

County Council of Dorchester County
“Amended” Regular Meeting Minutes
May 20, 2014

The County Council of Dorchester County met in regular session on May 20, 2014 with the following members present: Present were Jay L. Newcomb, President; William V. Nichols, Vice President; Ricky Travers; Rick Price and Tom Bradshaw. Also present were E. Thomas Merryweather, County Attorney, and Donna Lane, Executive Administrative Specialist.

REGULAR SESSION

EXECUTIVE SESSION

The Council adjourned from a Regular Session and convened in a closed Executive Session pursuant to State Government Article pursuant to §10-508(A)(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 §10-508(A)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §10-508(A)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter.

Voting in favor of the closed Executive Session were all Council members.

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Bradshaw led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: a letter of support for a grant being sought by Historic Cambridge, Inc. for building roof repairs and a grant opportunity for the Ironman Maryland September 20, 2014 triathlon event.

APPROVAL OF MINUTES- MAY 6, 2014

The Council approved the minutes of May 6, 2014.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANICAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$4,121,005.31.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on May 20, 2014 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, pursuant to the State Government Article pursuant to §10-508(A)(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 §10-508(A)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §10-508(A)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; and pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter.

Motion made, seconded and carried to conduct a closed session pursuant to the above. All members of the Council voted in the affirmative to conduct the closed session for the purposes stated above and to discuss the topics listed below.

Action taken at the closed session: 1) approved the request of the Public Works Director to hire an individual who is currently a part time grass cutter to fill a vacant Public Works Maintenance Specialist position by a 5 to 0 vote; 2) received an update from a business/organization; 3) discussed issues relating to a Public Service Commission application for a renewable energy project; 4) received an update on a proposed agreement regarding a property-agreed to consider a letter of support in open session; 5) discussed with legal counsel a lease for a County owned property; 6) discussed with legal counsel the potential expansion of a County renewable energy project; 7) discussed with legal counsel a proposed funding commitment/agreement for an economic development event-agreed to consider a request to submit a grant application for funding for this proposed event; and 8) discussed with legal counsel a matter relating to the reimbursement of a grant-requested additional information.

The above information is being provided to the public pursuant to and in compliance with Section 10-509(b) and (c) of the State Government Article.

REGULAR SESSION

LEGISLATIVE SESSION

PUBLIC HEARING

BILL NO. 2014-6 AN ORDINANCE CONCERNING: 2014-2015 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY

E. Thomas Merryweather, County Attorney, said this legislative public hearing on the County's proposed FY15 budget is the last of three public hearings. He explained that the Council must adopt the budget by May 31, 2014.

Bill Burnette, resident, expressed his support of the proposed Economic Development budget including the allocation of funding for the possible construction of an incubator facility. He

expressed his belief that Dorchester County, which is located between Washington, DC and Wallops Island, is a perfect location for an incubator facility.

Drew Koslow, Mid Atlantic Choptank Riverkeeper, said he lives in Easton, Maryland. He urged the Council to appropriate funding towards the watershed implementation plan that was developed by local residents/staff. He expressed his belief that pollution in the Choptank River is generated locally. He read a letter to an editor he submitted to a local news publication reinforcing that belief. Mr. Koslow said he made a commitment on behalf of the Mid Shore Riverkeepers, at the Council's May 6, 2014 meeting, to provide a two to one match for any funds the County sets aside for water improvement projects. He clarified that they are willing to work with the Council, the Soil Conservation District staff, landowners or other entities/individuals to identify projects and will then seek grant funding to provide that match.

Fred Pomeroy, President, Dorchester Citizens for Planned Growth (DCPG), reiterated his prior requests on behalf of this organization, at Council's May 6th and May 13th meetings, for Council to allocate \$25,000 to the Watershed Implementation Plan line item in the proposed FY15 budget. He explained that DCPG members have been testing the water at Sailwinds Park by the Visitors Center since January 2014 and some of the bacteria readings have been high. He said they have not collected enough data to establish a pattern. He suggested the Council consider creating a floating wetland at the foot of the Old Choptank River Bridge to filter the water to show its commitment to improving the health of local waterways. He said educational signage can be installed at that location, which will be viewed by residents and tourists.

In response to a question from John Kahl, President, Dorchester Educators, Councilman Newcomb stated that the County's proposed FY15 Budget includes funding for a proposed incubator facility.

Pursuant to a question posed by Les Simering, resident, Councilman Newcomb explained that the State of Maryland Board of Public Works members agreed to award a grant to Dorchester County for the proposed incubator facility; however, when the paperwork relating to that approval was forwarded to Council, those documents indicated it was a loan and not a grant. Mr. Simering expressed concern that the County has incurred debt service of \$1.5 million for its share of the cost of the construction of the Allied Health and Athletics Center at Chesapeake College and will incur \$2.2 million in debt service for the proposed incubator facility. He questioned whether this will result in a future budget deficit.

Mr. Kahl referenced the statements he made at the May 13th public hearing regarding the proposed incubator facility, including the fact that he was going to obtain additional information about the project prior to this meeting. Councilman Newcomb acknowledged that he has been copied on several e-mails Mr. Kahl forwarded to County staff to obtain that information. Mr. Kahl explained that his initial concern was the allocation of \$2.2 million and the annual operating cost of \$100,000 for the proposed incubator facility. He said he has spoken with Ms. Haythe and while he does not support the project he sees value in it if it will bring new businesses to the County.

Paul Brant, on behalf of the Dorchester County Chamber of Commerce, spoke in favor of keeping the incubator facility project line item in the proposed FY15 budget.

The Council adjourned and closing the public hearing. Councilman Nichols clarified that pursuant to the County Charter the Council has held the required three public hearings and that no more comments regarding the proposed FY15 budget will be accepted.

The Council agreed to hold a budget work session on Wednesday, May 21, 2014 at 6 p.m. to discuss any proposed changes to the proposed FY15 budget and to hold a personnel executive session discussion at 5 p.m. The Council also agreed to schedule another Council meeting on May 27th and declared that date as a "Special Legislative Day." Councilman Newcomb stressed that no public comments will be accepted at either the budget work session or the May 27th meeting.

PUBLIC HEARING

BILL NO. 2014-7 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO ARTICLE 24, SECTION 9-1002 OF THE ANNOTATED CODE OF MARYLAND ADDING NEW SECTION 144-37 TO CHAPTER 144, ENTITLED TAXATION, ARTICLE X, ENTITLED BUILDING EXCISE TAX TO THE DORCHESTER COUNTY CODE TO PROVIDE THAT THE BUILDING EXCISE TAX IS SUSPENDED FOR A PERIOD OF TWO YEARS COMMENCING ON JULY 1, 2014 AND ENDING ON JUNE 30, 2016 AND TO PROVIDE THAT THE BUILDING EXCISE TAX DOES NOT APPLY TO BUILDING PERMITS FILED BETWEEN JULY 1, 2014 AND JUNE 30, 2016.

Mr. Merryweather said a public hearing is being held on proposed legislation that will add a new Section 144-37 to Chapter 144 entitled "Taxation", Article X entitled "Building Excise Tax" to the Dorchester County Code to provide that the building excise tax is suspended for a period of two years commencing on July 1, 2014 and ending on June 30, 2016.

Mr. Kahl thanked the Council for allocated proposed capital funding of \$211,000, of which \$200,000 will be from the County's General Fund and \$11,000 will be paid through the Excise Tax Fund. He asked the Council to ensure that there is sufficient funding to repair and maintain local public schools as well as to construct a new North Dorchester High School before making a decision to suspend the County's excise tax for a two year period.

Roman Jeisen, resident, inquired as to whether the Council has identified another funding source to cover the potential loss of excise tax revenue. He questioned whether a study has been conducted on how surrounding counties implement the excise tax in their jurisdictions, including whether they waive, abate or exempt the tax for specific organizations and entities. He said Talbot County and Wicomico County exempt non-profit organizations from paying an excise tax/impact fee. Mr. Jeisen referenced an American Farm Bureau Study which states for every \$1.00 obtained as a result of residential development, \$1.02 is spent on community services. He expressed his opinion that there is not a linear relationship between the excise tax and economic development. He noted that there are 16 counties in the State of Maryland that impose excise taxes of which Dorchester County has the lowest. He said he is opposed to a suspension of the excise tax. He expressed concern that no funding has been allocated for projects relating to the Watershed Implementation Plan.

Doug Worrell stated that he was present on behalf of DCPG members to vehemently oppose the suspension of the excise tax. He referenced a May 2, 2014 Daily Banner article in which it was

noted that in FY13 permits were only issued for two residences with estimated construction costs of \$125,000 and \$200,000. Mr. Worrell expressed his opinion that the suspension of this tax will not spur economic growth, will only benefit developers and that taxpayers will have to cover any loss of those funds.

James Slacum, resident, noted that excise taxes are collected to cover costs for public facilities necessitated by new development. He said the legislation shifts the cost of financing new public facilities from existing taxpayers to those responsible for development. He said is opposed to a two year suspension of the excise tax. He referenced the enabling 2004 State of Maryland legislation to collect this tax in Dorchester County and the fiscal report for this bill which referenced a potential \$1.3 million to a \$2.7 million revenue increase in the County and a minimal impact on small businesses . He said unfortunately there has been an economic downturn since the Council approved legislation to establish this tax, noting that collections in the last five years are in excess of \$1.4 million. Mr. Slacum said a study can be conducted while this tax is being collected. He referenced the study conducted by Tischler and Associates prior to the adoption of the local legislation which stated that the majority of growth in the County is in and around the City of Cambridge and the Town of Hurlock. He stressed that developing properties close to existing infrastructure cost less. He expressed his belief that the tax should be increased by \$4,000 for properties within the unincorporated areas of the town and by \$2,000 for those in the incorporated areas to encourage in-fill growth. Mr. Slacum said although the County's \$3,671 excise tax has remained unchanged since 2004 costs have continued to rise, including the price of Sheriff's Office vehicles. He expressed his belief that the Council should use the excise tax to increase revenue and direct development toward existing infrastructure to lessen its impact on community services. He said it is his understanding that no developer has publicly announced that they cannot complete a development in the County due to the excessive excise tax.

Mr. Simering expressed his belief that the excise tax should be suspended in order to spur economic growth. He said it is his understanding that one of the factors parents consider when relocating to a new area are schools, noting that this tax provides funding for these facilities. He referenced past requests from the Board of Education staff to utilize unspent funding to irrigate a sports field and a practice field and for computer replacement, citing his belief that those can be used to repair, maintain and replace aging schools.

Gage Thomas, a licensed real estate agent/broker, noted that he is also a City of Cambridge Commissioner. He referenced correspondence the City Commissioners sent to the County Council regarding their decision to waive municipal impact fees for a five year period and encouraging the Council members to suspend the County's excise tax. He expressed his belief that impact fees and excise tax are an impediment to economic development. He said by encouraging economic growth the County's real property tax base will increase, which will provide an influx of funds in excess of the excise tax.

Mr. Slacum expressed his understanding that \$249,179 in excise tax was collected in 2013. He said in order for real property taxes to offset the loss of this tax property values will have to increase. He stressed that if this tax is suspended taxpayers will absorb costs that should have been borne by developers.

Councilman Newcomb read into the record a letter from Susan Dukes, Council Member, Town of Secretary, from the entire Town Council in support of the suspension of the County's excise tax for two years and their concurrence to do the same to the Town's impact fee.

The role call on the enactment of Bill No. 2014-7 was as follows: Nichols-aye; Newcomb-aye; Bradshaw-aye; Price-aye; Travers-aye.

Councilman Nichols commended Mr. Slacum and Mr. Worrell for their comments. He expressed concern that existing taxpayers will be responsible for covering the cost of increased services if developers build and then lease out residences to individuals who do not financially contribute to the local economy. He noted that some of those individuals will have school age youth and as a result Maintenance of Effort will increase. He said it is his understanding that the reason some individuals were in support of the suspension of the County's excise tax was to provide builders an incentive to construct developments in the City of Cambridge and the Towns of Hurlock and Secretary.

Councilman Nichols said there have only been two individuals who have submitted requests to waive the County's excise tax. He noted that costs have increased, including those to purchase Sheriff's Office vehicles, and that existing taxpayers have borne those costs. He expressed his belief that the suspension of this tax will not spur economic growth. Councilman Nichols said it is his understanding that a few years ago the City Council waived impact fees for new property owners; however, they have charged existing homeowners those fees. He noted that the economy is down and the housing market is flat due to unemployment and residents fear they may lose their job. Councilman Nichols noted that the excise tax is \$3,671 in Dorchester County compared to the following counties: Carroll County, \$5,033; Anne Arundel, \$11,600; Calvert, \$12,900; Charles, \$13,000; Caroline County, \$5,000; and Wicomico County, \$5,231.

Councilman Price said over the last five years residents has expressed to him their concerns that the excise tax may be an impediment to construction and the renovation of properties particularly due to the economic downturn.

Councilman Nichols noted that the Council needs to hold a budget work session to identify additional funding for items to add to the FY15 proposed budget prior to adoption. He expressed his belief that an excise tax suspension does not benefit existing taxpayers.

Donald Gray, resident, said it is his understanding that ten weeks ago there were 169 foreclosures in Dorchester County and that in the next three weeks approximately 47 more will be up for foreclosure. He noted that a tax sale is being conducted in June 2014. He expressed concern that by not collecting this tax and in light of the potential future passage of unfunded mandates and costs by the State the Council may be faced with a budget deficit. He said he is opposed to the suspension of the excise tax. Councilman Newcomb expressed his understanding that in addition to the foreclosures 348 houses are listed for sale.

Councilman Bradshaw said he agrees with Mr. Slacum's and Councilman Nichols' comments. He expressed his belief that the excise tax should be charged on a sliding scale based on the cost of construction. He said he wishes to change his vote and oppose the legislation to suspend the excise tax.

Councilman Newcomb explained that since the votes have been recorded, Councilman Bradshaw must ask for a reconsideration of the legislation.

A motion made by Bradshaw to reconsider the vote was approved with Councilmen Newcomb and Price opposition.

The roll call on the enactment of Bill No. 2014-7 was as follows: Nichols-nay; Newcomb-aye; Bradshaw-nay; Price-aye; Travers-aye.

Councilman Nichols commended Councilman Bradshaw for reconsidering his vote.

The Council adjourned the Legislative Session.

REGULAR SESSION

BOARD OF HEALTH

Roger L. Harrell, Health Officer, Dorchester County Health Department, said as required by State law the Council is sitting as the Board of Health. He provided an update on the Health Enterprise Zone, which is attached.

He explained that Shore Health system staff is working with the Dorchester County Health Department personnel, to promote well care and in identifying ways to reduce emergency room visits, hospitalizations and re-admissions.

Mr. Harrell said yesterday, during a panel discussion in Baltimore, it was announced that the infant mortality rate in Dorchester County has decreased over the last three years. He contributed this reduction to increased home visits and parent counseling.

He expressed his appreciation that the Council has included matching funds in the proposed FY15 County Budget for the Dorchester County Health Department. He advised that Cheryl MacLaughlin, R. N., Assistant Director of Nursing, is retiring effective June 30, 2014 and he is currently in the process of filling that position.

Mr. Harrell thanked the Council for providing him the opportunity to provide an update on the County's Health Enterprise Zone.

Councilman Newcomb noted that he is currently serving his third term and that Mr. Harrell has maintained a good working relationship with the Council during that time. Mr. Harrell said it is an honor and privilege to serve the residents of Dorchester County.

Councilman Nichols said he was on the Council when Roger Harrell was hired as Health Officer in 1997. He commended the staff at the Dorchester County Health Department for their professionalism and said it was a reflection of Mr. Harrell's leadership. Mr. Harrell said he is proud of the staff and their work ethic, noting that the majority of them are County residents.

The Council thanked Mr. Harrell for the update and commended him for his hard work and dedication.

PUBLIC HEARING-COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS-GRANT MONITOR

Cindy Smith, Grant Monitor, explained that public hearings are being held on three requests to submit Community Development Block Grant (CDBG) applications to the Department of Housing and Community Development, pursuant to CDBG grant requirements. She said she is also seeking Council's support, in the form of a resolution, for the submission of these applications.

Ms. Smith stated that she intends to submit the first application, on behalf of the Council, for funds in the amount of \$29,750 to conduct a two phase County-wide housing study, to include municipalities. She explained that phase one will consist of identifying those residences in need of exterior repairs, which will be scored and mapped, and that during phase two the property owners of those homes will be asked to participate in a survey so demographic information can be obtained as well as information on what other services those individuals may need.

Ms. Smith noted that the County was invited to apply for this grant. She said if the grant is awarded to the County, she intends to ask the Council to sole source with Salisbury University's Center for Family and Community Life, based on that staff's experience in conducting these types of surveys. She said the data collected will be used for strategic planning for law enforcement, crime and other purposes and that the property owners whose residences need exterior repair will be made aware that housing rehabilitation funds are available.

There was no public comment.

The Council agreed to adopt a resolution in support of the submission of this grant application by Ms. Smith for \$29,750 to conduct a County-wide housing study.

The public hearing on this grant was concluded.

Ms. Smith said another public hearing is being held on two applications to be submitted by the Delmarva Community Services (DCS), to include one in the amount of \$600,000 to support the Chesapeake Grove Intergenerational Center and another for \$200,000 to support the Housing Rehabilitation Program.

Katie Clendaniel, Coordinator, Housing and Community Development, DCS, said neither application requires a County financial contribution. She clarified that the housing rehabilitation program will be the same program that CDBG has funded in previous years. She said DCS staff alternate between seeking a portion of the City of Cambridge and the County's CDBG allocation annually, noting that they have not submitted a grant application in the last two years. Ms. Clendaniel explained that the housing rehabilitation funds will be available for owner occupied properties and that the owners must meet low or moderate income household requirements. She said the \$200,000 will fund improvements to 11 properties. Ms. Clendaniel noted that a list of individuals who sought assistance through DCS' community action agency or called the City or County, has been established and will be re-evaluated and then will be opened up to new residents.

The Council agreed to adopt a resolution in support of the submission of this grant application, by DCS, for \$200,000 to support the Housing Rehabilitation Program.

Ms. Clendaniel explained that the second grant application is for funds in the amount of \$600,000 for the Chesapeake Grove Intergenerational Center, a planned 10 acre project to be located on Chesapeake Street in the City of Cambridge, which will serve all County residents. She said it will include senior housing, assisted living facilities, a senior center and a child day care center. She said medical adult services will also be provided at this facility. She noted that DCS has obtained public sector funding for this project as well as funding from a United States Department of Agriculture Community Facility loan. Ms. Clendaniel explained that State of Maryland legislative funds are being used now to clear the project, for the placement of three feet of fill and to install storm water management facilities.

The Council agreed to adopt a resolution in support of the submission of this grant application by DCS for \$600,000 to support the Chesapeake Grove Intergenerational Center.

The public hearing was concluded.

MANAGERS COMMENTS

REQUEST TO USE COUNTY PROPERTY-VISITORS CENTER-RAR ON THE RIVER EVENT-RAR BREWING

The Council approved the request of James T. Merryweather, Owner/General Manager, RAR Brewing, to use County property located between the hospital and Visitors Center on August 2, 2014 to hold an anniversary celebration entitled "RAR on the River". The Council acknowledged that this celebration will consist of showcase of Dorchester food through local vendors, especially prepared RAR beers, and family friendly activities. The Council requested that sufficient certification of liability insurance naming the County as additional insured be provided and that the event holders clean the property after the event.

BOAT SLIP LEASE RENEWAL RECOMMENDATIONS-JULY 1, 2014 TO JUNE 30, 2015- FINANCE

Councilman Newcomb noted that Finance staff has provided Council a request to confirm boat slip renewals for the period of July 1, 2014 to June 30, 2015 for the following County owned marinas: Back Creek, Elliott Island, Ragged Point, Taylor's Island, Trenton Street, and Tyler's Cover Marina.

Councilman Bradshaw cited the Council's prior decision to not charge boat slip renters at Tyler's Cover Marina because there is limited waterway access. Councilman Newcomb said the proposed cost to dredge in that area is \$1.8 million. He explained that he met with members of Senator Benjamin Cardin's staff recently who stressed that this is either a State or County project. In response to a question from Councilman Travers, Councilman Newcomb said boat slip renters can access the Honga River but not the Chesapeake Bay. He expressed his understanding that some of those individuals are using the boat slips despite the limited access. Councilman Newcomb explained that a request to lease a new boat slip at this marina has been received.

The Council confirmed the boat slip renewals for the above referenced period of time and marinas referenced above, including the Tyler's Cove Marina, and agreed to reduce the annual rent for those slips of \$425 by 50%.

REQUEST TO ABANDON PORTION OF WATERVIEW DRIVE-BATCHELDER

Tom Moore, Public Works Director, said the Council received a request from Stephen and Valerie Batchelder to abandon a portion of Waterview Drive that runs in front of their property which will assist them in seeking a "set back" variance to erect a garage.

In response to a question from Mr. Merryweather, Mr. Moore explained that the Batchelders own lots 5 and 6 and there are two other parcels, lots 1 and 2 that adjoin this length of road and whose owners will need to be part of any agreement to abandon this segment. Based on questions posed by Mr. Merryweather and Councilman Travers, Mr. Moore said if the 120 x 30 feet segment at the end of Waterview Drive is abandoned property owners will not be landlocked.

Mr. Batchelder said he only wants to obtain ownership of the portion of the road that is in front of his property. Mr. Moore explained that if this segment of road is abandoned the right-of-way will then be split between all adjoining property owners. In response to a question from Mr. Merryweather, Mr. Batchelder said the portion of Waterview he is seeking ownership of consists of crush and run. Mr. Merryweather explained that pursuant to Section 40-20 of the County Code, the next step in the process to abandon this portion of Waterview Drive is for Mr. Batchelder to obtain the services of a surveyor who will conduct a survey and develop a legal description. He said after those items are obtained local legislation will be drafted and a public hearing will be held. He explained that the Batchelders will be responsible for paying the surveyor and for publication costs.

In response a question from Mr. Merryweather, Mr. Batchelder said he is seeking a setback variance.

Councilman Travers noted that the plat and aerial of Waterview Drive the Council members were provided are different.

Mr. Merryweather and Councilman Newcomb encouraged the Batchelders to obtain their neighbors written consent. Based on an inquiry from Mr. Batchelder Councilman Newcomb explained that since the road was deeded to the County, the process outlined in the County Code to abandon this road must be followed.

The County Council agreed to consider Mr. Batchelders request and asked him to contact Mr. Moore after he has obtained a survey and a legal description of the portion of Waterview Drive that is to be abandoned so he may assist him in this process.

Mr. Batchelder thanked the Council and said he will seek his neighbors consent.

COURT HOUSE HVAC AIR AND WATER BALANCE PROPOSAL/REQUEST TO SOLE SOURCE-CIRCUIT COURT-PUBLIC WORKS

The Council approved the request of Mr. Moore to sole source with Tidewater Testing Services, LLC to perform air and water balance work on the HVAC unit at the Circuit Court House at the cost of \$4,800 and to utilize Transfer Tax Funds to pay for these services. The Council acknowledged that the cost includes proposed work of \$3,600 for variable air volume boxes and the air handler side and an additional \$1,200 to analyze the hot water system.

CAPITAL BUDGET EXPENDITURE REQUEST-ROOF REPAIRS-AIRPORT/PUBLIC WORKS

The Council approved the request of Mr. Moore to sole source and execute a change order to the contract with Apostle Construction for the replacement of the lower roof of the Public Works maintenance/shop building to include the repair of the Quonset Hut roof (\$19,200), old T-Hangar Roof (\$19,700) and the replacement of the gutters on the North Hangar (\$8,200) at the Dorchester Cambridge Regional Airport at a total cost of \$47,100. The Council also agreed that Mr. Moore may utilize a portion of the \$70,000 designated for airport roof repairs in FY12 Capital Budget to cover these costs. Additionally, the Council approved your request to use \$4,476.40 of these capital budget funds for the connection of the Old Paint Hangar, Quonset Hut and old terminal building to the City of Cambridge sewer, noting that \$3,450 of that cost is an "impact fee." Councilman Newcomb said he received a letter from the City Commissioners today in which they denied the County Council's request to waive that fee.

REQUEST TO SUBMIT MARYLAND DEPARTMENT OF ENVIRONMENT GRANT-E-CYCLING-LANDFILL-PUBLIC WORKS

The Council approved the request of Mr. Moore to submit a grant request to the Maryland Department of Environment (MDE) in the amount of \$10,000 and not less than \$5,000, to hold an "e-cycle" event at the Beulah Landfill to allow residents the opportunity to dispose of electronics such as computers, monitors, televisions and cell phones with screens over 4". The Council acknowledged that the funds will need to be used between July 1, 2014 to March 31, 2015. The Council further acknowledged that a fall and spring event may be held provided sufficient funding is obtained and that any unused allocation can be returned to MDE.

Ms. Smith said funds are identified in the proposed FY15 Capital Budget for computers and that Sheriff James Phillips may purchase replacements and may be able to dispose of the old machines during this event. Mr. Moore explained that the funds he is seeking will pay for the disposal of approximately 40 to 90 tons of electronics which will cover this cost and provide the public the opportunity to dispose of their electronics.

AIRPORT AIR CONDITIONER COMPRESSOR REPLACEMENT REQUEST/REQUEST TO SOLE SOURCE-AIRPORT-PUBLIC WORKS

The Council approved the request of Mr. Moore to replace one of the compressors of the air conditioning unit on the restaurant side of the Cambridge Dorchester Regional Airport utilizing remaining funding from the FY12 Capital Budget which was designated for roof repair at this facility. The Council requested that he obtain information on whether the purchase of a larger

compressor is necessary to increase the unit's efficiency and capacity. The Council acknowledged that Mr. Moore has received a quote of \$7,090 from Johnston Controls and have contacted Joseph M. Zimmer, Inc. and Dorchester Service Associates for quotes. The Council further acknowledged that Mr. Moore will award the bid to the company which submits the lowest price.

AIR CONDITIONING UNIT-HEALTH DEPARMTNET

The Council approved the request of Mr. Moore to seek quotes and award to the lowest bidder the replacement of an air conditioning unit (Unit 4) at the Dorchester County Health Department.

GRANT AWARD-FY15 STATE AID FOR POLICE PROTECTION FUND-GOVERNORS OFFICE OF CRIME CONTROL & PREVENTION-SHERIFF'S OFFICE

The Council agreed to accept a FY15 grant award from the Governor's Office of Crime Control & Prevention State Aid for Police Protection Fund in the amount of \$123,295 for the Sheriff's Office to provide adequate police protection in the subdivisions and qualifying municipalities in the County. The Council acknowledged that this is a standard annual formulary grant, there are no matching funds, and that the funding is an estimate and is \$3,476 less than FY14.

FY15 COMMUNITY PARTNERSHIP APPLICATION REQUEST-DORCHESTER COMMUNITY PARTNERSHIP FOR CHILDREN-LMB

The Council approved the request of Nancy Shockley, Local Management Board Director, on behalf of the Dorchester Community Partnership for Children (DCP), to accept and execute a FY 2015 Partnership Agreement between the Governor's Office of Children and Dorchester Community Partnership for Children & Families for administrative funds of \$65,000 and program funding of \$368,413 for a total of \$433,413 for the period of July 1, 2014 to June 30, 2015 to fund programs including: Communities Mobilizing for Change on Alcohol; TREK (YMCA After School Program); Girls Circle/Boys Council; Youth Services Bureau; School Based Behavioral Health; Early Childhood Advisory Council; Open Tables; and Chesapeake Helps/System Navigation, a regional project. The Council acknowledged that the grant period is from July 1, 2014 through June 30, 2015.

2015 SAFE STREETS GRANT APPLICATION REQUEST-LOCAL MANAGEMENT BOARD

The Council approved the request of Ms. Shockley, on behalf of DCP to submit a 2015 Safe Streets Application to the Governor's Office of Crime Control & Prevention for funds up to \$180,000, with no local match, to be used for the following in order to reduce violent crime in the County: part-time coordination through Local Management Board(DCP) Office; contractual crime analyst through the Cambridge Police Department, part-time State's Attorney; computer equipment, software, technology upgrades; and police overtime (4 law enforcement agencies) to place more officers in high crime areas. The Council acknowledged that over the past month a Safe Streets Team has been established, for which DCP will serve as lead agency and Ms. Shockley as LMB Director, will serve as Coordinator, which team includes: Sheriff James

Phillips; Hurlock Police Chief Les Hutton; William Jones, State's Attorney; Chris Miele, Juvenile Services; Christine Kilmon, Parole and Probation).

LAPTOP REPLACEMENT/PURCHASE REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Keasha Haythe, Economic Development Director, to purchase a replacement laptop at a cost not to exceed \$1,000 utilizing FY14 Economic Development budget funds. The Council acknowledged that Ms. Haythe will work with the Information Technology staff to choose a suitable laptop, which will be used for presentations during prospect meetings, marketing events and educational seminars.

REFERRAL TO PLANNING COMMISSION-BUFFER EXEMPTION AREA TEXT AMENDMENT-PLANNING AND ZONING

The Council approved the request of Rodney Banks, Assistant Planning and Zoning Director, to refer the request of Ryan Showalter, Attorney, Miles & Stockbridge, PC, on behalf of Tideland Park Cooperative Campground for a Zoning Ordinance Text Amendment for Buffer Exemption Areas to the Planning Commission for its review and recommendation back to the Council.

REQUEST TO PURCHASE INCIDENT/CRIME INFORMATION SYSTEM UPGRADE-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, to purchase an upgrade to the Incident/Crime Information System which the Sheriff's Office uses as a records management program and that directly ties into the 911 Computer Assisted Dispatch System (CAD) and to expend \$18,000 from a 2012 Homeland Security Grant and \$16,000 from the FY14 911 Communications Center budget for a total of \$34,000 to pay for this upgrade.

INTERLOCAL AGREEMENT-2014 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM-CITY OF CAMBRIDGE

The Council approved the request submitted by Edwin C. Kinnamon, Clerk & Treasurer, on behalf of the City of Cambridge Commissioners, to execute an Interlocal Agreement between the County, the City of Cambridge and the State of Maryland for the acceptance of a 2014 Byrne Justice Assistance Grant program in the amount of \$10,439, with no local match to be used by the City of Cambridge Police Department to be applied to areas that need funding including the purchase of equipment and patrolling high crime areas. The Council acknowledged that this grant is a pass-through and it is a requirement of the Byrne Justice Assistance Grant program that the grant award be provided to the County despite the Sheriff's Office not being eligible for these funds. Additionally the Council acknowledged that the City is responsible for reporting and grant compliance in partnership with Ms. Smith.

FY15 COUNTY HOLIDAY SCHEDULE

The Council agreed to adopt the FY15 County Holiday Schedule.

EMERGENCY GRANT-MARYLAND HERITAGE AREA AUTHORITY-IRONMAN MARYLAND TRIATHLON EVENT-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to execute a letter of support for the Heart of Chesapeake Country Heritage Area's grant application to the Maryland Heritage Area Authority for financial assistance to host the September 20, 2014 Ironman Maryland event in the amount of \$50,000. The Council acknowledged that the \$50,000 required cash match will come from the following sources: \$12,500 in in-kind services in Public Safety, Traffic Control, etc.; \$15,000 from the FY 14 Tourism Budget under the postage line item and \$22,500 from the FY 15 Tourism Budget.

LETTER OF SUPPORT FOR HISTORIC CAMBRIDGE, INC.-GRANT APPLICATION FUNDS FOR BUILDING REPAIR

The Council agreed to execute a letter of support for the application to be submitted by Historic Cambridge, Inc. (HCI) for Hurricane Sandy Disaster Relief Funds in the amount of \$150,000 for the stabilization of "The Hearn Hardware" building located at 509-511 Race Street in Cambridge, Maryland.

TELEPHONE POLL CONFIRMATION

Councilman Newcomb announced that in the interim between meetings, by means of a poll, Council approved the request of Tom Moore, Public Works Director, to sell a Caterpillar Paver, through GOVDEALS.com at the cost of \$75,000 minus a 7.5% fee to the auction site by a 5 to 0 vote.

PUBLIC COMMENTS

John Shockley, Vice President, Hoopers Island Aquaculture Oyster Company, expressed his support for the proposed incubator facility project. He said Keasha Haythe, Economic Development Director, worked with him and his partner to obtain funding and assistance in developing a business plan to start their business. He expressed his belief that the proposed incubator facility will draw entrepreneurs which will spur economic growth and create job opportunities. He said he employs 25 individuals at the companies he owns in the County. He strongly encouraged the Council to support the proposed incubator project.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price commended the Chamber of Commerce staff for holding a Celebrate Dorchester event on May 19, 2014. He wished those graduating from both local high schools and Chesapeake College well in their future endeavors. He encouraged the public to attend one of the local events to honor veterans.

Councilman Bradshaw referenced the legislation that was passed during the 2014 Maryland General Assembly Legislative Session requiring that a phosphorus management tool economic impact analysis be conducted. He said he was not advised until Friday, May 16, 2014 that he was selected to sit on an advisory panel to assist the BEACON team from Salisbury University with the data and information collection process for this analysis. He expressed his

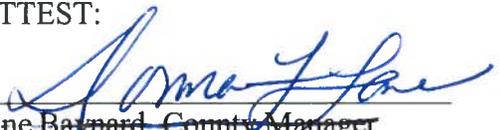
understanding that Bill Satterfield, Delmarva Poultry Industry, recommended that he be selected to join that panel. Councilman Bradshaw explained that he was unable to attend the first open meeting, which was held on that date, due to the issues regarding concerns over the proposed Harriet Tuman Underground Railroad National Historical Park and adjoining landowners. He stated that he will keep the Council and public updated on the analysis process.

Councilman Bradshaw referenced a recent conversation he had with an individual who owns a sand and gravel pit in Delaware as well as property in Dorchester County regarding environmentalists' opposition to clearing drainage ditches. He noted that because these ditches cannot be cleared wetlands are decaying due to lack of aeration and are producing nitrogen. He also noted comments Mr. Simering made at the a prior Council meeting regarding trees that fall into the head of the Little Blackwater, decay and produce nitrogen. He opined that ditches should be cleared in order to allow streams and small creeks to ebb and flow which will improve water quality.

Councilman Newcomb announced that on Wednesday, May 21, 2014, the Council will meet in executive session at 5 p.m. for a personnel discussion and as the Board of Estimates in a budget work session on 6 p.m. He announced that the next Council meeting will be held on Tuesday, May 27, 2014 for the adoption of the FY15 budget.

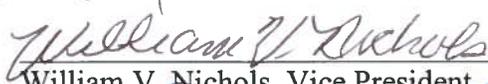
With no further business to discuss, the Council adjourned.

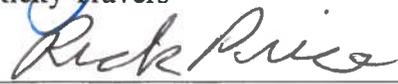
ATTEST:


Jane Baynard, County Manager

Donna F. Lane
Executive Administrative Specialist

DORCHESTER COUNTY COUNCIL:


Jay L. Newcomb, President

William V. Nichols, Vice President

Ricky Travers

Rick Price

Tom Bradshaw

Approved the 1st day of July 2014.