

County Council of Dorchester County
Regular Meeting Minutes
June 4, 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 4th day of June, 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: Jerry Jones, County Manager; Donna F. Lane, Clerk to Council; and, Irene Barnes, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Travers led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the following item was added to: Letter of Support – Department of Housing and Community Development Community Legacy Grant Application – Habitat for Humanity Choptank.

The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$24,160,217.41.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on June 4, 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; pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice; and, pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto.

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: Jerry Jones, County Manager; Donna F. Lane, Clerk to Council; and, Irene Barnes, Executive Administrative Specialist. Voting in favor of the Closed Session were the present Council Members. Charles MacLeod, County Attorney, joined the meeting late via telephone.

The Council convened in a Closed Session on June 4, 2024 at 5:16 p.m. to discuss the following items:

- 1) Received legal advice from the County Attorney regarding updates on specific issues;

- 2) Discussed acquisition of real property for a public purpose and matters directly related thereto; and,
- 3) Notifications of recent personnel changes within the County were provided.

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: Jerry Jones, County Manager; Donna F. Lane, Clerk to Council; and, Irene Barnes, Executive Administrative Specialist. Charles MacLeod, County Attorney, joined the meeting late via telephone.

CONSENT AGENDA

APPROVAL OF MINUTES

The Council approved the minutes of May 28, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FY24-25 FIRST/SECOND QUARTER MEETING SCHEDULE

The Council adopted the FY24-25 County Council First/Second Quarter Meeting Schedule.

EASTERN SHORE INNOVATION CENTER CO-WORKING SPACE AGREEMENT AMENDMENT – ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Economic Development Director, to amend the Eastern Shore Innovation Center Co-Working Space Membership Agreement to include the following:

- **Payment - *Monthly payments will be made by ACH authorization withdrawals.*** The one-time set-up fee of \$25 and the monthly member payment to the County shall be payable by ACH debit...
- ***ACH Withdrawal Rejection Fee – If any ACH withdrawal initiated by the County for membership dues or other fees is rejected by member's financial institution due to insufficient funds or any other reason attributable to member, member will be charged an additional fee of \$30.00 to cover administrative costs, and other penalties and fees associated with the failed transaction. The County reserves the right to charge member account or invoice member for this fee promptly following notification of the rejection. Failure to reimburse the County for fee within ten (10) days after notification may result in additional penalties or suspension of membership privileges.***

REQUEST TO ADVERTISE FOR PROPOSAL - RESURFACE GLASGOW STREET TENNIS COURTS – RECREATION & PARKS

The Council approved the request of Duc Trieu, Recreation and Parks Director, to advertise a request for proposals to resurface the James G. Busick Tennis Courts.

BUDGET TRANSFER REQUEST – CORRECTIONS

The Council approved the FY24 Budget Transfer Request for the Department of Corrections.

MARYLAND ASSOCIATION OF COUNTIES ANNUAL VISIT

Johnny Olszewski, President, Maryland Association of Counties (MACo), and Michael Sanderson, Executive Director, MACo provided the Council with an overview of the attached presentation, which included legislative updates.

During a brief discussion, the Council expressed concerns regarding the following:

- Kirwan/Blueprint for Maryland’s Future
- Preemption of Solar
- Percentage of Undevelopable Land
- Highway User Funds
- Volunteer Fire Companies
- Juvenile Services
- Jury Duty
- Recruitment and Retention

COMMENDATIONS

RETIREMENT – ANDREA ROBINSON

The Council presented a Commendation to Andrea Robinson, Sergeant, Sheriff’s Office, for 21 years of service to Dorchester County and congratulated Ms. Robinson on her retirement.

The Council acknowledged that the individuals for the following Commendations were unable to attend the meeting, and will be presented at a future meeting: 1) Vernon Price – High Jump State Championship – North Dorchester High School; 2) Tori Willis, Jr. – 300 Meter Hurdle State Championship – Cambridge South Dorchester High School; 3) Cassidy Young – Discus State Championship – Cambridge South Dorchester High School; and, 4) Cambridge South Dorchester High School Men’s Outdoor Track & Field Team – State Championship.

The Council recognized Melvin Young, Varsity Head Coach, and James Samiec, Volunteer Assistant, for attending the meeting on behalf of the North Dorchester High School Track & Field Team.

The Council adjourned into Legislative Session.

LEGISLATIVE SESSION

PUBLIC HEARING – COUNTY CODE UPDATE – PLANNING & ZONING

BILL NO. 2024-5 - 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 a public hearing is being conducted on Bill No. 2024-5 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. In response to the Council's inquiries, Susan Webb, Planning & Zoning Director, said Bill No. 2024-5 is a requirement to be compliant with the State of Maryland and will not affect contractors, as it is an update to the language.

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

The roll call on Bill No. 2024-5 was: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – aye; and, Travers – aye.

The Council adjourned into Regular Session.

REGULAR SESSION

ACTION ITEMS

POLL CONFIRMATIONS

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

- Agree to provide a letter of support for a Bartus Trew Providence Preservation Fund grant application of the National Trust for Historic Preservation submitted by the Applegarth Tubman Medicine Hill Preservation and Education Foundation to fund additional flood protection work at Medicine Hill, by a 4 to 0 vote; and,
- Agree to provide a letter of support for Cross Street Partner's application to host the SPARK! Exhibit, by a 4 to 0 vote.

LETTER OF SUPPORT – DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT COMMUNITY LEGACY GRANT APPLICATION – HABITAT FOR HUMANITY CHOPTANK

Based on the request of Erin Harmon, Grants Administrator, Habitat for Humanity Choptank, the Council agreed to provide a letter of support for a Department of Housing and Community Development Community Legacy grant application submitted by Habitat for Humanity Choptank for its Home Repair Program.

COUNTY MANAGER’S COMMENTS

Mr. Jones had no comments.

COUNCIL’S COMMENTS

The Council briefly discussed constituent concerns regarding the new Landfill sticker requirements. Mr. Edwards explained that the new rules were implemented due to a demand in accountability regarding the abuse of the solid waste program, and to refrain from increasing the cost of the stickers. He said the: 1) operating hours, adhering the sticker to the windshield, and information requirements are consistent with other Counties; 2) the cost of the program is significantly lower than surrounding Counties; 3) drivers licenses do not contain social security numbers; 4) the program includes the County recycling centers; and, 5) the program will be reevaluated next year.

The Council directed staff to implement other Social media platforms, such as Instagram.

Councilman Pfeffer thanked Karen Tolley, Finance Director, for updating the budget to reflect the additional funding for Volunteer Fire Companies. He noted that the budget was signed today.

PUBLIC COMMENTS

Terry Robbins, resident, expressed her concerns regarding the new Landfill sticker requirements.

ADJOURNMENT

With no further business to discuss, the Council adjourned.

ATTEST:




Jerry Jones
County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



George L. Pfeffer, Jr., President



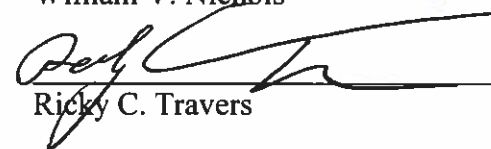
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 18th day of June, 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: 6/4/24 Time: 5:15 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: Travers, Pfeffer, Detmer, Nichols, Kramer; 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) (7)	To receive legal advice from the County Attorney regarding County Manager issues.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (3)	To discuss acquisition of real property for a public purpose and matters directly related thereto.	To consider the acquisition of real property for a public purpose and matters directly related thereto
§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

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: _____