

County Council of Dorchester County
Regular Meeting Minutes
March 19, 2024

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:03 p.m. on the 19th day of March, 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, Clerk to Council; 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: Letter of Support – Town of Vienna and Traffic Safety Committee Recommendations. The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$29,963,399.05.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on March 19, 2024 at 5:15 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.

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, Clerk to Council; 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 March 19, 2024 at 5:16 p.m. to discuss the following items:

1. Notifications of recent personnel changes within the County were provided; and,
2. Discussed the interviews that were conducted for a specific board.

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, Clerk to Council; and, Irene Barnes, Executive Administrative Specialist.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of March 5, 2024.

APPROVAL OF DISBURSEMENTS

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

BUDGET TRANSFER REQUESTS – PLANNING & ZONING – COUNCIL’S OFFICE – PUBLIC WORKS

The Council approved a FY24 Budget Transfer request for Planning & Zoning, Council’s Office and Public Works.

REQUEST TO ADVERTISE FOR PROPOSALS – PUBLIC WORKS

Marine Facilities Trash Dumpsters

The Council approved the request of Dave Edwards, Public Works Director, to advertise a request for proposals for marine facilities trash dumpsters from June 1, 2024 to September 30, 2024 which will be funded by the Public Works FY24 Operating Budget for marine facilities.

Marine Facilities Portable Toilets

The Council approved the request of Mr. Edwards to advertise a request for proposals for marine facilities services portable toilets from May 1, 2024 to October 31, 2024 which will be funded by a Maryland Department of Natural Resources Waterway Improvement Grant.

Tar & Chip Road Services

The Council approved the request of Mr. Edwards to advertise a request for proposals for a two year tar and chip road services contract, on an as needed basis, which will be funded by various operational and capital budgets.

REQUEST TO SURPLUS & TRANSFER VEHICLES – CORRECTIONS

The Council approved the request of Don Satterfield, Interim Director, Department of Corrections (DOC) to: 1) surplus a 2005 Ford Crown Victoria; and, 2) transfer a 2017 Dodge Durango from the Sheriff’s Office to the DOC.

FY2025-2029 AIRPORT CAPITAL IMPROVEMENT PLAN APPROVAL REQUEST – AIRPORT

Based on the request from Steve Nuwer, Director, Airport, the Council approved the FY2025-2029 Airport Capital Improvement Plan (ACIP) in preparation for submittal to the Federal Aviation Administration. The plan outlines the intent of the County to support specific projects and is a continuation of previous annual ACIPs with the following changes: 1) extend runway 16-34; 2) wildlife fence – phase 3; 3) obstruction removal; and, 4) runway 16-34 rehabilitation.

PICKLEBALL EVENT REQUEST – GLASGOW TENNIS COURTS – RECREATION & PARKS

Based on a request from Duc Trieu, Director, Recreation & Parks, on behalf of Melinda Madison, resident, the Council approved a Pickleball Fun Day and Fundraiser on April 20, 2024 from 9:00 a.m. to 5:00 p.m., open to ages 18 and older with a \$20 per player fee. Ms. Madison will provide: 1) a certificate of insurance naming the County as an additional insured; and, 2) two porta-potties on site.

EVENT REQUEST – “RUN ‘FUR’ THEIR LIVES” 5K – BAYWATER ANIMAL RESCUE

The Council approved the request of Carly Stockus, Executive Director, Baywater Animal Rescue, to host a “Run ‘Fur’ Their Lives” 5k run/walk, in partnership with Coastal Run, on June 22, 2024 from 7 a.m. to 10 a.m. starting at the corner of Stone Boundary Road and Bucktown Road, with a turnaround point at the corner of Stone Boundary Road and Schnoor Road.

Ms. Stockus will: 1) provide a certificate of insurance naming the County as an additional insured; and, 2) coordinate with the Sheriff’s Office, Public Works, Emergency Services and Economic Development to ensure the safety of the community and pay any applicable fees. Parking for the event will be available at the Eastern Shore Innovation Center on Tech Park Drive, Thomas Drive, and Flowers Drive, as needed.

COMMENDATIONS

OUTDOOR SHOW – PAGEANT

The Council presented Commendations to Laila Insley for being selected as Miss Outdoors 2024; Rose Bloodsworth for being selected as Little Miss Outdoors 2024; and, Edwin Bramble for being selected as Little Mister Outdoors.

PROCLAMATIONS

ENDOMETRIOSIS AWARENESS MONTH

The Council presented a Proclamation declaring March 2024 as Endometriosis Awareness Month.

PRESENTATIONS

IRONMAN MARYLAND UPDATES

Angie Hengst, Race Director, The IRONMAN Group, provided a 2023 wrap up and 2024 overview of the Eagleman and IRONMAN races (see attached).

FY25 ANNUAL TRANSPORTATION PLAN – DELMARVA COMMUNITY SERVICES

Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. presented the Council with a summary of the FY25 Annual Transportation Plan. The Council: 1) approved the submission of a FY25 Maryland Transit Administration grant application for operating and capital funding; and, 2) deferred consideration of the local match request until the FY25 budget is completed.

OPEN COMMENT PERIOD

CHARTER REVIEW COMMISSION RECOMMENDATIONS

Councilman Pfeffer opened the floor to the public to voice their opinions on the Charter Review Commission recommendations.

In response to questions posed by Terry Wheatley, resident, Councilman Pfeffer said: 1) “alternative search measures” involves sourcing an outside hiring firm or headhunter to fill the County Manager position; and; 2) the Charter must be reviewed every 10 years to ensure it is up-to-date. Ms. Wheatley said she opposes the residency changes to the County Manager and Finance Director positions.

Eugene Lauer, resident, said he endorses the recommendations.

Cheryl Hannan, resident, said she endorses all of the recommendations, except for the residency requirement changes to the County Manager and Finance Director positions. In response to Ms. Hannan, Councilman Pfeffer said the recommendation to adjust the budget timeline is to allow the County to receive more information from the Board of Education and other agencies before the budget is completed. Councilman Detmer added that it allows the County to be more competitive with other counties that have later deadlines.

Steve Rideout, Mayor, City of Cambridge, said: 1) 1,300 citizens signed a petition in favor of the residency change for the County Manager and transparency recommendations; and, 2) the people should be able to decide on term limits.

Allen Nelson, resident, stated the following: 1) codifying the actions of the current Council, regarding transparency, will ensure that these processes continue; 2) emphasizing the County Manager’s responsibilities sets a clear chain of command between the Council and the County Manager; 3) the residency requirement changes will allow the Council to hire the most qualified person for the job without making their residency more important than their duties; 4) without

term limits, it is difficult for new candidates to win against a long standing incumbent; and, 5) by placing the recommendations on the ballot, it allows residents to make the final decision. The Council closed the open comment period.

Charles MacLeod, County Attorney, explained the process of placing questions on the ballot:

- 1) The Council must vote on which recommendations to move forward;
- 2) The County Attorney will draft individual Resolutions to amend the Charter, and language for the close-ended ballot questions;
- 3) Public hearings must be held on each individual Resolution, and if adopted, the ballot questions will be submitted to the State of Maryland Board of Elections for approval; and,
- 4) Questions will be placed on the November General Election ballot.

The Council agreed to move forward with the process on all eight recommendations, listed below:

1. County Manager Responsibilities by a 5 to 0 vote;
2. County Manager Residency by a 5 to 0 vote;
3. Administrative Review by a 5 to 0 vote;
4. Director of Finance Residency by a 5 to 0 vote;
5. Budget Due Date by a 5 to 0 vote;
6. Budget Adoption by a 5 to 0 vote;
7. Transparency by a 4 to 1 vote with Councilman Nichols opposing; and,
8. Term Limits by a 3 to 2 vote with Councilman Nichols and Councilman Travers opposing.

Councilman Pfeffer thanked the Charter Review Commission.

Susan Dukes, Charter Review Commission Member, thanked the Council for their support.

ACTION ITEMS

REQUEST TO FINALIZE – RESIDENTIAL TRASH PROGRAM – PUBLIC WORKS

Based on recommendations by Mr. Edwards, the Council approved the final conditions of the Residential Trash Program, which will be placed on the Residential Permit Application for Solid Waste Disposal.

Councilman Pfeffer recognized that constituents are concerned about adhering the permit sticker to the windshield of their vehicle. He said he also understands that prior to this regulation, permits were being shared.

RESOLUTION ADOPTION – COMPREHENSIVE WATER & SEWER PLAN AMENDMENT – PLANNING & ZONING

The Council agreed to proceed with Resolution 660; a Resolution to amend the 2004 Dorchester Comprehensive Water and Sewer Plan by changing the sewer classifications of those real properties located in McKeil Point 2, Tax Map 39, Parcel 18, Section 2, Lots 1 through 4, and

McKeil Point 3, Tax Map 39, Parcel 18, Section 3, Lots 1 through 14, zoned Rural Residential, from “No Planned Service” to “Sewer Available.”

POLL CONFIRMATIONS

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

- (3/7/24) provide a letter of opposition for House Bill 1515, “Sales and Use Tax - Rate Reduction and Services” for the purpose of altering the definitions of “taxable price” and “taxable service” for the purposes of certain provisions of law governing the sales and use tax to impose the tax on certain labors and services; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales and from certain sales of dyed diesel fuel to which the sales and use tax is applied; altering the rate of the sales and use tax applied to certain charges made in connection with sales of alcoholic beverages; altering the rate of the sales and use tax applied to certain gratuities and service charges; repealing certain exemptions from the sales and use tax for certain services and contract sales; and generally relating to the sales and use tax by a 4 to 0 vote;
- (3/7/24) provide a letter of opposition relating to Addendum II to Amendment 7 of the Interstate Fishery Management Plan for Atlantic Striped Bass by the Atlantic States Marine Fisheries Commission by a 4 to 0 vote;
- (3/7/24) approve the submission of an Administrative Office of the Courts FY25 Juvenile and Family Services Special Projects grant for \$329,000 with a performance period of July 1, 2024 through June 30, 2025 with no County match requirements by a 4 to 0 vote; and,
- (3/15/24) provide a letter of support for the following Maryland Historical Trust grant applications submitted by the Applegarth Tubman Medicine Hill Preservation and Education Foundation by a 4 to 0 vote:
 - FY25 Maryland Heritage Areas Authority (MHAA) Capital Grant to fund the initial portion of the flood protection construction, and to replace a historic barn roof;
 - FY24 Maryland Historical Trust Historic Preservation Capital Grant to provide additional funding for the flood protection construction and a second barn roof; and,
 - FY25 MHAA Non-Capital Grant to develop an interpretative plan for Medicine Hill which will include an inventory of historically significant assets; a list of educational exhibits and documents; preparation efforts for tourism; and, a marketing strategy to attract visitors.

LETTER OF SUPPORT – TOWN OF VIENNA

Based on a request from Pamela Travers, Mayor, Town of Vienna, the Council agreed to provide two letters of support for the Maryland Preservation Maryland Fund grant applications submitted by the Town, for the following projects, with no funding requirements from the County: 1) restoration of the Customs House on the Nanticoke River; and, 2) restoration of the ferry toll house.

TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS

Based on recommendations presented by the Traffic Safety Committee, regarding speeding in the Town of Galestown, the Council agreed to the following: 1) install speed limit pavement

markings; 2) increase signage in recommended areas; and, 3) install a second electronic radar sign, funded by the Town.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell announced that his last day as Interim County Manager will be June 30, 2024, or once another County Manager is hired, whichever is sooner.

COUNCIL'S COMMENTS

Councilman Nichols said: 1) the volume of work to maintain the County is understated; 2) numerous good deeds completed by the Council go unseen; 3) the County Government does not create City Government laws; 4) in order for a government to work, it needs public participation; and, 5) negative perspectives on social media impact the County's growth and development.

Councilman Kramer agreed with Councilman Nichols and urged constituents to call their district's Councilman to address their concerns regarding the County. He also mentioned to Mr. Edwards that the parking lot of the church on 2035 Crab House Road is flooded.

Councilman Travers thanked the Charter Review Commission and said he is looking forward to working with them throughout the remaining process. He stated that the current Council and Mr. Powell are an excellent group and are making progress.

Councilman Detmer stated the following: 1) the Underground Railroad stamps pay tribute to some local legends; 2) thanked the Charter Review Commission and the citizens for providing their comments on the recommendations; 3) he opposes term limits; 4) retaining the right-of-ways is important because rails may make a comeback; 4) placing trails in the wrong place can pose concerns regarding hunting, trespassing, criminal activity, etc.; and 5) the Board of Appeals is holding a public hearing on the Kettlejam, Inc. Special Exception applications and asked the public to be civil during the hearing.

Councilman Pfeffer thanked the members of the Charter Review Commission.

PUBLIC COMMENTS

Prior to accepting public comments regarding Rails to Trails, Mr. Powell explained that: 1) this is simply preserving the railway; 2) there is partial funding available to create a connection from Washington Street to Woods Road for employment purposes; 3) the line from Hurlock to Preston should be maintained because of the landfill; 4) there is an opportunity to move a portion of the rail line so the Airport runway can be extended past 5,000 feet, which will allow for private and corporate jets to land; 5) there is no funding to complete the Rails to Trails at this time; and, 6) public hearings will be held prior to any decisions being made.

The Council opened the floor for public comments.

The following residents expressed their opinions regarding Rails to Trails: Dee and George Windsor; Alford Sattoff; Wilson Todd; Lisa Phillips; Eric Windsor; Clark DeLong; Jake

Windsor; Sheryl Wilmoth; and, Brian Nabb. Residents cited concerns about public access through private property, criminal activity, littering, dirt bikes, and what is to come with the property. The property owners stated that they would like the property to be returned to them. In response to a question posed by Rusty Eberspacher, resident, Councilman Pfeffer said the County is not purchasing the rail lines and cannot simply remove the railroad.

Mr. MacLeod stated that when a railroad company abandons rights-of-way the government takes control, which the State of Maryland currently holds those rights. He said the State offered the rights-of-way to the County and it may benefit residents to work with the local government, versus the State. Mr. Powell said the name, Rails to Trails is misleading and that the rail lines are not being abandoned. He clarified that the County's intention is to maintain the lines in the event that they are needed in the future. Councilman Detmer said it should be referred to as "rail banking." Mr. MacLeod concurred and said the State does not have any interest in the rail lines, so the local government is being given the opportunity to assume the rights-of-way. He said if the County finds that they have no interest, the lines can be given back to the property owners, but technology can change where railroads may be necessary. Mr. Powell said the rail line from Hurlock to Linkwood/US Route 50 will remain active. Councilman Detmer explained that it is very costly to create trails on the rail line property. Councilman Pfeffer said this is not a land grab, and, while the State maintains control of the property, the State can do as they please with the land. Councilman Travers stated that obtaining the rail line property is a package deal and the County cannot take control over specific lines, such as the Airport line to extend the runway.

ADJOURNMENT

With no further business to discuss, the Council adjourned.

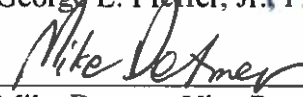
ATTEST:



Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:

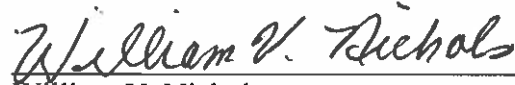

George L. Pfeffer, Jr. President



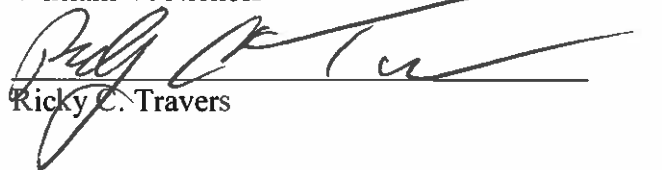
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 2nd day of April, 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: 3/19/24; Time: 5:15 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: Deffner, Kramer, Detmer, 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) (1)	To discuss interviews that were conducted for a specific board.	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

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: _____