

County Council of Dorchester County
Regular Meeting Minutes
February 20, 2024

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:06 p.m. on the 20th 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; 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, Renewal Request – Asphalt Plant Lease – Public Works was moved from the Consent Agenda to Action Items, and Request to Proceed – Courthouse Carpet Replacement – Public Works was added. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$29,802,046.22.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on February 20, 2024 at 5:20 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 §3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

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; 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 20, 2024 at 5:21 p.m. to discuss the following items:

- 1) Notifications of recent personnel changes within the County were provided;
- 2) Discussion of a specific position within the County; and,
- 3) Considered a matter that concerns the proposal for a business to locate, expand, or remain in the State.

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; Donna F. Lane, Chief of Staff; and, Irene Barnes, Executive Administrative Specialist.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of February 6, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

ADMINISTRATIVE OFFICE OF THE COURTS – AY2024 COURTHOUSE SECURITY GRANT – CIRCUIT COURT

The Council approved the request of William H. Jones, Circuit Court Judge, to enter into a Memorandum of Understanding for Security Goods and Services up to \$100,000 by and between the Administrative Office of the Courts and Dorchester County Government for funding of the following: x-ray machine, magnetometer, camera system and fenced/restricted Judges parking.

SURPLUS REQUEST – TRACTOR MOWERS – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to surplus the following New Holland roadside tractor mowers: 1) unit 652; and, 2) unit 653.

ACTION ITEMS

FUND REALLOCATION/BID AWARD – HIGHWAY SHOP DOOR REPLACEMENT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to: 1) reallocate \$17,855 of the FY24 Capital Budget shop overhead doors line item to fund replacement doors at the Highway Divisions shop; and, 2) award the bid for the replacement doors to the lowest bidder, Selma, Inc. at the cost of

\$17,855. The Council acknowledged that \$46,670 was saved after the completion of the overhead shop doors project.

FUND REALLOCATION/BID AWARD – EQUIPMENT SHED CEILING – PUBLIC WORKS

The Council approved the request of Mr. Edwards to: 1) reallocate \$18,150 of the FY21 Capital Budget fuel pumps project line item to fund the installation of a ceiling liner panel in the large 40x182 equipment shed; and, 2) award the bid for the panel to the lowest bidder, Peninsula Pole Buildings, LLC at the cost of \$18,150. The Council acknowledged that \$53,972.28 was saved after the completion of the fuel bay project.

In response to Councilman Pfeffer's inquiry, Mr. Edwards explained that, through experience with the use of netting within the department, netting only works for large birds and does not keep smaller birds out of the ceiling.

FUND REALLOCATION/PIGGYBACK STATE CONTRACT – SANDY HILL/HILLCREST AREA CULVERT REPAIRS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to: 1) reallocate \$23,210 of American Rescue Plan Act funds for repairs to a failed culvert pipe in the area of Sandy Hill Road and Hillcrest Drive; and, 2) piggyback on a State of Maryland, Maryland Department of Transportation contract with David A. Bramble for the culvert repairs, at the cost of \$23,210. The Council acknowledged that a balance of \$121,696 remains after the completion of Hoopers Island causeway guardrail repairs.

PIGGYBACK SOURCEWELL CONTRACT – REPLACE COUNTY OFFICE BLDG. CHILLER/AIR HANDLER – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback on a Prince George's County Board of Education Sourcewell contract with Carrier to replace the County Office Building chiller and air handlers at a cost of \$381,147 which will be funded by the FY24 Capital Budget county building HVAC line item. The Council acknowledged that the project will start in the fall, with an estimated time frame of four to five weeks.

In response to Councilman Pfeffer's query, Mr. Edwards explained that the thermostats and controls are included and it is a turnkey installation. Mr. Edwards confirmed Councilman Pfeffer's statement that the lead time is 20 to 30 weeks lead for the chiller. Following Councilman Travers' inquiry, Mr. Edwards stated that: 1) the air handler is custom built; 2) the chiller is very similar to the current unit; and, 3) this replacement does not eliminate the changeover from heat to air conditioning due to the use of a boiler for heat.

RESOLUTION ADOPTION - ACCEPT OAK CREEK LANDING EXTENSION – PUBLIC WORKS

A public hearing was conducted on February 6, 2024 to open an extension of Oak Creek Landing

to include into the County road system. There were no public comments or objections at the public hearing. The Council adopted Resolution 659 to complete the process of opening the extension of the road.

FLAG FOOTBALL – J. EDWARD WALTER PARK – RECREATION & PARKS

Based on a the request of Duc Trieu, Recreation & Parks Director, on behalf of Lamont Goodson, Governor’s Office of Crime Prevention, Youth, & Victim Services; and, Antoine Patton, Captain, Cambridge Police Department, the Council approved the use of J. Edward Walter Park by RISE Flag Football on Saturdays between April 27, 2024 to June 15, 2024, contingent upon all seven stipulations below being met, which was recommended by the County’s insurance provider, Local Government Insurance Trust:

RISE Flag Football must:

1. provide a Certificate of Insurance listing the County as an additional insured;
2. execute a contract that releases the City/County from any injuries to the players, bystanders, coaches, etc.;
3. indemnify, hold harmless and defend the County for any and all liabilities, claims, etc.;
4. include a commercial general liability insurance policy of at least \$500,000, with accidental no fault medical injury to players of at least \$1,000 each;
5. provide proof of background checks for all coaches;
6. limit games to daylight hours only with County Deputies on site; and,
7. follow the same rules as the Dorchester County Recreation and Parks’ Department leagues.

Captain Patton stated that the City of Cambridge will provide police officers during the games. Councilman Nichols expressed his appreciation and thanked Captain Patton for helping the youth of the County and supporting the community. He added that things have run much smoother since Captain Patton has been onboard. Councilman Pfeffer said Captain Patton is the definition of community policing and thanked him for his service. Mr. Powell stated that he will do all that he can to help Captain Patton.

FUNDING REQUEST DISCUSSION – DORCHESTER COUNTY HISTORICAL SOCIETY

Zeke Willey, President, Dorchester County Historical Society (DCHS), and Tom Bradshaw, Trustee, DCHS, asked the County to: 1) work with the City of Cambridge to open the channel of Shoal Creek due to stagnant water, odor and safety concerns; and, 2) provide \$12,000 to help support the Historical Society. The Council acknowledged that Mr. Edwards will provide assistance with the Shoal Creek project and, in particular, the maintenance agreement. The Council agreed to consider their request for \$12,000 for the DCHS during its FY25 Budget process.

FY25 BUDGET ADOPTION SCHEDULE

After a brief explanation from Mr. Powell, the Council took no action on the FY25 Budget

Adoption Schedule. The Council acknowledged that the schedule will be provided for adoption at a future meeting.

NOTICE OF INTERIM TRAIL USE REQUEST

After a brief discussion regarding the rail lines below, owned by the State of Maryland, the Council agreed to submit a Notice of Interim Trail Use request and Statement of Willingness to Assume Financial Responsibility to the Surface Transportation Board for the County to serve as the trail sponsor in order to establish interim trail use and rail banking:

- Cambridge Secondary – Inactive Section Linkwood to Cambridge, Maryland USRA 168
- Preston Track – Northern Section Hurlock to Preston, Maryland USRA LINE 152
- Preston Track – Southern Section Hurlock, Maryland USRA LINE 153

POLL CONFIRMATIONS

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

- (2/13/24) Provide a letter of support regarding 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 by a 5 to 0 vote;
- (2/13/24) Provide letters of support regarding Senate Bill 691, and cross-filed House Bill 899, entitled "Higher Education – Firefighters and EMS Recruitment and Retention – Scholarship and Loan Repayment Assistance" for the purpose of altering the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship to make the scholarship applicable to all courses at institutions of higher education in the State; altering the maximum award amount available, when a scholarship should be credited, and to whom initial awards should be provided under the scholarship; establishing the Maryland Loan Repayment Assistance Program for Firefighters and Emergency Medical Services Providers; providing for the administration of the loan repayment program; requiring the Department of Budget and Management to evaluate the feasibility of providing firefighters with certain health care and child care benefits; and generally relating to the recruitment and retention of firefighters and emergency medical services providers by a 4 to 1 vote, with Councilman Nichols abstaining; and,
- (2/14/24) Provide support regarding the continued efforts to restore the Horseman Oyster Facility back into a working operation by a 4 to 1 vote, with Councilman Nichols abstaining.

BID AWARD – COURTHOUSE CARPET REPLACEMENT – PUBLIC WORKS

The Council approved the request of Mr. Edwards to award a bid to the lowest bidder, Shorely Beautiful, to replace the carpet in Court Room #2 of the Circuit Courthouse at a cost of \$12,933

which will be funded from the Transfer Tax Fund. The Council acknowledged that this is part of the current safety project requested by Judge William Jones.

In response to Mr. Powell's question, Mr. Edwards stated that after a witness stand was removed and modifications were completed, an area is missing carpet. He also added that the carpet is in poor condition. Mr. Powell said he received high praise from Judge Jones on the skill level and professionalism of Mr. Edwards' team and everyone involved in the project.

RENEWAL REQUEST – ASPHALT PLANT LEASE – PUBLIC WORKS

Based on notice provided by Monica M. Russell, President, Russell Paving Company, Inc., the Council deferred the Mr. Edwards' request to move forward with the renewal of the Asphalt Plant Operating Lease Agreement dated February 18, 2014 between the County and Russell Paving, Inc. for an additional five year term. Prior to making a decision, the Council requested staff to calculate the difference of the royalty payments based on Price per Ton multiplied by 1.15% and based on the Consumer Price Index.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell stated that Hambrooks Boulevard will be closed for the replacement of a large crosspipe and bulkhead repairs at Pinks Pond will begin on February 26, 2024, and the project will last roughly one month, weather permitting.

COUNCIL'S COMMENTS

Councilman Travers spoke to a resident in the audience to confirm he is aware of the closure of Hambrooks Boulevard. In response to the resident's question, Mr. Edwards confirmed that both small dams will be replaced.

In response to Councilman Detmer's inquiry, Mr. Edwards stated that the Maryland Manual on Uniform Traffic Control Devices does not permit rumble strips in speed zones below 50 mph and confirmed that a development with a 25 mph speed limit does not meet the threshold.

Councilman Detmer shared the following information on Dorchester County Law Enforcement responses to suspected opioid overdoses in 2023:

- 91 overdoses were reported in 2023, which is a 3.4% increase from 2022
- 11 of the 91 overdoses were fatal
- According to the Toxicology reports from the Medical Examiner's Office, the fatal overdoses included fentanyl, fentanyl analogues, xylazine and cocaine
- 65 reported overdoses occurred in Cambridge, of which nine were fatal
- 13 reported overdoses occurred in the County, reported by Dorchester County Sheriff's Office, of which one was fatal
- Five reported overdoses occurred in the County, which were reported by Maryland State Police
- Eight reported overdoses occurred in Hurlock, Maryland, of which one was fatal

- According to the police reports, Law Enforcement administered Naloxone to 42 victims of suspected overdoses
- The police reports also indicated that citizens administered Naloxone in 30-suspected overdoses, prior to Law Enforcement or Emergency Medical Services arriving on scene

The Council agreed to send a letter of concern to Maryland Legislative District 37. The Council congratulated Councilman Detmer for winning the title of the Muskrat Leg Eating World Champion.

Councilman Pfeffer thanked everyone for attending the Council meeting.

PUBLIC COMMENTS

Kathy Abbott, resident, said the 77th National Outdoor Show will be held on Friday, February 23, 2024 and Saturday, February 24, 2024 with an entrance fee of \$8 per adult and \$4 per child.

Councilman Pfeffer said Dorchester County has proclaimed March 10, 2024 to March 16, 2024 as Girl Scout Week and thanked the Girl Scouts and leaders for building the character and conduct within young ladies throughout 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



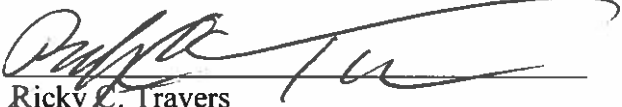
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 5th day of March 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: 2/20/24; Time: 5:20 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Travers Seconded by Nichols; Members in favor: Pfeffer, Kramer, Nichols, Travers, Detmer; 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 a specific position 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)(4)	To consider a matter that concerns the proposal for a business to locate, expand, or remain in the State.	The General Assembly added this exception on the basis of its understanding that some businesses might be deterred from making proposals about relocation, expansion or retention of an existing facility if all such discussions were open to public view 7 OMCB Opinions 148, 159-63 (2011)

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: _____