

County Council of Dorchester County
Regular Meeting Minutes
October 17, 2023

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:02 p.m. on the 17th day of October, 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 Pfeffer led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the following item was removed: Request to Advertise for Proposals – Vienna Park Pavilion – Recreation & Parks. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$34,628,179.43.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on October 17, 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: Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist. Jeff Powell, Interim County Manager; and, 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 October 17, 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 state law pertaining to a specific board; and,
- 3) Received legal advice from the County Attorney regarding a lease of County space.

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: Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist. Jeff Powell, Interim County Manager; and, Charles MacLeod, County Attorney arrived late.

PRESENTATIONS

COMMENDATION – LIFESAVING EFFORTS – EMERGENCY MEDICAL SERVICES & 911 COMMUNICATIONS

The Council presented a commendation to the following first responders to applaud them for saving the life of William “Wes” Short, III, who had a massive stroke on October 31, 2022: Michael Fluharty, Paramedic; Hubert Meekins, Emergency Medical Technician; Tyler Jones, Emergency Medical Technician; Suzanne Short, 911 Dispatcher; Morgan Harris, 911 Dispatcher; Loreal Vaughn, 911 Shift Supervisor; and, Ashley Schanken, 911 Dispatcher.

PROCLAMATION – ECONOMIC DEVELOPMENT WEEK

The Council presented a Proclamation declaring the October 23, 2023 to October 27, 2023 as Economic Development Week.

FY2024-2026 COMMUNITY PLAN – MOVING DORCHESTER FORWARD

Nancy Shockley, Local Management Board Coordinator, Moving Dorchester Forward, provided a brief overview of the FY2024-2026 Community Plan for Children, Youth and Families in Dorchester County (see attached).

FY25 CAPITAL IMPROVEMENT PLAN – BOARD OF EDUCATION

Chris Hauge, School Facilities Engineer, Dorchester County Public Schools, introduced Dr. Michael Collins, Director of Operations and Human Resources, Dorchester County Public Schools, and presented an overview of the Dorchester County Public Schools FY25 Capital Improvement Plan which includes the following:

- Elementary school security;
- Cambridge-South Dorchester High School indoor air quality and energy efficiency;
- Warwick Elementary School gym renovation;
- Mace’s Lane Middle School roof and rooftop equipment replacement;
- Elementary school education specification development; and,
- Warwick, Hurlock, Maple and Sandy Hill Elementary Schools feasibility study.

Councilman Pfeffer thanked Mr. Hauge for providing such a thorough report.

In response to Councilman Detmer’s inquiries, Mr. Hauge stated that: 1) the school system was designed in the 1970s which has led to declined enrollment due to reaching the maximum capacity; 2) the district needs to anticipate the needs of the future and realign with the current demands; 3) the Board of Education recognized the challenging topic of closing schools which the board is not

interested in doing; and, 4) the key to the success is community involvement and engaging with the State.

The Council agreed to provide a letter conceptually approving, for planning purposes only, the Dorchester County Board of Education's FY25 Capital Improvement Plan contingent upon future budget approvals.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of October 3, 2023.

APPROVAL OF DISBURSEMENTS

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

REQUESTS TO ADVERTISE FOR PROPOSALS

Landfill Convenience Area Improvements – Public Works

The Council approved the request of Dave Edwards, Public Works Director, to advertise a request for proposals for the public convenience area improvements located at the Beulah and Golden Hill Facilities funded by the FY23/24 Solid Waste Capital Budget new cell construction and site improvements line item.

Dorchester County Office Building Interior Modifications – Public Works

The Council approved the request of Mr. Edwards to advertise a request for proposals for interior modifications to the Human Resources and Finance Departments within the Dorchester County Office Building funded by the American Rescue Plan Act.

The Council adjourned into legislative session.

LEGISLATIVE SESSION

INTRODUCTION – BUILDING EXCISE TAX SUSPENSION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO MD. CODE ANN., LOCAL GOV'T § 20-805 TO REPEAL AND REENACT SECTION 144-36.1 TO CHAPTER 144 (TAXATION) OF THE DORCHESTER COUNTY CODE, ARTICLE X (BUILDING EXCISE TAX) FOR THE PURPOSES OF PROVIDING THAT THE BUILDING EXCISE TAX IS SUSPENDED FOR A PERIOD OF ONE YEAR COMMENCING ON JULY 1, 2023, AND ENDING ON JUNE 30, 2024, AND THAT THE BUILDING EXCISE TAX DOES NOT APPLY TO BUILDING PERMITS FILED BETWEEN JULY 1, 2023, AND JUNE 30, 2024; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND

GENERALLY RELATING TO THE BUILDING EXCISE TAX IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said before Council for introduction is legislation to repeal and reenact Section 144-36.1 to Chapter 144 (Taxation) of the Dorchester County Code, Article X (Building Excise Tax) for the purposes of providing that the Building Excise Tax is suspended for a period of one year commencing on July 1, 2023, and ending on June 30, 2024, and that the Building Excise Tax does not apply to Building Permits filed between July 1, 2023, and June 30, 2024; providing that the title of this bill shall be deemed a fair summary, and generally relating to the Building Excise Tax in Dorchester County, Maryland.

The Council agreed to proceed with the publication of a public hearing.

The Council adjourned into regular session.

ACTION ITEMS

REQUEST TO PIGGYBACK STATE CONTRACT – GUARDRAIL REPLACEMENT – HOOPERS ISLAND CAUSEWAY – SMITHVILLE BRIDGE – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback on the Maryland Department of Transportation State Highway Administration contract to replace guardrails on the Hoopers Island Causeway and Smithville Bridge totaling \$72,787.50 funded by the FY23 Capital Budget roadside guardrail replacement (\$43,695) and FY24 Capital Budget bridge repairs (\$29,092.50) line items.

Mr. Edwards stated there are roughly 600 feet of guardrails and they are beyond the general life span. Councilman Pfeffer added that heavy storms and salt water have taken a toll on the guardrails.

REQUEST TO PAVE – SMITHVILLE BOAT RAMP PARKING LOT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Russell Paving Co, Inc. to pave the Smithville Boat Ramp parking lot at \$34,235 funded by the FY23 Capital Budget infrastructure repairs line item.

GRANT AWARD – 2023 STATE HOMELAND SECURITY PROGRAM – EMERGENCY MANAGEMENT

Based on the request of Jimmy Windsor, Emergency Management Planner, the Council accepted the 2023 State Homeland Security Program Grant Award of \$107,726.19 for the period of September 1, 2023 to February 28, 2026 for the following projects:

Backup Server for all County Data	\$19,800
Community Emergency Response Team	\$8,000
Dorchester County Sheriff's Office (DSO)	
Drone for Small Spaces/Buildings	\$4,000
Dosimeters	\$5,426.19
Mass Casualty Trailer Updates	\$18,000

Multi Sensor Drone	\$20,000
Night Vision/Thermal Imaging for DSO	\$24,000
Video Communication System	\$4,500
Video Surveillance for New Voting Storage Area	\$4,000

BID AWARD – TERMINAL HVAC SYSTEM REPLACEMENT – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to award the bid for the HVAC replacement to the only bidder, Gannon’s Refrigeration Service Inc., at \$465,000, which includes an add-on cost of \$20,000 to segregate the HVAC for the leased restaurant space from the remaining Airport Terminal, which will be funded by a Maryland Department of Transportation Maryland Aviation Authority State Funding for Special Projects grant (\$348,750), the Capital Budget terminal HVAC line item (\$112,500) and Contingency Funds (\$3,750).

Mr. Nuwer added that: 1) he allotted two months for companies to submit proposals; 2) he is in the process of obtaining quotes to separate the electric meters as well; and, 3) the projects are time sensitive.

Councilman Pfeffer thanked Mr. Nuwer, stating that The County’s great relationship with the Maryland Aviation Administration is due to his great leadership and management.

REQUEST TO APPLY - MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT HAZARD MITIGATION ASSISTANCE GRANT – FRIENDS OF THE HONGA RIVER – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning & Zoning Director, on behalf of Gary McQuitty, Friends of the Honga River, to submit an application for a \$100,000 Maryland Department of Emergency Management Hazard Mitigation Assistance grant program; Building Resilient Infrastructure and Communities, for the engineering costs of future projects in Hoopersville over a one year period, with a 25% non-federal cost-share funded by the Maryland Department of Natural Resources Chesapeake and Atlantic Coastal Bays Trust Fund Grant.

FY24 OPERATING GRANT AGREEMENT – MDOT MARYLAND TRANSIT ADMINISTRATION – DELMARVA COMMUNITY SERVICES

At its March 21, 2023 meeting, the Council approved the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. - Delmarva Community Transit, to submit a FY24 grant application to the Maryland Department of Transportation Maryland Transit Administration (MDOT-MTA) for operating and capital funding. The Council deferred the local match request of Ms. Waters until the FY24 budget was completed.

The Council approved the request of Ms. Waters to accept a MDOT-MTA FY24 Operating Grant Agreement with a local match of \$115,447 which will be funded by the FY24 Delmarva Community Services budget appropriation with a performance period of July 1, 2023 to June 30, 2024.

<u>Description</u>	<u>Federal Funds</u>	<u>State Funds</u>	<u>Local Funds</u>
SSTAP	\$0	\$122,724	\$40,908

5311	\$285,467	\$216,484	\$68,983
ADA	\$0	\$50,000	\$5,556
TOTAL	\$285,467	\$389,208	\$115,447

<u>Projects</u>	<u>SSTAP</u>	<u>5311</u>	<u>ADA</u>
Vehicle Operations	\$163,387	\$924,148	\$47,885
Maintenance	\$36,178	\$98,403	\$6,626
Administrative	\$25,587	\$101,978	\$13,232

REQUEST TO ESTABLISH – SOCIAL MEDIA POLICY

The Council agreed to establish a Dorchester County Social Media Policy that applies to the following social media platforms: 1) Facebook – www.facebook.com/dorchestercountymd; 2) LinkedIn – www.linkedin.com/company/dorchestercountymd; and, 3) any other such accounts across Social Media Platforms the County may establish in the future for public information or citizen discussion which will be used to promote and disseminate information regarding public announcements, County policies, County initiatives, public events, and other matters of public interest that relate directly or indirectly to the County.

Mr. Powell added that this policy may need to evolve as the County moves forward with the above mentioned social media accounts.

POLL CONFIRMATION

The Council confirmed its decision in the interim of meetings, via poll to approve the submission of the AY2024 Courthouse Security Items Request for funding from the Administrative Offices of the Courts for security items in the amount of \$156,896.54, with no match requirement, by a 4 to 0 vote.

INTERIM COUNTY MANAGER’S COMMENTS

The Council approved a request presented by Mr. Powell to purchase an ambulance from the Neck District Volunteer Fire Company at \$150,000 funded by the American Rescue Plan Act. Mr. Powell stated that the oldest unit in the fleet caught on fire and due to its age/condition, the unit will most likely need to be surplused.

Mr. Powell applauded Mr. Windsor for all of his efforts during the last severe storm and going above and beyond at Emergency Management to get things done.

COUNCIL’S COMMENTS

Councilman Nichols thanked Mr. Windsor, Mr. Edwards and all of the agencies for assisting during the recent severe storms. He stated that the road crews were out all day and night long to ensure the roads remained clear.

Councilman Kramer concurred with Councilman Nichols.

Councilman Travers expressed that it is a pleasure to sit alongside the Councilmen and work with such a remarkable team.

Councilman Detmer agreed with the prior Councilmen's statements and added that the public safety umbrella is crucial. He stated that it is imperative to serve our community within our County and ensure speedy responses, however, he understands that with the current facilities it is not always feasible.

Councilman Pfeffer further stated that: 1) other facilities are frequently on alert status; 2) there is a staffing issue, so building new hospitals will not solve the problems; 3) he would like to see the observation beds at the University of Maryland Shore Medical Center at Cambridge staffed. Councilman Travers said the Emergency Room at the Medical Center is being used for observation while patients are waiting for beds to be open at other facilities.

The Council agreed to have another conversation with Kenneth D. Kozel, President and Chief Executive Officer, University of Maryland Shore Regional Health, and staff.

The Council and Mr. Powell provided their condolences to the families of James H. Turpin, Sr., James E. Kimmey, Sr., and Judge Donald F. Johnson.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

With no further business to discuss, the Council adjourned.


ATTEST:



Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:


George L. Pfeffer, Jr., President



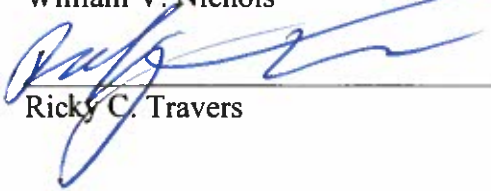
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 7th 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: 10/17/23; Time: 5:01 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Kramer Seconded by Nichols; Members in favor: Pfeffer, Detmer Kramer, Nichols, 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 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) (7)	Received legal advice regarding state law pertaining to a specific board.	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 regarding a lease of County space.	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: _____