAC Split System Installations – Female Medical Cells – Corrections

The Council approved the request of Mr. Rodgers to award the bid to add heating and air conditioning to the female medical cells to the lowest bidder, Kenzie Electrical, LLC, at \$16,700 which will be funded by the FY24 Capital Budget Ductless Heating and AC Units for Detention

Center line item. The Council acknowledged that by installing these amenities, the cells will be able to be used on a normal basis.

Install Walking Path – Vienna – Recreation & Parks

The Council approved the request of Duc Trieu, Recreation & Parks Director, to award a bid to the lowest bidder, Marshall's Professional Property Management LLC, for the installation of an approximately 850 linear feet walking path at Back Street Road in Vienna at \$15,825 which will be funded with the FY23 Program Open Space funds.

REQUEST FOR LANDFILL OPERATION CHANGES – PUBLIC WORKS

The Council approved the requests of Mr. Edwards to proceed with the following Landfill Operation changes:

- 1) Convert Chesapeake Drive into a full fledge transfer station that will accept recycling and residential bagged trash to resolve current issues and provide residents with another central convenient option for trash and recycling;
- 2) Amend the operating days for the Secretary, Golden Hill, and Chesapeake Drive Transfer Stations to be open Tuesday through Saturday to prevent scheduling conflicts, including holidays, and allow employees to be off two straight days; and,
- 3) Re-class the vacant Landfill Operator 4 position to a Scale's Attendant.

The Council recognized that: 1) Landfill Fund Balance monies will be used for these changes; 2) the Chesapeake Drive Transfer Station will be fenced off and closed at night; 3) the operating hours of the Secretary, Golden Hill and Chesapeake Drive transfer stations will be 8:00 a.m. to 4:00 p.m., effective December 1, 2023; and, 4) a press release will be issued regarding the changes to the transfer stations.

REQUEST TO PURCHASE – REPLACEMENT TRUCK – PUBLIC WORKS

At the October 3, 2023 meeting, the Council acknowledged the approval of Mr. Edwards' request to apply a portion of the surplus funds to the purchase of a replacement pickup truck. The Council approved the request of Mr. Edwards to purchase a 2023 F-150 4x2 regular cab truck from the lowest bidder, Preston Ford, at \$39,054. Pursuant to Councilman Pfeffer's inquiry, Mr. Edwards stated that a 4x4 truck is not necessary for the use of this vehicle.

REQUEST TO SECURE DATES – WILD GOOSE CHASE BICYCLE RIDE EVENT – FRIENDS OF BLACKWATER NATIONAL WILDLIFE REFUGE

Based on the request of Linda Chandlee, Friends of Blackwater National Wildlife Refuge (FBNWR), the Council approved the 2024 Wild Goose Chase Bicycle Ride event dates of September 28, 2024 to September 29, 2024 with the use of Egypt Road Park for a rest stop. The Council acknowledged that: 1) more information will be provided closer to the event; 2) the Certificate of Insurance for this event was received; and, 3) if any changes are made to the bicycle route, the maps will be presented to Council for approval.

In response to Ms. Chandlee’s inquiry, Mr. Powell said he will contact her to discuss how to contract with the County to secure event dates for multiple years in advance.

**2024 MARYLAND ASSOCIATION OF COUNTIES LEGISLATIVE COMMITTEE
NOMINATIONS – MEMBER & ALTERNATE**

The Council agreed to nominate Councilman Pfeffer as the member and Councilman Detmer as the alternate for the County Council for the 2024 Maryland Association of Counties Legislative Committee.

REQUEST TO PROCEED – CERTIFICATES OF DEPOSIT – FINANCE

The Council approved the request of Karen Tolley, Finance Director, to open two 6-month Certificates of Deposit (CD) at Queenstown Bank with an interest rate of 5.35% which will be funded by the following BayVanguard Bank CDs:

- Dorchester County 6-Month CD
 - \$8,094,115 as of 10/24/23
 - Current interest rate 1.5%
 - Matured 11/2/23
- Roads Board Landfill Closure Account CD
 - \$6,761,148 as of 10/24/23
 - Current interest rate 1.5%
 - Matured 11/3/23

The Council agreed that the CDs will be signed by Councilman Pfeffer. The Council directed staff to submit a letter of approval to Queenstown Bank in lieu of the meeting minutes, which not be approved until the next meeting.

**FY23 CAPITAL GRANT AGREEMENT – MDOT MARYLAND TRANSIT
ADMINISTRATION – DELMARVA COMMUNITY SERVICES**

The Council approved the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. to accept a Maryland Transit Administration FY23 Operating Grant Agreement for the below:

| Description | Federal | State | Local |
|---------------------------------|----------|---------|---------|
| Transportation Development Plan | \$72,000 | \$9,000 | \$9,000 |

The Council acknowledged that: 1) the FY23 Operating Budget appropriation allotted is for \$145,447; 2) \$115,447 was approved on October 18, 2022 for Delmarva Community Services’ FY23 Operating Grant Agreement; 3) \$45,817 was approved on November 15, 2022 for Delmarva Community Services’ FY23 Capital Grant Agreement; and 4) any amount over the appropriation will be funded by Delmarva Community Services for the local match.

DORCHESTER COUNTY SANITARY DISTRICT DISCUSSION

The Council discussed the following regarding the Sanitary District: 1) the possible takeover of the Sanitary District; 2) the McKeil Point 1 sewer connection project; and, 3) Bond Counsel for the Sanitary District and Dorchester County.

Based on a recommendation from Sandra Tripp-Jones, Consultant, the Council agreed to hire Lindsey Rader, Funk and Bolton PA, as the bond counsel to the Sanitary District and the County, once the County is authorized to apply for or assume the Maryland State Revolving fund loan for the McKeil Point 1 sewer connection project.

The Council further agreed to direct staff to submit a letter of full faith and support of the Sanitary District to the Sanitary Commission.

FY24 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION LOCAL WARRANT APPREHENSION AND ABSCONDING GRANT PROGRAM GRANT AWARD-SHERIFF'S OFFICE

The Council approved the request of Sheriff Phillips to accept a FY24 Governor's Office of Crime Control and Prevention Local Warrant Apprehension and Absconding Grant Program Grant Award in the amount of \$20,000 with no local match for overtime hours to eliminate backlog of 705 warrants with a grant period of July 1, 2023 to June 30, 2024 and no match requirement.

INTERIM COUNTY MANAGER'S COMMENTS

There were no comments.

COUNCIL'S COMMENTS

Councilman Nichols thanked staff and the Council for recognizing his birthday.

Councilman Travers said it is a pleasure serving with the current Council, Mr. Powell and staff. He said he is hopeful that constituents are patient with the County.

Councilman Detmer cited several areas of concerns and appreciation throughout the County. He announced that the County is participating in Operation Green Light to show veterans that they are seen, heard and supported. Councilman Detmer said the freedom and ability to sit here is not free, it is paid for by the dangers, hardships and burdens of those who serve. He thanked veterans, past and present.

Councilman Pfeffer thanked Councilman Detmer and all veterans for their service. He thanked Mr. Edwards and his crew for installing the green lights for Operation Green Light and resolving the Pea Hill wash out issue. He confirmed with Mr. Trieu that the ribbon cutting at Leonard's Lane Recreation and Park center is on November 15, 2023 at noon.

PUBLIC COMMENTS

Barb Seese, Executive Director, Dorchester Center for the Arts, thanked the Council and Mr. Powell for allowing the use of the County Office Building for the Second Annual Chalk Festival. She said 332 high school students were exposed to the chalk art and that the festival brings awareness to mental health.

Terry Robbins, resident, thanked Mr. Trieu for allowing the Jay Aldridge Memorial Tournament to take place on November 24, 2023 at the Glasgow Street tennis court.

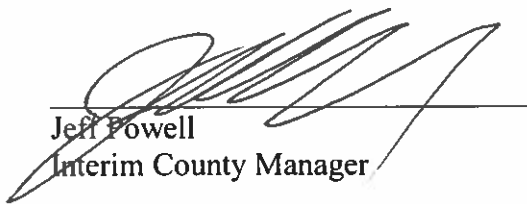
Ms. Chandlee also thanked Mr. Trieu for providing support during the Wild Goose Chace event.


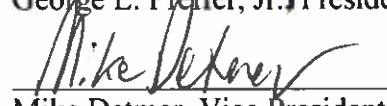
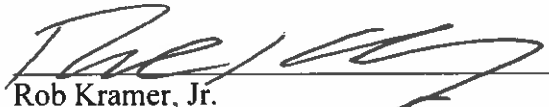
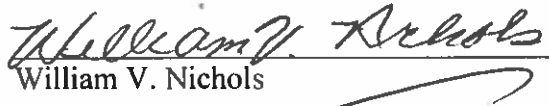
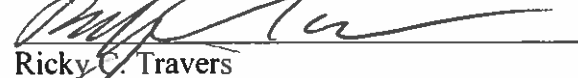
Councilman Pfeffer thanked all staff for their dedication to the County.

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 21st day of November, 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: 11/1/23; Time: 5:00 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Travers Seconded by Detmer; Members in favor: William, Kramer, Praffer, Detmer, Travers; Opposed: _____; Abstaining: _____; Absent: _____.

**2. Statutory authority to close session (check all provisions that apply).
This meeting will be closed under General Provisions Art. § 3-305(b) only:**

(1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) _____ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) _____ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) _____ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) _____ "To consider the investment of public funds"; (6) _____ "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) _____ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) _____ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) _____ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) _____ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) _____ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) _____ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) _____ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

| Citation (insert # from above) | Topic | Reason for closed-session discussion of topic |
|--------------------------------------|---|---|
| §3-305(b) (1) | Notifications of recent new hires and promotions within the County. | Public Discussion of applicant's names and job info could discourage people from applying for County jobs |
| §3-305(b)(13) | Same topic as above | Public Information Act, GP Section 4-310 and 311 requires us to shield recommendation letters and job applications |
| §3-305(b) (7) | Received legal advice regarding the liability of Board and Commission members. | 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) | Received legal advice from the County Attorney regarding the implementation of a specific resolution and financing of a specific project. | 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) | Received legal advice from the County Attorney regarding application of the Open Meetings Act per invitation from Cambridge Waterfront Development Inc. | 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.

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: _____