

County Council of Dorchester County
Regular Meeting Minutes
May 14, 2024

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:00 p.m. on the 14th day of May, 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 Detmer 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: Federal Aviation Administration Grant Submission Request – Airport Runway Rehab Topographical Survey – Airport; and, Chesapeake College Board Of Trustees Appointment. The Council approved the amended agenda

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$23,981,034.91.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on May 14, 2024 at 5:00 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; pursuant to §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; 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, 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 May 14, 2024 at 5:01 p.m. to discuss the following items:

- 1) Notifications of recent personnel changes within the County were provided;
- 2) Discussed a matter that concerns the proposal for a business to locate, expand, or remain in the State;
- 3) Received legal advice from the County Attorney regarding acquisition of a specific property; and,
- 4) Discussed complaints received regarding specific employee.

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

ACTION ITEMS

CHESAPEAKE COLLEGE BOARD OF TRUSTEES APPOINTMENT

The Council nominated Victoria Jackson Stanley as the County's representative on the Chesapeake College Board of Trustees to serve her third and final term on the board.

Councilman Detmer expressed financial concerns regarding a funding mandate to build a new Technical Center at Chesapeake College after the Council voted against the new center. Dr. Clifford Coppersmith, President, Chesapeake College, said the project was not funded this year, however they continue to work with State agencies to reconfigure the plans and should know more by the summer. He said he understands the Council's concerns and will bring this to the Board's attention. Councilman Detmer said he supports the mission of Chesapeake College. Ms. Jackson Stanley said education is crucial and is the reason why she wanted to be reappointed. Councilman Travers said the Council sees the need, noting that Dorchester County has a career and technology center. He applauded the college for offering marine trades, which includes outboard motors. Dr. Coppersmith stated that Caroline County did not have a unanimous vote to move forward. He said he will keep in touch and continue to address the Council's concerns. Councilman Travers said the Council makes every effort to balance the budget without increases taxes. Councilman Pfeffer added that there is a gap in resources. Councilman Pfeffer left the floor open to Dr. Coppersmith to provide information pertaining to the FY25 budget. Dr. Coppersmith thanked the Council for their support, provided an update on the Cambridge Center and its benefits to Dorchester County, and introduced those from Chesapeake College that attended the meeting. Councilman Nichols thanked Dr. Coppersmith and his staff.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of May 7, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

TENNIS TOURNAMENTS – GLASGOW TENNIS COURT – RECREATION & PARKS

Based on the request of Duc Trieu, Recreation and Parks Director, on behalf of Terry Robbins, Secretary, James G. Busick Tennis Foundation, the Council approved the use of the Busick Tennis Courts on Glasgow Street for three tennis tournaments; June 22, 2024, July 13, 2024, and August 3, 2024 from 9:00 a.m. to 4:00 p.m. The James G. Busick Tennis Foundation will provide porta-potties and a certificate of insurance for the respective tournaments.

FY25 BUDGET PUBLIC HEARING

The Council convened into a budget public hearing. Ms. Lane said this is the first of two public hearings on the proposed FY2025 Budget. Ms. Lane advised that: 1) the second public hearing will be held on May 21, 2024 at 6:02 p.m. after which the County Council can make changes to the proposed Budget; and, 2) a legislative public hearing/adoption is scheduled for May 28, 2024 at 6:02 p.m. Karen Tolley, Finance Director, recapped the presentation provided at the May 7, 2024 meeting, highlighting the County's leverage, and future goals.

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

PROCLAMATIONS

MOTORCYCLE SAFETY AND AWARENESS MONTH

The Council presented a Proclamation declaring May as Motorcycle Safety and Awareness Month.

PRESENTATIONS

BOARD OF HEALTH

Roger Harrell, Health Officer, Dorchester County Health Department, provided an update on COVID and information on mosquitoes and tick disease prevention, summer heat relief, H5N1 (bird flu), drive thru supply events, and youth action counsel. Mr. Harrell thanked the Council for allowing him to serve the County.

A brief discussion ensued regarding partnering with Maryland Institute for Emergency Medical Services System and buying in with the hospital to use the Mobile Integrated Carry Unit, which is designated to provide citizens with care during non-life threatening situations, that will help alleviate the high volume of calls at the 911 Communications Division and responses from local Emergency Medical Services.

ACTION ITEMS

BID AWARD – ENGINEERING SERVICES – ELLIOTT ISLAND JETTY – PUBLIC WORKS

The Council approved the request of Dave Edwards, Public Works Director, to award the bid for engineering services for the Elliott Island jetty replacement to the lowest bidder, George, Miles & Buhr, LLC at the cost of \$30,390 funded by a Department of Natural Resources Waterway Improvement Fund grant.

AMERICAN RESCUE PLAN ACT REALLOCATION REQUEST – PUBLIC WORKS

The Council approved the request of Mr. Edwards to reallocate \$64,953.63 of American Rescue Plan Act funds remaining after the completion of the Hambrooks Boulevard over Pinks Pond Outlet culvert and bulkhead repairs for future infrastructure repairs or paving.

REQUEST TO SOLE SOURCE – RAILS TO TRAILS ENGINEERING SERVICES – PUBLIC WORKS

The Council approved the request of Mr. Edwards to sole source with Lane Engineering, LLC for engineering design services for the Rails to Trails project from Washington Street to Woods Road, Cambridge Maryland, at the cost of \$75,000 funded with monies leftover from the Woods Road project. The Council acknowledged that: 1) the balance remaining from the Woods Road Project is \$398,542; and 2) Economic Development obtained approval from the Department of Commerce for Woods Road project Extension Change Order to use unspent funds to plan the Rails to Trails project.

Mr. Powell highlighted that this project is strictly for the rail lines from Washington Street to Woods Road, and thanked Mr. Edwards and Susan Banks, Economic Development Director for getting this project started.

MEMORANDUM OF UNDERSTANDING – HOUSING OF ADVANCED LIFE SUPPORT UNITS – EMERGENCY SERVICES

The Council agreed to enter into Memorandums of Understanding for the housing of Advanced Life Support Units and staff between the County and the following Volunteer Fire Companies: 1) Eldorado Brookview; 2) Hurlock; and, 3) Madison. The Council acknowledged that there were no changes from the previous year for a one year to begin on July 1, 2024 to June 30, 2025.

BOND COUNSEL ENGAGEMENT LETTER – MCKEIL POINT NO. 1 PROJECT – SANITARY DISTRICT

The Council approved the engagement letter from Funk & Bolton, P.A. covering bond counsel services regarding activities related to disbanding the Sanitary District and the Maryland Water Infrastructure Financing Administration loans for the McKeil Point No. 1 project.

POLL CONFIRMATIONS

The Council confirmed its decision in the interim of meetings, via poll, to approve the request of Steve Nuwer, Airport Director, to submit a joint Federal/State application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland In Maryland which is required by the Federal Aviation Administration prior to the submission of a proposed grant application for the topographical survey, which will be presented to the Council at a future meeting, by a 4 to 0 vote.

FEDERAL AVIATION ADMINISTRATION GRANT SUBMISSION REQUEST – AIRPORT RUNWAY REHAB TOPOGRAPHICAL SURVEY – AIRPORT

The Council approved the request of Steve Nuwer, Airport Director, to submit a Federal Aviation Administration grant to fund an Airport Runway Rehab Topographical Survey in the amount of \$98,350, with a 10% match to be funded by the FY25 Capital budget with a proposed project end date of December 27, 2024.

ANNOUNCEMENT

Councilman Pfeffer announced that the Council agreed to appoint Jerry Jones as County Manager effective May 20, 2024, by a 4 to 1 vote, with Councilman Pfeffer opposing.

Councilman Pfeffer acknowledged Mr. Powell's hard work and dedication to the County and thanked him for his service.

INTERIM COUNTY MANAGER'S COMMENTS

Mr. Powell said: 1) the County is in better shape than when he started but there is still a lot to accomplish; 2) he believes the Council has chosen the right person for the job; and, 3) he will be available to assist with the transition. Mr. Powell thanked the Department Heads and Sandra Tripp-Jones.

COUNCIL'S COMMENTS

Councilman Nichols said: 1) it has been a pleasure to work with Mr. Powell and reminisced about past projects; 2) the County is where it is today because of Mr. Powell's leadership, growth of the County's tax base, retaining jobs at the Eastern Shore State Hospital Center and completing the Hyatt project. He recognized and thanked Mr. Powell for his impeccable leadership, past and present.

Councilman Travers said when the current Council took office, the County was in a disarray, but with Mr. Powell's vision and knowledge he brought order back to the County coupled with wisdom and respect. He said he cannot thank Mr. Powell enough for what he has done for the County and stated that he is a very valuable resource. Councilman Travers said he hopes to continue this partnership.

Councilman Detmer acknowledged: 1) the emergency calls over the weekend and how much the County relies on volunteers. He said the County needs to find a way to help departments with the high volume of calls; 2) National Police Week and Public Service Recognition Week; and, 3) a land development quote by Mr. Powell that still stands as true today as it did when he held office. He thanked Mr. Powell for his service and accomplishments.

Councilman Pfeffer thanked Mr. Powell and opened the floor to directors, staff and Mr. MacLeod to express their gratitude.

PUBLIC COMMENTS

Phil Cecil, resident, referenced the minutes from the April 16, 2024 County Council meeting regarding a sewer connection request for his property located on Mimosa Drive. Mr. Powell stated that the infrastructure has not been completed. Mr. Cecil explained that everything has been completed in order to begin construction except for the sewer connection and permit approval.

Ms. Robbins: 1) thanked the Council for approving the tennis tournaments request; 2) explained that the proceeds from the tournaments will be used to resurface the tennis courts; and, 3) commended the Council for their teamwork and efforts.

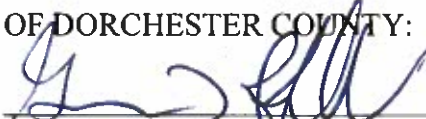
ADJOURNMENT

With no further business to discuss, the Council adjourned.

ATTEST:



Jeff Powell
Interim County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:


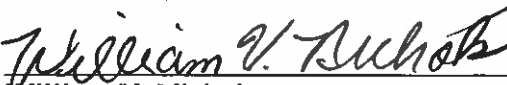
George L. Pfeffer, Jr., President



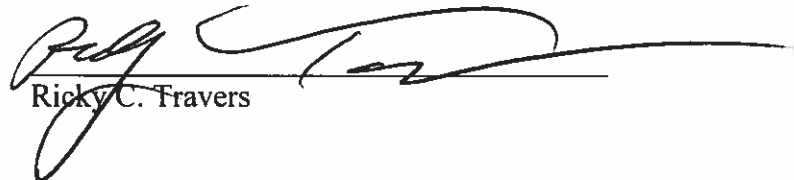
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 21st day of May 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: 5/14/24; Time: 5:00 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Nichols Seconded by Ricky; Members in favor: Pfeffer, Detmer, Kramer, Nichols, Ricky; 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) (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)
§3-305(b) (7)	To receive legal advice from the County Attorney regarding acquisition of a specific property.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (1)	To discuss complaints received 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

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: _____