

County Council of Dorchester County
Regular Meeting Minutes
May 7, 2024

The County Council of Dorchester County convened in Open Session in Room 110 of the County Office Building at 6:13 p.m. on the 7th 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.; and, Ricky C. Travers. Also present in Room 110 were: 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 item was: 1) Request to Use Shore-Up, Inc. Field – Kickball Tournament – Tyzann Meekins.

The Council approved the amended agenda

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$24,010,090.19

CLOSED SESSION SUMMARY

The Council convened into Regular Session on May 7, 2024 at 5:02 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, 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 7, 2024 at 5:03 p.m. to discuss the following items:

1. Notifications of recent personnel changes within the County were provided;
2. Discussed interviews to fill a specific position; and,
3. Received legal advice from the County Attorney regarding economic development.

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 April 16, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

BUDGET TRANSFER REQUESTS

The Council approved the budget transfer requests of the Council's Office, Economic Development, Public Works and Recreation & Parks.

REQUEST TO RENEW – INMATE MEDICAL SERVICES CONTRACT – WPMED, LLC – CORRECTIONS

The Council approved the request of Don Satterfield, Interim Director, Department of Corrections, to renew the contract with WPMed, LLC to provide inmate health care services from July 1, 2024 to June 30, 2025 at the cost of \$1,230,668.

REQUEST TO EXTEND – FOOD SERVICES CONTRACT – ARAMARK CORRECTIONAL SERVICES, LLC – CORRECTIONS

Based on the request of Mr. Satterfield, the Council approved the extension of the Aramark Correctional Services, LLC contract effective August 1, 2024 through July 31, 2025, which reflects an increase from \$2.416 to \$2.542 due to inflation causing a spike in the cost of food, labor, supply and operational expenses,.

EASTERN SHORE INNOVATION CENTER LICENSE AGREEMENTS – ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to enter

into the following Eastern Shore Innovation Center License Agreements: 1) Chief of Ag Solutions, LLC for Suites 12 & 13 commencing on May 1, 2024 to April 30, 2026 at \$500 per month; and, 2) Snowbird Agility, Inc. for Suite 28 commencing on April 22, 2024 to March 31, 2026 at \$190 per month.

The Council adjourned into Legislative Session

LEGISLATIVE SESSION

INTRODUCTION – FY2024-2025 BUDGET

AN ORDINANCE CONCERNING: 2024-2025 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY.

Ms. Lane said for introduction is legislation to introduce the 2024-2025 Annual Budget and Appropriation Ordinance.

Karen Tolley, Finance Director, presented an overview of the FY25 proposed Budget.

Ms. Lane provided the schedule of the budget public hearing process, as follows:

- May 14, 2024 Regular Session/Budget Public Hearing
- May 21, 2024 Budget Public Hearing Only
- May 28, 2024 Regular Session/Budget Legislative Hearing & Adoption

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

INTRODUCTION – COUNTY CODE UPDATE – PLANNING & ZONING

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO AMEND CHAPTERS 65 (BUILDING CODE), 102 (HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION), AND 119 (PLUMBING), AND OF THE DORCHESTER COUNTY CODE BY UPDATING SUCH CHAPTERS FOR CONSISTENCY WITH THE 2021 INTERNATIONAL BUILDING CODE AND 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 INTERNATIONAL MECHANICAL CODE, AND THE STATE PLUMBING CODE, RESPECTIVELY; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO BUILDING, PLUMBING, AND HVAC CODES IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said for introduction is legislation to amend Chapters 65 (Building Code), 102 (Heating, Ventilation, Air Conditioning and Refrigeration), and 119 (Plumbing) of the Dorchester County Code by updating such chapters for consistency with the 2021 International Building Code and 2021 International Residential Code, the 2021 International Mechanical Code, and the State Plumbing Code, respectively; providing that the title of this bill shall be deemed a fair summary, and generally relating to Building, Plumbing, and HVAC Codes in Dorchester County, Maryland.

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

The Council adjourned into regular session.

MEETING WITH MUNICIPALITIES – TAX DIFFERENTIAL – TAX REBATE

Councilman Pfeffer asked for comments from the attending Mayors.

In response to Susan Dukes, Mayor, Secretary, Councilman Pfeffer stated that the County does not have a Grants Writer on staff.

Karen Tolley, Mayor, Church Creek, thanked the Council for their representation and being a great partner.

ACTION ITEMS

REQUEST TO PAVE – PUBLIC WORKS

Buena Vista Avenue

The Council approved the request of Dave Edwards, Public Works Director, to pave Buena Vista Avenue using the lowest priced vendor, Russell Paving Co., Inc., at the cost of \$88,882 funded by the FY24 Capital Budget road paving line item.

Oyster Shell Point Road & Landrum Drive Cul-De-Sacs

The Council approved the request of Mr. Edwards to pave the cul-de-sacs on Oyster Shell Point Road and Landrum Drive using the lowest priced vendor, Russell Paving Co., Inc., at the cost of \$20,188 funded by the FY24 Capital Budget road paving line item.

REQUEST TO PIGGYBACK – MARYLAND DEPARTMENT OF TRANSPORTATION CONTRACT – ELLIOTT ISLAND BRIDGE REPAIRS – PUBLIC WORKS

The Council approved the request of Mr. Edwards to piggyback on a Maryland Department of Transportation contract with Covington Machine & Welding, Inc. for the repairs to the Elliott Island Bridge at the cost of \$151,021.62 funded by the FY24 Capital Budget bridge repairs line item.

RESOLUTION ADOPTION – INVESTMENT POLICY PARTICIPATION

The Council adopted Resolution 662 to authorize investments of municipal funds in the local Government Investment Pool created by the State Of Maryland; designating the municipal official(s) responsible for the deposit and withdrawal of such funds; and matters generally related thereto. Ms. Tolley stated that this will give the County the authorization to invest in the Maryland Local Government Investment Pool.

POLL CONFIRMATION

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

- Approved the request of the Sheriff's Office to submit a Governors Office of Crime Control and Prevention FY25 Community Grant Program Fund grant application in the amount of \$35,760, with no match requirement, to fund overtime for community events, community interaction in high crime areas and Recreational & Parks events, and giveaways for the period of July 1, 2024 to June 30, 2025, by a 5 to 0 vote.

REQUEST TO USE SHORE-UP, INC. FIELD – KICKBALL TOURNAMENT – TYZANN MEEKINS

Based on the request of Tyzann Meekins, resident, the Council approved the use of the field located on 824 Fairmount Avenue, leased by SHORE UP! Inc., to host a Kickball Tournament on June 1, 2024 from 1:00 p.m. to 6:00 p.m. with the following stipulations:

Ms. Meekins must:

1. execute a contract that releases the City, County and SHORE UP! from all liability associated with the event;
2. indemnify, hold harmless and defend the County for any and all liabilities, claims, etc.;
3. coordinate with local law enforcement to have police presence at the event;
4. provide the County with a Certificate of Insurance prior to the event, naming Dorchester County Government as an additional insured;
5. include a commercial general liability insurance policy of at least \$500,000, with accidental no fault medical injury to attendees of at least \$1,000 each;
6. obtain portable toilets, as access to the building will not be permitted;
7. return premises as received to ensure that SHORE UP! can return to normal business operations on Monday, June 3, 2024;
8. follow the same rules as the Dorchester County Recreation and Parks' Department leagues.

In response to Councilman Pfeffer's inquiry, Charles MacLeod, County Attorney, stated that the aforementioned stipulations are sufficient.

INTERIM COUNTY MANAGER'S COMMENTS

No comments.

COUNCIL'S COMMENTS

Councilman Detmer alerted Mr. Edwards of a hole forming on Hynson Road and thanked him and his staff for taking care of the trees on Cedar Grove Road.

Pursuant to Councilman Detmer's queries, Ms. Webb: 1) explained the process regarding solar application; 2) said information will be provided to the Council when new applications are received; and, 3) the solar legislation will have to be reintroduced.

In response to Councilman Detmer's inquiry, Mr. MacLeod stated that the draft resolutions with proposed changes to the County Charter will be provided for review in the upcoming weeks.

Councilman Pfeffer thanked the Department Heads, Ms. Tolley and Mr. Powell for working together on the budget process.

PUBLIC COMMENTS

Arleace Green, Public Affairs Specialist, Office of Disaster Recovery & Resilience, provided information regarding Economic Injury Disaster Loans to assist small businesses, small agricultural cooperatives, and small businesses engaged in aquaculture, etc. after the Francis Scott Key Bridge collapse.

In response to Todd Davis, resident, Councilman Pfeffer said Mr. Davis will be added to the agenda email list to alert him when the Sanitary dissolution bill is introduced and the information will be advertised in the newspaper, on the County website and Facebook page.


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 14th 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: 5/7/24 ; Time: 5:02 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Ricky Seconded by Nichols ; Members in favor: Pfeffer, Detmer, Kramer, Nichols, Tracts; 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)	Discussion of interviews to fill a specific position.	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 economic development.	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: _____