

**County Council of Dorchester County
Regular Meeting Minutes
February 6, 2024**

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 6th day of February, 2024. 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 item, Equal Employment Opportunity Plan Approval was removed and the following items were added: 1) Letter of Support – House Bill 468 & Senate Bill 532 – Commission to Advance Lithium-Ion Battery Safety in Maryland; 2) Letter of Support – Senate Bill 726 – Bay Restoration Fund - Authorized Uses - Decommission of Wastewater Treatment Lagoon; and, 3) Reappointment – Administrative Charging Committee. The Council approved the amended agenda

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$30,357,351.66.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on February 6, 2024 at 5:14 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: 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 February 6, 2024 at 5:15 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 County Manager and Board of Education vacancies; and,
- 3) Received legal advice from the County Attorney regarding legislation for a specific district;
- 4) Discussed filling a position within a specific district; and,
- 5) Discussed the salaries of specific employees.

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.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of January 16, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented, with Councilman Nichols abstaining from payments made to William V. Nichols, Jr.

REQUEST TO ADVERTISE FOR PROPOSALS – ON-CALL ENGINEERING – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to advertise a request for proposals for on-call engineering services. The Council acknowledged that: 1) on-call engineering services are essential for the CGE Airport to maintain compliance with all Federal, State and Local regulations, requirements and permitting as well as providing consulting, environmental, design and construction services effectively and efficiently; and, 2) being on an “on-call” basis, each project involving any of these aspects on behalf of the Airport are individually bid and only cost our citizens for work/projects approved during the contract period.

BUDGET TRANSFER REQUESTS – PLANNING & ZONING – RECREATION & PARKS

The Council approved the FY24 Budget Transfer Requests for Planning & Zoning and Recreation & Parks.

TENNIS TOURNAMENT – GLASGOW TENNIS COURT – RECREATION & PARKS

Based on a request from Duc Trieu, Recreation & Parks Director, on behalf of Charles Capute, Assistant Coach, St. Michael’s High School, the Council approved the use of the Busick Tennis Courts on Glasgow Street for a high school tournament on March 16th from 8:00 a.m. to 6:00 p.m.

REQUEST FOR AMBULANCE & WAIVER OF FEE – CAMBRIDGE POWERBOAT RACING ASSOCIATION – DORCHESTER CHAMBER OF COMMERCE

The Council approved the request of Terry Robbins, on behalf of Cambridge Powerboat Racing Association and the Dorchester Chamber of Commerce, to station an ambulance at Gerry Boyle Park and to waive the ambulance fees during the 2024 boat races: 1) Cambridge Classic Power Boat Regatta on May 18th and 19th; and, 2) Thunder on the Choctank on June 20th and 21st.

FY24 OPERATING BUDGET AMENDMENT REQUEST – BOARD OF EDUCATION

The Council approved the request of W. David Bromwell, Superintendent, Board of Education, to amend the FY24 Operating Budget Amendment by \$101,702 due to receiving additional funding from the State of Maryland for a Blueprint Coordinator.

LETTERS OF SUPPORT – 2024 LEGISLATIVE SESSION – MARYLAND GENERAL ASSEMBLY

The Council agreed to provide the proposed letters of support for the following House bills, and any cross-filed Senate bills:

- House Bill 589 “Dorchester County-County Applicants-Polygraph Examinations” for the purpose of exempting certain applicants for employment with the Dorchester County Department of Emergency Services and 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 prospective employment; and generally relating to polygraph examinations as a condition of employment.
- House Bill 594 “Legal advertisement or Legal Notice-Publication in Newspaper or Newspaper in General Circulation-Digital Newspapers” for the purpose of altering the meaning of “newspaper” or “newspaper in general circulation” when referring to the publication of a certain legal advertisement or legal notice to include certain publications that are offered in a print format or a digital format under certain circumstances; and generally relating to the publication of legal advertisements and legal notices.
- House Bill 596 “Dorchester County-County Property Leases-Notice Exemptions” for the purpose of exempting a lease of County property for a certain duration made by Dorchester County from certain notice requirements; and generally relating to notice requirements for leases of County property in Dorchester County.

The Council adjourned into Legislative Session

LEGISLATIVE SESSION

INTRODUCTION – PROPERTY REGISTRATION

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ENACTING A NEW CHAPTER 123 OF THE DORCHESTER COUNTY CODE ENTITLED “PROPERTY REGISTRATION” FOR THE PURPOSES OF REGULATING VACANT BUILDINGS, SHORT-TERM RENTALS, AND RENTAL DWELLING UNITS IN

DORCHESTER COUNTY, INCLUDING WITH RESPECT TO REGISTRATION, APPEALS, AND ENFORCEMENT REGARDING THE SAME AND DEFINING TERMS ASSOCIATED THEREWITH; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO VACANT BUILDINGS, SHORT-TERM RENTALS, AND RENTAL DWELLING UNITS IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said for introduction is legislation for the purpose of an act of the County Council of Dorchester County, Maryland enacting a new Chapter 123 of the Dorchester County Code entitled “Property Registration” for the purposes of regulating vacant buildings, short-term rentals, and rental dwelling units in Dorchester County, including with respect to registration, appeals, and enforcement regarding the same and defining terms associated therewith; providing that the title of this bill shall be deemed a fair summary, and generally relating to vacant buildings, short-term rentals, and rental dwelling units in Dorchester County, Maryland.

Susan Webb, Planning & Zoning Director, provided a brief overview of the bill.

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

INTRODUCTION – SOLAR ENERGY SYSTEMS

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING CHAPTER 155 (ZONING) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSES OF REPEALING AND REENACTING § 155-50(LL) TO PROVIDE FOR COMMUNITY, LARGE SCALE, MEDIUM SCALE, AND SMALL SCALE SOLAR ENERGY SYSTEMS, ADOPTING REGULATIONS REGARDING THE SAME, DEFINING TERMS ASSOCIATED THEREWITH, AND AMENDING THE TABLE OF PERMITTED USES BY ZONING DISTRICT REGARDING SOLAR ENERGY SYSTEMS; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO SOLAR ENERGY SYSTEMS IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said for introduction is legislation for the purpose of an act of the County Council of Dorchester County, Maryland amending Chapter 155 (Zoning) of the Dorchester County Code for the purposes of repealing and reenacting § 155-50(ll) to provide for community, large scale, medium scale, and small scale solar energy systems, adopting regulations regarding the same, defining terms associated therewith, and amending the table of permitted uses by zoning district regarding solar energy systems; providing that the title of this bill shall be deemed a fair summary, and generally relating to solar energy systems in Dorchester County, Maryland.

Ms. Webb provided a brief overview of the bill. In response to Councilman Pfeffer’s inquiry, Ms. Webb stated that surrounding jurisdictions have a solar capacity. In response to Councilman Travers’ question, Ms. Webb explained the solar scales and setbacks.

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

INTRODUCTION – RESIDENTIAL ACCESSORY STRUCTURES

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING CHAPTER 155 (ZONING) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF AMENDING § 155-50(A)(1)(d) REGARDING THE SIZE OF RESIDENTIAL ACCESSORY STRUCTURES; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO RESIDENTIAL ACCESSORY STRUCTURES IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said for introduction is legislation for the purpose of an act of the County Council of Dorchester County, Maryland amending Chapter 155 (Zoning) of the Dorchester County Code for the purpose of amending § 155-50(a)(1)(d) regarding the size of residential accessory structures; providing that the title of this bill shall be deemed a fair summary, and generally relating to residential accessory structures in Dorchester County, Maryland.

Ms. Webb provided a brief overview of the bill and stated that the changes are reasonable based on a survey of neighboring counties. In response to Councilman Pfeffer's query, Ms. Webb stated that the changes do not apply to vacant lots. In response to Councilman Detmer's inquiry, Ms. Webb said commercial use is highly monitored.

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

The Council adjourned into Regular Session.

PUBLIC HEARING - OAK CREEK LANDING – ROAD EXTENSION

A public hearing was conducted on the opening of an extension of the road, Oak Creek Landing.

Councilman Pfeffer asked for public comments, hearing none, the public hearing was closed.

PUBLIC HEARING - FY24 MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION EASEMENT APPLICATIONS

A public hearing was held on the FY24 Maryland Agricultural Land Preservation Foundation easement applications and rankings. The Council approved the applications and rankings.

Councilman Pfeffer asked for public comments, hearing none, the public hearing was closed.

ACTION ITEMS

REQUEST TO AMEND – SOLID WASTE/LANDFILL PERMIT STICKER POLICY – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to amend the Dorchester County Solid Waste Department Residential Sticker Rules, effective July 1, 2024.

In response to a question from the Council, Mr. Edwards stated that: 1) the biggest policy change is requiring the permit sticker to be mounted on vehicles; 2) additional stickers may be purchased; 3) the daily bag limitation is to deter commercial use of a residential sticker; 4) copies of the policy will be provided upon purchase of a residential landfill permit. Councilman Detmer expressed his concern of the policy regarding behavior towards staff. Councilman Pfeffer asked for any comments or complaints to be directed to the Council. Councilman Travers commended Mr. Edwards on the changes made to the Chesapeake Recycling Center. Mr. Powell recommended prorating permits and offering monthly or quarterly stickers. Mr. Edwards added that this will be discussed in more detail during the FY25 budget work sessions.

NOISE VARIANCE REQUEST – CEDAR GROVE ROAD – KETTLEJAM PRODUCTIONS, LLC

The Council approved the request of Susan Donoghue, KettleJam Productions, LLC, contingent on receiving required permits, for a noise variance for a live music event, featuring folk and bluegrass music from June 7, 2024 to June 9, 2024, which will be held at a private residence located at 5616 Cedar Grove Road, East New Market, Maryland. The Council acknowledged that the three dates include set-up, preparations, and schedule delays due to weather.

Councilman Pfeffer stated that Sheriff James Phillips and James Windsor, Emergency Management Planner visited the event location and did not cite any concerns. Ms. Donoghue confirmed Councilman Pfeffer's statement that additional permits are needed and that her special exception request will be heard in March. In response to Councilman Nichols, Ms. Donoghue said she has not received any objections from the neighbors she has spoke to. Ms. Webb added that notices of the public hearing will be advertised and mailed, which will provide an opportunity to residents to voice their concerns.

OPERATIONS, MAINTENANCE & MANAGEMENT SERVICES AGREEMENT DISCUSSION – SANITARY DISTRICT

Sandra Tripp-Jones, Sanitary District Consultant, explained that the Office of the Attorney General stated that Dorchester County has the authority to dissolve the Sanitary District. She said the County may proceed with a public hearing for the dissolution of the district. Mr. Powell commended Ms. Jones and Mr. MacLeod for their efforts with this project. He stated that the Sanitary District will be an enterprise fund, meaning it will be self-sustaining. Mr. Powell expressed his respect of the Council for moving forward with dissolving the Sanitary District. Councilman Pfeffer echoed Mr. Powell's gratitude. He stated that this is not a hostile takeover, everyone is in agreement that this is in best efforts to better serve the community. Ms. Jones confirmed that the Memorandum of Agreement is no longer needed.

LETTER OF SUPPORT – THREE CULTURES CENTER AT HANDSELL – COUNCILMAN DETMER

The Council agreed to provide a letter of support to the Nanticoke Historic Preservation Alliance (NHPA) for a Maryland State Arts Council FY24 Arts Capital Grant of \$300,000 for partial funding of a \$600,000 project to build a new Three Cultures Center building at Handsell.

In response to Councilman Pfeffer's inquiry, Councilman Detmer said there is no match requirement for the grant and that NHPA will be using existing fundraising for the remainder of the project.

FY25 HOLIDAY SCHEDULE DISCUSSION

The Council approved the FY2025 holiday schedule and noted that the Juneteenth holiday will be discussed during the FY25 budget work sessions.

WEST VIENNA DELINQUENT WATER & SEWER DISCUSSION

After a brief discussion regarding the West Vienna Water and Sewer delinquencies, the Council asked: 1) Charles Macleod, County Attorney, to review the Memorandum of Understanding between West Vienna and the County; and, 2) Councilman Detmer and Mr. Powell to work with the Town of Vienna Officials to obtain more information to make a well informed decision.

Jerome Harris, resident, expressed his concerns about communication between the town and residents in and outside of West Vienna.

POLL CONFIRMATIONS

The Council confirmed its decisions in the interim of meetings, via poll to:

- (1/17/24) Provide a letter of support regarding "Sunday Hunting - Repeal of Time Restrictions," for the purpose of repealing time restrictions on Sunday hunting within Dorchester County, by a 4 to 0 vote;
- (1/26/24) Proclaim February 1, 2024 as Unclaimed Property Day by a 3 to 0 vote;
- (1/30/24) Provide a letter of opposition for House Bill 352 and Senate Bill 362 entitled "Budget Reconciliation and Financing Act of 2024," for the certain purpose of altering the Senator John A. Cade Funding Formula for community colleges by a 4 to 0 vote;
- (1/30/24) Provide a letter to the Maryland State Arts Council to re-designate Dorchester Center for the Arts as the County's Arts Council for the purpose of accepting funds from the Maryland State Arts Council, by a 4 to 0 vote; and,
- (2/1/24) Provide a letter of opposition for House Bill 81 "Constitutional Amendment-Form of County Government-Requirement to Adopt Charter Home Rule," for the purpose of requiring each County to adopt a charter on or before a certain date using a certain procedure; altering the method by which a County shall adopt a charter under certain circumstances; requiring the charter to provide for the election of members of the County Council by the voters of councilmanic districts; and limiting the applicability of certain Constitutional provisions governing code home rule counties, by a 5 to 0 vote.

Councilman Pfeffer stated that it is common for letters of support to be completed via poll during the Maryland General Assembly Legislative Session, as the letters are needed for bill hearings which are scheduled with short notice.

Mr. Powell said the additional week between meetings contributed the need to poll the Council.

LETTER OF SUPPORT – HOUSE BILL 468 & SENATE BILL 532 – COMMISSION TO ADVANCE LITHIUM-ION BATTERY SAFETY IN MARYLAND

The Council agreed to provide a letter of support for House Bill 468 and Senate Bill 532 entitled, “Commission to Advance Lithium-Ion Battery Safety in Maryland,” for the purpose of establishing the Commission to Advance Lithium–Ion Battery Safety in Maryland; and generally relating to the Commission to Advance Lithium–Ion Battery Safety in Maryland.

LETTER OF SUPPORT – SENATE BILL 726 – BAY RESTORATION FUND - AUTHORIZED USES - DECOMMISSION OF WASTEWATER TREATMENT LAGOON

The Council agreed to provide a letter of support for Senate Bill 726 entitled, “Bay Restoration Fund - Authorized Uses - Decommission of Wastewater Treatment Lagoon,” for the purpose of altering the authorized uses of the Bay Restoration Fund to include, beginning in a certain fiscal year, certain costs related to the decommissioning of certain wastewater treatment lagoons; and generally relating to authorized uses of the Bay Restoration Fund.

REAPPOINTMENT – ADMINISTRATIVE CHARGING COMMITTEE

The Council reappointed Vaughn Evans, to the Administrative Charging Committee to serve a two year term as a Council Civilian Representative. The Council acknowledged that Mr. Evans can hold another consecutive two year term after this appointment.

INTERIM COUNTY MANAGER’S COMMENTS

Mr. Powell stated the following:

- 1) The County will be reimbursed \$22,667.64 from a 2022 State grant that was awarded for Automated External Defibrillators;
- 2) Councilman Kramer, Senator Mautz, Delegate Hutchinson, and members of the Department of Natural Resources, Maryland Department of the Environment, and Critical Area Commission met with the Horseman family regarding the startup of a shell business which will contribute to bay restoration. There are outstanding property requirements and some resistance from the agencies, however they understand the needs to move forward.
- 3) Employee anniversaries -
 - o Donna Lane, Chief of Staff, 18 years of service
 - o Susan Banks, Economic Development Director, 10 years of service
 - o Stephanie Simmons, Executive Administrative Associate, 17 years of service
- 4) Thanked the Council for tackling issues and moving the County forward.
- 5) There are notable Department Heads and staff within the County.
- 6) Department Head evaluations were completed, with the exception of two, and Directors will be completing performance reviews with staff.

COUNCIL’S COMMENTS

Councilman Travers stated that there are a lot of issues at hand, but there is good leadership and hard work happening within the County.

Councilman Detmer thanked the Planning Commission for submitting their recommendations on the bills that were introduced, and reminded non-profits and local governments to submit requests for FY24 Congressional Earmark funding to Senator Ben Cardin.

Councilman Pfeffer discussed the following bills with the Council to determine how to represent the County at a future Maryland Association of Counties Legislative Committee meeting:

- Senate Bill 537, cross-filed House Bill 805, entitled, “Cannabis - Licensee Locations – Restrictions,” *for the purpose of altering the distance restrictions applicable to a licensed cannabis dispensary; prohibiting a political subdivision from establishing certain zoning requirements for licensed cannabis dispensaries and certain licensed cannabis growers that are more restrictive than certain zoning restrictions applicable to certain other entities; clarifying the authority of a political subdivision to alter certain distance requirements; and generally relating to cannabis licensees and zoning restrictions.* Councilman Pfeffer stated the bill is to regulate dispensary licenses similar to liquor licenses and to allow for outside grows, up to ten acres in a secured enclosure with security, in any area that the County would have allowed hemp to be grown on June 30, 2023. He stated that the County did not have regulations against hemp at that time. Mr. MacLeod said comparing liquor stores and dispensaries is a fair comparison and licenses will be limited within the State. After a brief discussion, the Council expressed desire for limitations of production throughout the County.
- Senate Bill 783 and cross-filed House Bill 361 entitled, “Renewable Energy – Net Energy Metering Aggregation, Solar Renewable Energy Credits, and Taxes on Solar Energy Generating Systems (Brighter Tomorrow Act),” *for the purpose of altering the maximum generating capacity authorized for certain net metered generating facilities; authorizing an eligible customer–generator participating in certain meter aggregation to receive excess generation from more than one generating system; requiring the Public Service Commission to establish a Small Solar Energy Generating System Incentive Program to provide certain certified systems with a certain additional percentage of renewable energy credits toward meeting the renewable energy portfolio standard for solar energy; providing that a certified system is eligible to receive an additional percentage of renewable energy credits for the life cycle of the system; increasing the duration of a certain renewable energy credit under certain circumstances; requiring that certain prevailing wage provisions apply to the construction of a certain certified system unless the system is subject to a certain project labor agreement; extending for a certain number of years a certain personal property tax exemption for certain community solar energy generating system projects; exempting certain nonresidential solar generating systems from the State or local real or personal property tax; authorizing a county or municipal corporation to reduce or eliminate an assessment on certain real property on which a certain solar energy generating system is located; requiring a county to enter into a certain payment in lieu of taxes agreement with an owner of a certain ground–mounted solar generating facility under certain circumstances; and generally relating to renewable energy facilities and tax provisions for renewable energy facilities.* Councilman Pfeffer explained that this bill states that any solar placed on rooftops, over parking areas, gray fields, brown fields and anything away from non-prime agriculture will not be allowed to have any personal property tax assessed against energy producing

equipment, and in return, any new solar facilities will be charged a 2,500 per megawatt fee, removing the ability to negotiate Payments in Lieu of Taxes, however, the figures work out to be about the same. After a brief discussion, the Council expressed concerns about the County losing control of the siting of these facilities and its ability to negotiate.

Councilman Pfeffer stated that there are three Board of Elections positions coming up for election and the filing date is Friday, February 9, 2024.

PUBLIC COMMENTS

In response to Terry Robbins, resident, Councilman Pfeffer stated that the 2021 audit has been completed, and the 2022 and 2023 audits are in process, but due to outside agencies completing the audits, we do not have control of when they will be completed.

Mr. Harris stated that he would like to attend the West Vienna meeting.

In response to Phil Cecil, resident, Councilman Pfeffer said the transition of the Sanitary District should be seamless.

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 20 day of February, 2024.

**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: 2/6/24 ; Time: 5:14 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Nichols Seconded by Kramer ; Members in favor: Pfeffer, Kramer, Nichols, Detmer & Travis ; 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) (1)	To discuss filling a position of a specific district.	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 salaries regarding specific employees.	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 the County Manager and Board of Education vacancies.	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)	To receive legal advice from the County Attorney regarding legislation for a specific district.	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: _____