

**County Council of Dorchester County
Regular Meeting Minutes
January 16, 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 16th day of January, 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.; 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 items were added: 1) Request to Amend American Rescue Plan Act Funds – Public Works; and, 2) Emergency HVAC Repairs – Public Safety Building – Department of Corrections.

The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$30,334,323.94.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on January 16, 2024 at 5:30 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)(3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; William V. Nichols; Rob Kramer, Jr.; 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, joined the meeting late. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on January 16, 2024, at 5:31 p.m. to discuss the following items:

1. Notifications of recent personnel changes within the County were provided; and,
2. Discussed acquisition of real estate.

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

PROCLAMATIONS & PRESENTATION

HUMAN TRAFFICKING AWARENESS MONTH – FOR ALL SEASONS – EASTERN SHORE HUMAN TRAFFICKING TASK FORCE

The Council presented a Proclamation declaring January as Human Trafficking Awareness Month.

On behalf of For All Seasons and the Eastern Shore Human Trafficking Task Force, Susan Ahlstrom, Human Trafficking Regional Navigator, For All Seasons, provided a presentation on human traffic.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of January 2, 2024.

APPROVAL OF DISBURSEMENTS

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

REQUEST TO USE COUNTY OFFICE BUILDING PARKING LOT – ELECTRIC – CUBMOBILE DERBY – BOY SCOUTS OF AMERICA

The Council approved the request of Michael O'Connor, Cubmobile Chair, Boy Scouts of America, to use the County Office Building parking lot, grounds and outdoor electric, as well as two bleachers from Recreation and Parks for the Annual Cub Scout Cubmobile Derby on Sunday, April 7, 2024. The Council acknowledged that a Certificate of Liability Insurance will be provided and a request to close Court Lane has been submitted to the City of Cambridge.

REQUEST TO ADVERTISE FOR PROPOSALS – HIGHWAY SHOP DOOR REPLACEMENT – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to advertise a Request for Proposals for a replacement door for the Highway shop.

BUDGET TRANSFERS – PUBLIC WORKS

The Council approved the FY24 Budget Transfer Requests for Public Works.

ACTION ITEMS

FY2025 RURAL LEGACY APPLICATION – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning and Zoning Director, to submit applications to the State for FY2024 Maryland Rural Legacy Program preservation funds, which are allocated through the Maryland Department of Natural Resources, with the areas being submitted in the following order of priority: 1) Harriet Tubman Rural Legacy Focus Area; 2) Eastern Shore Heartland Rural Legacy Focus Area; and, 3) Nanticoke Rural Legacy Focus Area. The Council acknowledged that the order of priority is rotated annually to ensure each area receives equal opportunity.

Mr. Powell noted that this should be reviewed more in depth as the County proceeds with the Comprehensive Plan and Waste Water & Sewer Plan.

Charles MacLeod, County Attorney, stated that there is proposed legislation to expand critical area.

REQUEST TO SOLE SOURCE – COUNTY POOL SERVICES – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation & Parks Director, to sole source with Coastline Pool Services for operating and maintaining the Dorchester County Pool from June 15, 2024 to August 18, 2024 at \$137,188 which will be funded by the Recreation and Parks FY24 Swimming Pool Budget. The Council acknowledged the 6.1% increase is due to the minimum wage increase and high demand for lifeguards.

FUNDING APPLICATION SUBMISSION REQUEST – MARYLAND WATER INFRASTRUCTURE FINANCIAL ADMINISTRATION – MCKEIL POINT TWO & THREE – SANITARY DISTRICT

The Council approved the request of Sandra Tripp-Jones, Sanitary District Consultant, to submit a Maryland Water Infrastructure Financing Administration funding application of \$3,217,970 to disconnect 17 properties from the McKeil Point Two and Three bermed infiltration ponds, located in Woolford, Maryland and reconnect them to the Woolford-Susquehanna sewer system.

The Council acknowledged that a requirement of the application is to form an agreement between the City of Cambridge and Dorchester County stating that the City agrees to accept additional wastewater from 17 properties. The Council agreed to send a letter to the City of Cambridge seeking this agreement.

Mr. MacLeod said he sent a legislative request to the local delegation for enabling authority to transition the Sanitary Commission to a new County department. He stated that once he receives more information he will prepare a draft bill, then move forward with next steps.

REQUEST TO AMEND – FY2024 OPERATING GRANT AGREEMENT – MARYLAND DEPARTMENT OF TRANSPORTATION MARYLAND TRANSIT ADMINISTRATION – DELMARVA COMMUNITY SERVICES

Based on the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. - Delmarva Community Transit, the Council accepted the amendments, below, of the FY24 Operating Grant Agreement with the Maryland Department of Transportation (MDOT) Maryland Transit Administration (MTA).

- *The approved Indirect Cost Rate of 10%, as the de minimis rate, must be utilized by the Public Body to develop each Payment Request, and the rate and related supporting documentation must be maintained on file for audit purposes;*
- *The Public Body will be required to provide MTA with an updated Cost Allocation Plan and Indirect Cost Rate Proposal prior to changing either during the fiscal year;*
- *The Public Body's Payment Requests will be returned if the approved Indirect Cost Rate is not properly utilized; and,*
- *MTA at any time may require the submittal of additional information necessary to properly document the Public Body's Cost Allocation Plan and/or Indirect Cost Rate Proposal.*

RESOLUTION ADOPTION – COUNTY INVESTMENT POLICY

The Council adopted Resolution 658 to amend the County's Investment Policy.

REQUEST TO AMEND AMERICAN RESCUE PLAN ACT FUNDS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to amend the American Rescue Plan Act allocations to redistribute \$250,000 from the Elliott Island Road over Pokata Creek – Bridge Repairs projects, to: 1) Hoopers Island Causeway guardrail repairs/replacement to cover \$128,304 in storm damages that were denied by insurance; and, 2) \$121,696 paving future projects. The Council acknowledged that repairs to the bridge were completed in house and passed the State of Maryland inspection.

In response to Councilman Detmer's inquiry, Mr. Edwards stated that the insurance did not cover any of the guardrail. Mr. Powell added that this is the third time that guardrails have had to be replaced due to storms. Councilman Travers stated that the three incidents were at different

locations. Mr. Powell complimented Mr. Edwards on obtaining low cost materials and his team for all their efforts during the storm.

EMERGENCY HVAC REPAIR – PUBLIC SAFETY BUILDING – DEPARTMENT OF CORRECTIONS

The Council approved the request of Don Satterfield, Director, Department of Corrections, to sole source the following using FY24 Contingency funds: 1) Gannon’s Refrigeration Services, Inc. for emergency repairs to the Public Safety Building HVAC units by removing and replacing all exhaust fans at \$110,000; and, 2) Stanley Steamer to clean all duct work at \$36,150.

INTERIM COUNTY MANAGER’S COMMENTS

There were no comments from Mr. Powell.

COUNCIL’S COMMENTS

Councilman Kramer thanked Mr. Edwards and his team for their dedication both during and after the recent storm.

Councilman Travers echoed Councilman Kramer’s comments.

In response to Councilman Detmer’s inquiry, Mr. Edwards said the public should call 911 if they encounter a road blockage or hazard.

Councilman Detmer commended those who organized and participated in the Ice and Oyster Festival for putting on a robust event.

Councilman Detmer encouraged constituents to be aware of proposed legislation within the Senate and House of Delegates, and referenced House Bill 233 entitled “Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Climate, Equity, and Administrative Provisions”. He said good intentions have ill consequences and the public can contact their State Legislators and Delegates regarding proposed bills.

Councilman Pfeffer provided his appreciation to all.

PUBLIC COMMENTS

After a brief discussion with Rusty Eberspacher, resident, regarding a fine from the Maryland Transit Administration for unauthorized crossing on Beaver Neck Village Road, the Council directed Mr. Eberspacher to delay paying the penalty until Mr. Powell can obtain more information.

There were no additional public comments.

ADJOURNMENT

With no further business to discuss, the Council adjourned.


ATTEST:



Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:

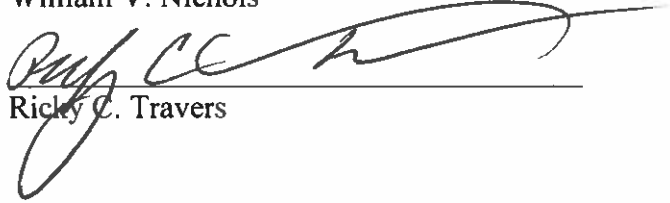

George L. Pfeffer, Jr., President



Mike Detmer, Vice President



Rob Kramer, Jr.

William V. Nichols


Ricky C. Travers

Approved the 16th 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: 1/16/24 ; Time: 5:30 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: Peffer, Detmer, Travers, Kram Opposed: _____ ; Abstaining: _____ ; Absent: Nichols .

**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)(3)	To discuss acquisition of real estate.	To consider the acquisition of real property for a public purpose.

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: _____