

**County Council of Dorchester County
Regular Meeting Minutes
December 5, 2023**

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:05 p.m. on the 5th day of December, 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 Nichols 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) Letter of Support – Shore Rivers Youth Externship Application – Economic Development; 2) Request to Surplus Vehicle – Sheriff's Office; and, 3) Discussion – Volunteer Fire Company – Property Tax Credit.

The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$39,141,303.38.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on December 5, 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; 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; and, Ricky C. Travers. Also present in Room 110 were: Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist. Voting in favor of the Closed Session were the present Council Members. Jeff Powell, Interim County Manager; and, Charles MacLeod, County Attorney entered late.

The Council convened in a Closed Session on December 5, 2023 at 5:04 p.m. to discuss the following item(s):

- 1) Notifications of recent personnel changes within the County were provided; and,
- 2) Received legal advice from the County Attorney regarding real estate.

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 joined the meeting late.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of November 21, 2023.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

REQUEST TO ADVERTISE FOR PROPOSALS – WATER & SEWER PLAN-COMPREHENSIVE UPDATE – COMPREHENSIVE PLAN-CODE UPDATES – PLANNING & ZONING

Water & Sewer Plan-Comprehensive Update

The Council approved the request of Susan Webb, Planning & Zoning Director, to advertise a request for proposals to update the Water & Sewer Plan to meet State requirements which includes a 10-year forecast of how jurisdictions will deliver safe and adequate water and sewer services in support of its Comprehensive Land Use Plan.

Comprehensive Plan-Code Updates

The Council approved the request of Ms. Webb to advertise a request for proposals to update the County Code to ensure consistency with the new Water and Sewer Plan which shall include mapping services and preparation of changes into a draft document for adoption.

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION GRANT SUBMISSION REQUEST – FY25 STATE AID FOR POLICE PROTECTION – SHERIFF'S OFFICE

Based on the request of Sheriff Phillips, the Council approved the submission of the Governor's Office of Crime Control and Prevention FY25 State Aid for Police Protection Fund grant application for an amount based on a formula from the previous fiscal year and a performance period of July 1, 2024 to June 30, 2025.

BUDGET TRANSFER REQUEST – CORRECTIONS

The Council approved the FY24 Budget Transfer Request of Don Satterfield, Interim Director of Corrections.

ANNUAL ELECTION OF OFFICERS

The Council elected the following Officers by majority:

George L. Pfeffer, Jr., President
Mike Detmer, Vice President

PUBLIC HEARING – MACE’S LANE COMMUNITY CENTER PROPERTY DISPOSITION

Charles MacLeod, County Attorney, said before Council is a public hearing on the proposed transfer of the County owned property located at 1099 Mace’s Lane (formerly 1103 Mace’s Lane), Cambridge, Maryland to Mace’s Lane Community Center, Inc.

In response to Councilman Pfeffer’s request for public comments, Reverend Keith Cornish spoke in favor of the disposition and expressed his appreciation of the County Council.

The Council closed the public hearing and opened the floor for the Council’s discussion.

Mr. MacLeod recommended moving forward with the transfer of property. He explained that the property is currently subject to a 99-year Lease Agreement between Dorchester County and Mace’s Lane Community Center, Inc. executed in May 2021, with the intention of repurposing the property to the Mace’s Lane Community Center and the Edythe M. Jolly Museum and Cultural Center.

The roll call on the disposition of property was: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – aye; and, Travers – aye.

PRESENTATION

CRITICAL AREA MAP UPDATES – PLANNING & ZONING

Lisa Hoerger, Regulations and Mapping Coordinator, Critical Area Commission for the Chesapeake & Atlantic Coastal Bays; and, Ryan Mello, GIS Project Manager, Eastern Shore Regional GIS Cooperative, Salisbury University, provided information to Council regarding critical area map updates (see attached).

TAX INCREMENT FINANCING– CAMBRIDGE WATERFRONT DEVELOPMENT INC.

Matt Leonard, Executive Director, Cambridge Waterfront Development Inc. (CWDI), presented information to Council regarding: 1) the General Progress and Plans for Cambridge Harbor; and, 2) the first step in the possible Tax Increment Financing process (see attached).

In response to Councilman Detmer’s inquiry, Mr. Leonard said a live meeting will be held in January 2024 regarding CWDI’s annual report to allow the public to ask questions and regular meetings will be held moving forward.

ACTION ITEMS

REQUEST FOR APPROVAL – REVISED INVESTMENT POLICY – FINANCE

Based on the recommendation of Karen Tolley, Finance Director, the Council adopted a revised Investment Policy for Dorchester County, Maryland.

OFFICE SPACE LEASE – SCHULTE-BOOTH, P.C. – AIRPORT

Based on the recommendation of Steve Nuwer, Airport Director, the Council agreed to execute a two year lease with Schulte-Booth P.C. beginning January 1, 2023 for Airport Terminal Office No. 4 at \$23,364, with two 12-month renewal terms.

BID AWARDS – PUBLIC WORKS

Landfill Convenience Area Improvements

The Council approved the request of Dave Edwards, Public Works Director, to award the Landfill Convenience Area improvements bid to the only bidder, Harper & Sons, Inc. at the cost of \$4,012,854 which will be funded by the FY24 Capital Budget landfill development and cell construction line item.

In response to Councilman Travers, Mr. Edwards explained that the Landfill Convenience Area improvements will include the scale house and office improvements to maintain compliance with regulatory laws and permits.

Highway Sign Shop

The Council approved the request of Mr. Edwards to award the Highway Sign Shop bid to construct a pole building to replace the current sign shop to the lowest bidder, Delmarva Building, at the cost of \$54,955 which will be funded by American Rescue Plan Act funds.

LETTER OF SUPPORT – SHORE RIVERS YOUTH EXTERNSHIP APPLICATION – ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to provide a letter of support of ShoreRivers' proposal for a Youth Externship which will provide youth, ages 16-18, in Dorchester County with a paid opportunity to develop soft workforce skills, deepen their knowledge of their communities, and build a network of professionals in local green careers.

REQUEST TO SURPLUS VEHICLE – SHERIFF'S OFFICE

The Council approved the request of Sheriff Phillips to declare a 2015 Chevy Tahoe as surplus property.

DISCUSSION – VOLUNTEER FIRE COMPANY – PROPERTY TAX CREDIT

After a brief discussion regarding the Volunteer Fire Company Property Tax Credit, the Council agreed to 1) establish a January 31, 2024 deadline for the submission of forms for the 2023 property tax credit for qualifying members of Dorchester County volunteer fire companies; and, 2) send letters to the volunteer fire companies and the Volunteer Firemen's Association by Finance to advise them of this deadline.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell stated that the Highway Sign Shop purchase was made possible by Mr. Edwards' frugal spending habits, as the available American Rescue Plan Act funds were remaining from another project.

COUNCIL'S COMMENTS

In response to Councilman Kramer's question, Steve Nuwer, Airport Director, stated that Barnes Electric is working on a quote for the electrical split between the Airport and restaurant space.

Councilman Detmer expressed his support and appreciation of the County's emergency responders. He also thanked the Council for electing him as the County Council Vice President for a second year.

The Council appointed Sheriff James Phillips to the Recreation & Parks Advisory Board.

Councilman Pfeffer echoed Councilman Detmer. He also thanked staff and wished everyone a safe and happy holiday season.

PUBLIC COMMENTS

Terry Robbins, resident, stated that the Jay Aldridge Memorial Tournament Leonard's Lane Recreation Center raised \$5,700 and had 75 tennis players, filling 96 spots.

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



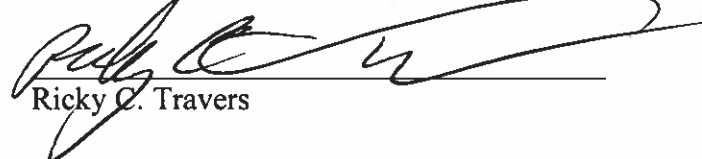
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 19th day of December, 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: 12/5/23; Time: 5:03 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: Preffer, 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)	To receive legal advice from the County Attorney regarding real estate.	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: _____