

County Council of Dorchester County
Regular Meeting Minutes
May 28, 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 28th 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: Jerry Jones, County Manager; Donna F. Lane, Clerk to Council; and, Irene Barnes, Executive Administrative Specialist.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$23,814,457.91.

CLOSED SESSION SUMMARY

The Council convened into Regular Session on May 28, 2024 at 5:30 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: 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. Voting in favor of the Closed Session were the present Council Members.

The Council convened in a Closed Session on May 28, 2024 at 5:31 p.m. to discuss the following items:

- 1) Notifications of recent personnel changes within the County were provided; and,
- 2) Received legal advice from the County Attorney regarding a lawsuit.

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: 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 21, 2024.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

BUDGET TRANSFER REQUESTS – ECONOMIC DEVELOPMENT

The Council approved FY24 Budget Transfer Requests for Economic Development.

The Council convened into Legislative Session.

LEGISLATIVE SESSION

FY2024-2025 BUDGET PUBLIC HEARING

BILL NO. 2024-4 AN ORDINANCE CONCERNING: 2024-2025 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY

Ms. Lane said a legislative public hearing is being held on Bill No. 2024-4 concerning the FY 2024-2025 Annual Budget and Appropriation Ordinance.

Councilman Pfeffer asked for comments, hearing none, he opened the floor for discussion.

The Council agreed to increase the Volunteer Fire Companies' budget by 5% using monies from the Contingency Fund.

The roll call on Bill No. 2024-4 was: Pfeffer – aye; Detmer – aye; Kramer – aye; Nichols – aye; and, Travers – aye.

Councilman Nichols said the Departments that made budget cuts to help balance the FY25 Budget should be recognized in the FY26 Budget.

INTRODUCTION – BUILDING EXCISE TAX SUSPENSION

**AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND
PURSUANT TO MD. CODE ANN., LOCAL GOV'T § 20-805 TO REPEAL AND REENACT**

SECTION 144-36.1 TO CHAPTER 144 (TAXATION) OF THE DORCHESTER COUNTY CODE, ARTICLE X (BUILDING EXCISE TAX) FOR THE PURPOSES OF PROVIDING THAT THE BUILDING EXCISE TAX IS SUSPENDED FOR A PERIOD OF ONE YEAR COMMENCING ON JULY 1, 2024, AND ENDING ON JUNE 30, 2025, AND THAT THE BUILDING EXCISE TAX DOES NOT APPLY TO BUILDING PERMITS FILED BETWEEN JULY 1, 2024, AND JUNE 30, 2025; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO THE BUILDING EXCISE TAX IN DORCHESTER COUNTY, MARYLAND.

Ms. Lane said for introduction is legislation to repeal and reenact Section 144-36.1 to Chapter 144 (Taxation) of the Dorchester County Code, Article X (Building Excise Tax) for the purpose of providing that the Building Excise Tax is suspended for a period of one year commencing on July 1, 2024, and ending on June 30, 2025, and that the Building Excise Tax does not apply to building permits filed between July 1, 2024, and June 30, 2025; providing that the title of this bill shall be deemed a fair summary, and generally relating to the Building Excise Tax in Dorchester County, Maryland.

Councilman Detmer said this is needed, however going forward, it needs to be reviewed further. In response to Councilman Pfeffer inquiries, Susan Webb, Planning & Zoning Director, said the majority of counties charge a Building Excise Tax, ranging from \$1,000 to \$50,000, which has not hindered growth, and Dorchester County is one of a few suspending this tax due to the rising cost in building materials and construction.

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

PUBLIC HEARING – SCHEDULE OF FEES

Ms. Lane said before Council is a Resolution to amend the County's Schedules of Fees to change certain Department fees for which a public hearing is being held.

In response to Councilman Detmer's inquiry, Ms. Webb said several fees are well below that of surrounding counties, however a gradual increase over several years is easier for customers. Ms. Lane stated that this is the second year of the boat ramp fee increases, and FY26 will be the third increase. In response to Councilman Pfeffer's statement, Dave Edwards, Public Works Director, said the changes to the landfill application and requirements is to become more efficient in order to keep the costs down for citizens. In response to an inquiry posed by Kathy Abbott, resident, Councilman Pfeffer asked if other counties mandate dog licenses, which Ms. Abbott replied, this is done in Talbot County through veterinary offices.

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

The Council adopted the County's Schedule of Fees which will become effective July 1, 2024 until June 30, 2025.

The Council adjourned into Regular Session.

ACTION ITEMS

FUND REALLOCATION – PERMITTING & LICENSING SERVICES AGREEMENT – PLANNING & ZONING

The Council approved the request of Susan Webb, Planning & Zoning Director, to: 1) reallocate \$50,000 from the FY23 Capital Budget County website line item to fund a portion of a permitting and licensing services agreement; and, 2) enter into an agreement with OpenGov to provide permitting and licensing services at the cost of \$89,696.08 which will be funded by the aforementioned \$50,000 from the FY23 Capital Budget and the FY24 Capital Budget Finance supplemental software funds.

Councilman Detmer said OpenGov is a tool that will increase efficiency. In response to Councilman Pfeffer's inquiry, Ms. Webb said: 1) the program will be benefit staff by reducing work load up to 85%, allowing them to focus on other pertinent items; 2) OpenGov is currently used in Talbot County and is being implemented in the City of Cambridge so local contractors will be familiar with the program which will streamline the process; 3) she received a 50% discount for the first year; 4) the permit fee increases will cover the cost of the program; 5) vacant, airbnb and rental properties can be registered on the user's end; 6) for additional fees, the program can be extended to other departments; 7) the status of applications can be viewed online; and, 8) OpenGov will satisfy the State of Maryland requirement of having an electronic based permit software program for solar projects.

MARINE PORTABLE TOILETS DISCUSSION – DISCONTINUED FUNDING – PUBLIC WORKS

Based on a notification from the Department of Natural Resource (DNR), provided by Dave Edwards, Public Works Director, the Council acknowledged that DNR discontinued the sanitary service grant through its Waterway Improvement Fund which covers the cost for marine portable toilets at \$1,320 per month. The Council agreed to continue the portable toilet services for this season using contingency funds for the remaining cost of \$5,280.

DNR WATERWAY IMPROVEMENT FUND EXTENSION – COUNTYWIDE ENGINEERING GRANT – PUBLIC WORKS

Based on a request from Mr. Edwards, the Council agreed to extend the DNR Waterway Improvement Fund Grant Agreement for the current Countywide Engineering Grant to June 30, 2026. The Council acknowledged that this will allow for the completion of engineering services on current boat ramp projects.

RESOLUTION DISCUSSIONS TO AMEND COUNTY RULES & REGULATIONS

Juneteenth Day – County Paid Holiday

Ms. Lane said before Council is a Resolution to amend the Dorchester County Personnel Rules and Regulations to include Juneteenth Day as a County paid holiday effective July 1, 2024, beginning June of 2025.

The Council agreed to post the proposed Resolution in all County Departments for 10 days prior to the proposed adoption at a future meeting.

Bereavement Leave

Ms. Lane said before Council is a Resolution to amend the Dorchester County Personnel Rules and Regulations to change granted bereavement days to 5 (max 40 hours) and refer to as bereavement leave (not funeral leave).

The Council agreed to post the proposed Resolution in all County Departments for 10 days prior to the proposed adoption at a future meeting.

Remove Correction's Personnel from Overtime Threshold

Ms. Lane said before Council is a Resolution to amend the Dorchester County Personnel Rules and Regulations to remove Correction's personnel from the overtime threshold - hours in excess of 171 in a 28-day work cycle sentence.

The Council agreed to post the proposed Resolution in all County Departments for 10 days prior to the proposed adoption at a future meeting.

Councilman Pfeffer commended Kristin Budd, Human Resources Director, Jeff Powell, Interim County Manager, and Mr. Jones for their hard work on the amendments to improve recruitment and retention, recognizing the importance of employees.

POLL CONFIRMATIONS

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

- Accept a Department of Natural Resources grant award of \$31,000 to fund the engineering services for the Elliott Island jetty repairs, with a performance period of May 1, 2024 to May 1, 2027, by a 3 to 0 vote;

- Provide a letter of support for the Richardson Maritime Museum's Technical Assistance Operating Assistance grant application of \$50,000 through the Maryland Department of Housing and Community Development, by a 3 to 0 vote;
- Approve the submission of a Governor's Office of Crime Control and Prevention (GOCCP) Warrant Apprehension & Absconding Grant Program application for \$20,000 for overtime to reduce the number of pending warrants, with no match requirement and a performance period of July 1, 2024 to June 30, 2025, by a 3 to 0 vote; and,
- Approve the submission of a GOCCP Police Accountability, Community, & Transparency Grant Program application for \$65,000 to be applied towards the salary and fringe benefits of a Victim/Witness Coordinator, with no match requirement and a performance period of July 1, 2024 to June 30, 2025, by a 3 to 0 vote.

COUNTY MANAGER'S COMMENTS

Mr. Jones had no comments.

COUNCIL'S COMMENTS

Councilman Nichols: 1) thanked staff for an outstanding job balancing the budget; 2) said the FY26 Budget will be more challenging but will strengthen the County; and, 3) thanked the Council.

Councilman Travers: 1) thanked Mr. Edwards and his team for working on Buena Vista Avenue; 2) stated that this is the 18th budget that he has participated in, ranking in the top two worst sessions due to funding requirements from the State of Maryland; 3) the Counties main source of revenue is income and property taxes, which is limited due to 78% of the County being undevelopable; 4) Thanked staff for making adjustments and completing the budget; and 5) the Council's priorities to balance the budget without increasing taxes while increasing employee salaries were met.

Councilman Detmer 1) thanked staff; 2) thanked the Public Works Department for resolving issues at Williamsburg Church, Palmers Mill, and Newhart Mill Roads; 3) thanked Duc Trieu, Recreation and Parks Director, regarding Egypt Road Hill Park; and, 4) said the Council should consider boat ramp stickers and allow access to County dog parks by purchasing a dog license.

The Council appointed Dalton Adshead to the Agricultural Reconciliation Committee as the District 5 representative.

Councilman Detmer recognized Memorial Day and Gold Star families, honoring those that lost their lives from our county.

Councilman Pfeffer 1) thanked staff, Ms. Tolley, Mr. Powell and Mr. Jones for their hard work on the budget; 3) echoed Councilman Nichols, regarding the next budget, adding that a \$1.8 billion deficit is predicted by the State; 4) said the Council needs to find a way to increase the tax base; 5) commended Councilman Detmer for his Memorial Day speech at Long Wharf Park

Memorial Day Ceremony; 6) said the Eastern Shore Veterans Cemetery will be held on Thursday, May 30, 2024 at 1:30 p.m.; 7) congratulated the High School graduates, wishing them well in their future endeavors, hoping that they make Dorchester County home; and, 8) would like to see changes with mandates and improvements in school to attract more residents and businesses.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

With no further business to discuss, the Council adjourned.

ATTEST:




Jerry Jones
County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:



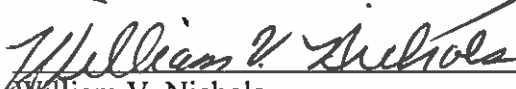
George L. Pfeffer, Jr., President



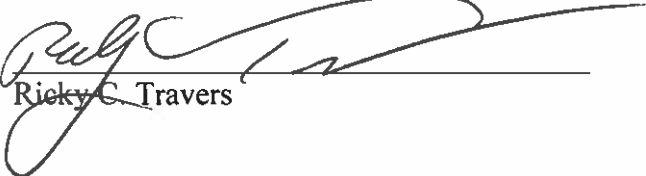
Mike Detmer, Vice President



Rob Kramer, Jr.



William V. Nichols



Ricky C. Travers

Approved the 4 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: 5/28/24; Time: 5:30 p.m.; Location: Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland; Motion to close meeting made by: Travers Seconded by Kramer; Members in favor: Pfeffer, Detmer, Kramer, Travers, Nichols; 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) (7)	To receive legal advice from the County Attorney regarding a lawsuit.	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: _____