

County Council of Dorchester County
Regular Meeting Minutes
April 15, 2014

The County Council of Dorchester County met in regular session on April 15, 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; pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §10-508(A)(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.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions the agenda: a request to advertise Correctional Officer position and Maintenance position at the Detention Center; a request to submit a State Highway Administration grant for funding for pothole repairs; a potential grant opportunity to garner demolition funding for properties acquired at tax sale; and a discussion regarding a World Triathlon Corporation Ironman event.

APPROVAL OF MINUTES- APRIL 1, 2014

The Council approved the minutes of April 1, 2014.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Travers abstaining for payments made to Simmons Center Market.

FINANICAL REPORT: CASH AND INVESTMENTS

Councilman Newcomb reported total cash and investments as \$5,384,680.39.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on April 15, 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; pursuant to §10-508(A)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §10-508(A)(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.

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 request of Warden to fill a Correctional Officer position and a Maintenance position by a 3 to 0 vote-agreed to consider a request to advertise the Maintenance position in open session; 2) discussed a personnel matter relating to the Public Works Department; 3) discussed a matter relating to health insurance; 4) discussed an offer to purchase County owned properties; 5) discussed an offer to purchase County owned property; 6) discussed with legal counsel Special Legal Counsel opinion; 7) discussed with legal counsel a potential grant opportunity-agreed to discuss in open session; 8) held discussion with legal counsel to obtain legal advice; 9) discussed matters relating to emergency medical services procedures and billing; and 10) discussed with legal counsel an Memorandum of Understanding.

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

COMMENDATIONS-CAMBRIDGE SOUTH DORCHESTER HIGH SCHOOL 2014 SENIOR PLAY PARTICIPANTS

The Council presented commendations to the participants of the Cambridge South Dorchester High School 2014 senior class play entitled "Willie Wonka."

PROCLAMATION- CORRECTIONAL OFFICERS WEEK

The Council presented a proclamation declaring May 5, 2014 to May 11, 2014 as Correctional Officers Week which Steve Mills, Warden, accepted.

PROCLAMATIONS-PUBLIC SAFETY TELECOMMUNICATIONS WEEK

The Council presented a proclamation declaring April 13, 2014 through April 19, 2014 as Public Safety Telecommunications Week which Jeremy Goldman, Emergency Services Director, accepted.

LEGISLATIVE SESSION

The Council adjourned into legislative session.

INTRODUCTION

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

E. Thomas Merryweather, County Attorney, said the proposed legislation will adopt the County budget consisting of an Operating Budget, the Capital Budget and the Grant Budget, for the fiscal year ending June 30, 2015 and appropriating funds for all expenditures for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

The Council agreed to proceed with publication of a public hearing on this matter.

Mr. Merryweather announced that public hearings on the budget will be held on May 6, 2014 and May 13, 2014 and a legislative public hearing will be held on May 20, 2014, after which the Council will consider the adoption of the budget.

Michael Spears, Finance Director, said handouts which include the draft FY15 budget bill, budget summary and proposed FY15 Capital Budget are on the back table for the public. He stated that the proposed budget does not substantially differ from the FY14 budget. He explained that the real property tax rate is equal to or below the constant yield rate and that there are no rate increases. Mr. Spears further explained that the Proposed FY15 Capital budget relies on utilizing the fund balance remaining from the previous fiscal year (PAYGO). He referenced the continued loss of approximately \$4

million in Highway User Revenues and expressed his belief that the budget will remain essentially the same in future years until those funds are restored.

INTRODUCTION

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 the proposed legislation 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.

The Council agreed to proceed with publication of a public hearing on this matter.

REGULAR SESSION

The Council adjourned into regular session.

MANAGERS COMMENTS

BID AWARD-PROPERTY MAINTENANCE CONTRACT-PLANNING AND ZONING

The Council, based on recommendation of Gene Harper, Zoning Inspector, agreed to award the bid for contractual services for property clean-up under the County's Property Maintenance Code to J & L Services, Inc., lowest bidder, at the cost of \$1,006.60 for an eight hour clean up which includes the following rates: heavy equipment with operator at \$65 per hour (\$520); manual laborer at \$18.95 per hour (\$151.60); roll off dumpster (\$235) and vehicle tow (\$100).

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION REQUEST-DORCHESTER COUNTY HOUSING STUDY-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to prepare and submit to the Department of Housing and Community Development (DHCD), a Community Development Block Grant application for funding, with no local match, to conduct a housing study in Dorchester County to identify substandard housing which can be used to

obtain funding to assist citizens who are occupying those residences and for strategic planning purposes.

BID AWARD-HOMELESS SHELTER RENOVATION-SALVATION ARMY

The Council approved the request of Ms. Smith on behalf of The Salvation Army, to award the bid for the renovation of its homeless shelter, based on the recommendation of the architect for the property, Tim Crosby, Crosby and Associates to Hill-Kimmel Contracting, lowest bidder, at the cost of \$173,650. The Council acknowledged that the Salvation Army was awarded Community Development Block Grant (CDBG) funds to use for this project and there is no County match.

POTENTIAL GRANT OPPORTUNITY-DEMOLITION FUNDING-TAX SALE PROPERTY DISCUSSION

The Council approved the preparation and submission of an application to the City of Cambridge for Community Legacy Funds by Ms. Smith for grant funds to demolish residences at certain properties the County acquired via tax sale. The Council acknowledged that there is \$7,500 available per property and that demolition must be completed by June 30, 2014.

OTHER

In response to an inquiry from Councilman Newcomb, Ms. Smith said although a formal award has not been received from the CDBG Disaster Recovery Grant Program for funds to purchase and install a generator for the Emergency Evacuation Shelter at the Cambridge South Dorchester High School, she believes it is forthcoming, particularly since a compliance meeting has been scheduled for May 9, 2014. She also expressed her belief that the award will be in the amount of \$880,000.

REQUEST TO DECLARE EQUIPMENT SURPLUS AND POST ON AUCTION SITE- HIGHWAY-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to declare a 2002 model year CAT AP1055B paver (Unit #638) as surplus and to post the equipment for sale on govdeals.com, an online auction site, with a reserve comparable to the original delivered price of \$165,250 for this equipment. The Council members recognized that if the highest bidder does not meet the reserved price they will have five days after the close of bidding to decide whether to waive the reserve or accept the highest bidder's offer. In response to a question from Councilman Newcomb, Mr. Moore said the fee to place the equipment for sale on this website is based on the final sale price.

PROPOSED APARTMENT BUILDING AND CONDOMINIUM RECYCLING PROGRAM-PUBLIC WORKS

Mr. Moore advised Council that in April 2012 the Maryland General Assembly passed House Bill 1 entitled "Environmental Recycling-Apartment Buildings and Condominiums Recycling Program," which amended Section 9-1703 of the Environment Article of the Annotated Code of Maryland to require that all apartment building and condominiums that contain 10 or more dwellings implement a recycling plan for tenants by October 1, 2014. He explained that pursuant to this State law amendment, which became effective October 1, 2012, Dorchester County must also amend its recycling plan which is included in the Solid Waste Management plan because the County will be responsible for education, monitoring compliance and enforcement only. He noted that the State has identified 53 properties within Dorchester County that will need to comply with this requirement.

The Council approved the "Apartment Building and Condominium Recycling Program" developed by Mr. Moore and authorized him to submit it to the Maryland Department of Environment staff for review and approval. The Council acknowledged that once MDE staff have approved the program, the County's Solid Waste Management Plan must be amended to: 1) include the new program language; 2) to change the recycling level from 15% to 20%; and 3) to include language to show a phase in for future years. The Council further acknowledged that changes must be made to the County's Solid Waste Management Plan to include the plan for future growth of the landfill from the construction of Beulah II to the vertical expansion. The Council recognized that since all of these changes to the plan require a public hearing Mr. Moore will consolidate them together and plans on submitting them to Council in June or July.

STATE HIGHWAY ADMINISTRATION GRANT APPLICATION-POTHOLE REPAIRS

The Council approved the request of Mr. Moore to execute a FY2014 State Highway One-Time Grant Application form for a one-time grant to Dorchester County for pothole and other road repairs that are necessary due to winter weather damage. Mr. Moore said it is his understanding that \$246,000 has been allocated for Dorchester County.

REQUEST TO EXPEND HOMELAND SECURITY FUNDING/SOLE SOURCE-REPLACEMENT OF SERVER-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, Emergency Services Director, to expend no more than \$32,500 of Homeland Security funds to replace the server farm which supports the "public safety network," and in particular, the email system for law enforcement and emergency services. The Council also agreed to sole source and to purchase the replacement system from Dell Corporation utilizing FY11 or the FY12 State Homeland Security Program grant funds. The Council acknowledged that a five year service plan and warranty will be included. Mr. Goldman advised Council that the

servers will need to be replaced again in 2020 servers and noted that Homeland Security Funding may not be available for that purchase.

REQUEST TO ADVERTISE MAINTENANCE POSITION AT DETENTION CENTER

The Council approved the request of Steve Mills, Warden, to advertise a Maintenance position that will become vacant effective April 21, 2014 in-house and in local news publication(s) concurrently.

DISCUSSION-LOCAL QUESTIONS-2014 GUBERNATORIAL GENERAL ELECTION BALLOT

Councilman Newcomb said Bobbie Hall, Election Supervisor II, Dorchester County Elections Office, has advised that the Mid Shore League of Women Voters have questioned whether the Council will place any Local Questions on the November 4, 2014 Gubernatorial General Election ballots. Mr. Merryweather said he does not have any items that he believes the Council should pursue. The Council acknowledged that there are no plans at this time to submit local questions for those ballots.

OYSTER SHELL DISCUSSION FOLLOW-UP

Councilman Newcomb acknowledged that Scott Todd, President, Dorchester County Seafood Harvesters Association, is present to address the Council about the joint public hearing that was held by the U.S. Army Corps of Engineers (Army Corps) and the Maryland Department of Environment (MDE) regarding local watermen's reaction to the proposed plans to use fossilized oyster shells in the Little Choptank River as part of the State's oyster restoration plan.

Mr. Todd expressed concern about the placement of rock and granite from a quarry in Harve de Grace in the Little Choptank, which is one of the most productive natural seed oyster bars in the Chesapeake Bay. He also expressed concerned about the use of fossilized shell which was obtained 40 feet below the surface of a Florida swamp. He noted that despite numerous requests neither an environmental impact study nor an economic study has been conducted. He said it his understanding that this proposed oyster restoration project is connected with the State of Maryland sanctuary program which was established by Governor Martin O'Malley in 2009. Mr. Todd questioned why the Maryland Department of Natural Resources (DNR), National Oceanic and Atmospheric Administration and the Army Corps did not make local watermen and the public aware that this material may be utilized prior to its acquisition nor of the fact that the State had already secured the necessary permits to place it in local waterways of 9 feet or greater. He explained that DNR staff is currently seeking permits to place the material in 9 feet or less, which is the depth natural spat and baby oysters are found. He noted that in the past watermen harvested these areas for natural seed.

Mr. Todd said he attended a meeting last month during which statements were made that the Bay will only survive if fresh oyster shells are processed through the University of

Maryland Horns Point hatchery. Mr. Todd cited his belief, based on his years as a waterman, that the Bay rejuvenates itself, noting that the oyster population has rebounded naturally at the following locations: Woolford Shoal, Butter Pot, Cassons Creek, Ragged Point, Hudson Creek and Grapeview. He expressed concern that these productive areas are to be covered with the fossilized shells and planted with University of Maryland Horn Point hatchery seed. He expressed his opinion that there is sufficient shell in the Bay that can be utilized at little or no cost. He also expressed concern that DNR is utilizing millions of dollars to place the proposed material in the Little Choptank River which may permanently alter or damage existing oyster bars. Mr. Todd said he believes the cost to place fossilized shell and granite on 34 acres of bottom in Harris Creek of \$31 million was excessive. He said commercial watermen association members intend to file an injunction against the State's proposed oyster restoration project for the Little Choptank River and asked for Council's support. Mr. Todd questioned State representatives' statements that oysters filter the Bay, noting his understanding that phytoplankton and not oysters are natural filters.

Mr. Todd stressed his opposition to the State spending millions to utilize fossilized shell and granite in lieu of natural oyster shell. Mr. Todd expressed concern that although the State's five year sanctuary plan is scheduled to end next year DNR is now planning to deposit foreign material on the most productive area in the Little Choptank River; and, therefore, watermen will be unable to access that bottom for a certain period of time in order to allow oyster growth.

Councilman Bradshaw noted his understanding that several years ago fossilized shell from Stevensville was utilized and sunk to the bottom. Mr. Todd advised that freshly shucked oyster shells removed from the water weigh 60 to 70 pounds per bushel whereas the Florida fossilized shell weighs approximately 110 pounds per bushel. He expressed his concern that the non-indigenous shell may carry bacteria and introduce disease into local waterways. He noted that the material is being transported by rail cars which are currently sitting at a terminal in Baltimore. Mr. Todd said it is his understanding that there have been some discussions about using the fossilized shell as driveway gravel and not to bolster the oyster population.

Councilman Bradshaw referenced a Bay Journal article which included a quote from a State representative that the material must be utilized as soon as possible or it may be sold to firms in Louisiana to replenish oyster beds along the Gulf Coast.

Mr. Todd reiterated his belief that instead of placing foreign material into the local waterways over productive bottom attempts should be made to clear the silt over existing oysters.

He said for five decades local oyster committees utilized funds garnered from State surcharges and taxes on oyster harvests to place natural shell, shucked by local companies, on the water bottom to bolster the shellfish population until disease destroyed the oyster population in the early 1990s. He expressed concern that although in the past

four years 1 million bushel of shells has been removed from the Tangier Sound, the Honga River and Fishing Bay, only 22,000 were returned to the water.

Mr. Todd explained that the local oyster committee had the opportunity to purchase 80,000 bushels of fresh oyster shells from Bevans Oyster Company in Kinsale, Virginia at \$5 per bushel for a total cost of \$400,000 with the intention of placing them on public oyster bars to allow spat to set naturally and replenish. He said they were told by DNR representatives that this purchase price was excessive; however, thirty days later they were offered the opportunity to obtain the non-indigenous shell of which approximately 112,000 tons were purchased by the State at the cost of \$6.2 million.

Councilman Price questioned how much of the Little Choptank River bottom will be placed in sanctuaries and when local watermen will be able to harvest those oysters. Mr. Todd expressed his understanding that the oyster sanctuaries may be renewed. He said there is barren bottom in the Bay on which the material can be placed instead of laying it over productive areas.

Councilman Bradshaw said at the meeting several individuals expressed their opinion that the foreign material should be placed on the north end of James Island because it will not interfere with future crab harvests and if successful, the program can be expanded to include areas in the Little Choptank River.

In response to a question posed by Councilman Price, Mr. Todd said he believes the crab harvest will be compromised this summer if the granite, which is very sharp, is placed on the bottom because it may tear or shift trotlines. He explained that several watermen have said they will be unable to harvest crabs in Harris Creek due to this material. He expressed his understanding that instead of laying the material on 34 acres of contiguous land, it was placed in small bands down the edge of the existing channel which is where the majority of oysters lay. Mr. Todd said the oyster beds that need to be replenished are not in this area.

Councilman Bradshaw said while he supports aquaculture, he believes the State's first priority should be on preserving the seafood industry and its heritage.

Mr. Todd explained that he met with Thomas O'Connell, Director, Fisheries Service, Department of Natural Resources, and Delegate Adelaide Eckardt at the University of Maryland Horn Point hatchery. He commended the Horn Point staff on the process they utilize to produce larva but expressed concern that after the shells are soaked in a tank they appear as if they have been dipped in sand. He explained that they were told that by the time the spat is transported from the hatchery to the waterway in which they are to be deposited approximately 50% of them die and that another 10-15% perish once laid.

Councilman Bradshaw expressed his understanding that the Little Choptank River is good for spat set. Mr. Todd reiterated his previous statement that the local watermen maintained the oyster population by placing natural oyster shell back in the water; however, were unable to do that after diseases ran rampant in the Tangier Sound. He said

natural shell is once again plentiful and disease free and can be used to restore the oyster population in lieu of fossilized shell and granite. He noted that there are 600 full-time watermen who live in the County and own property. Mr. Todd asked the Council to assist the local watermen and seafood associations in opposing the use of the non-indigenous material in the Little Choptank River.

Councilmen Price and Bradshaw stressed the importance of the seafood industry to the local economy.

Mr. Todd expressed his understanding that all of the commercial seafood businesses in the County will be affected if the foreign material is placed in the Little Choptank River. He opined that State and Federal government agencies should provide the public and local watermen the opportunity to voice their opinions and concerns with a goal of identifying other solutions to restore the oyster population without damaging existing oyster beds in a fiscally responsible manner.

Councilman Bradshaw noted his understanding that once silt is removed from oysters they will rebound naturally, noting that oyster harvest seasons run in cycles.

Mr. Todd again stressed that the local oyster committee was willing to utilize existing funds to purchase natural shell to place in local waterways but received opposition from State representatives. He said he spoke to the individual in charge of oyster replenishment at DNR who was not familiar with this process because the last time natural shell was placed in the Little Choptank River was in 1983. He explained that the Bevans Oyster Company owner firmly believes that natural shell should be placed in the Little Choptank River and that the shell he is willing to sell to the committee was removed from Fishing Bay and the Tangier Sound. Mr. Todd further explained that this individual wrote a letter to DNR encouraging the use of this material in that waterway and noting his intention to place the shell in Virginia waters if it is not purchased by the oyster committee. He expressed his belief that power dredging will bolster the oyster population since it removes silt from oysters and provides them room to grow and feed.

Councilman Bradshaw referenced the comments DNR Secretary Joseph P. Gill, made to the Council at its November 5, 2013 meeting, that there is no scientific data available that proves that power dredging increases the oyster population. He expressed his belief that power dredging is the reason the oyster population has rebounded in Fishing Bay and in another bar at the south end of that waterway, which has increased from two to six acres.

Mr. Todd said he testified two years in a row before State and House representatives in support of legislation to allow watermen to power dredge in the waters above the Bay Bridge to bolster the oyster population with no success.

Councilman Price commended the local watermen for their efforts in maintaining the oyster population and expressed his belief that the Army Corp and MDE will not take into consideration the public comments made at the joint hearing those entities held.

Mr. Todd thanked the Council for allowing him the opportunity to speak on behalf of the Dorchester County Seafood Harvesters Association and for local watermen in the County and asked them for their assistance in opposing the use of fossilized shell from Florida and granite in the Little Choptank River which may harm the oyster and crab populations.

The Council agreed to join the Dorchester County Seafood Harvesters Association and the Harvesters Land and Sea Coalition members in their opposition to the utilization of fossilized oyster shells from a quarry in the State of Florida to create additional oyster bar sanctuaries in Little Choptank River. The Council also agreed to submit written public comments to the U.S. Army Corps of Engineers and the Maryland Department of Environment regarding its opposition to the issuance of a permit and a Tidal Wetlands License for this proposed oyster restoration project.

DISCUSSION - WORLD TRIATHLON CORPORATION IRONMAN EVENT

Amanda Fenstermaker, Tourism Director, noted that the World Triathlon Corporation recently announced that an inaugural Ironman Maryland event will be held in Dorchester County in September 2014. She said this will be the 12th Ironman event in the United States and will have a positive economic impact on the local economy. She asked the Council to enter into a letter of intent with World Triathlon Corporation to hold this event in County for the next five years.

In response to a question from Councilman Price, Ms. Fenstermaker recommended the Council execute a five year agreement, contingent upon executing a full agreement after the 2014 event is held. She said World Triathlon Corporation representatives have indicated that a three year commitment is also acceptable. Mr. Merryweather explained that the Council can make a commitment to hold the event in 2014 and if they determine it is economically feasible and beneficial, they can negotiate and enter into an agreement with World Triathlon Corporation by January 1, 2015 to hold this event in the County for the next four years.

Gerry Boyle, Local Event Coordinator, explained that an economic impact study of the 2014 event will be conducted by Salisbury University and should be completed by February 2015.

Councilman Nichols noted that a portion of the race will be held within City of Cambridge limits and that the City Commissioners should be asked to provide funding for these events. In response to a question from Councilman Nichols, Ms. Fenstermaker explained that the City Commissioners have been provided an overview of the event in a draft format.

Councilman Price said he is concerned about entering into a five year commitment to provide funding for the event and suggested a shorter time period.

The Council agreed to enter into a letter of commitment with World Triathlon Corporation as an interim agreement for the September 20, 2014 Ironman Maryland

event, contingent upon all parties negotiating and executing a full, definitive written host/venue funding agreement on or before December 21, 2014 for future Ironman events scheduled for five years. The Council also agreed to provide up to \$25,000 in in-kind services for the September 2014 event. The Council acknowledged that the Tourism Department staff will be responsible for securing the required local contribution for each of the events that are held in the County.

PUBLIC COMMENTS

Wendell Foxwell, resident, referenced a recent newspaper article regarding the Davenport-Hurley graveyard located in a three acre meadow off of Elliott's Island Road which was surrounded by briars, trees and bushes but is free of weeds and grass.

COUNCIL'S COMMENTS/ADJOURNMENT

Douglass Worrell, a Dorchester County resident, expressed his opposition to a two year suspension of the County's excise tax and suggested that the Council focus on preserving land. He encouraged the Council to view the show "Designing with Nature: the Plan for the Valleys" which will be shown on Maryland Public Television on April 22, 2014 at 10 p.m.

James Slacum, resident, said he believes the County's excise tax should not be suspended particularly since increased development places an additional burden on taxpayers to cover costs associated with local schools, public safety and the Sheriff's Office; Councilman Nichols explained that the tax was implemented specifically to cover the increase in these costs. Mr. Slacum expressed his belief that developers and not individual property owners will benefit from an excise tax suspension.

Valerie Brown, resident and a member of the Dorchester County Economic Advisory Council, commended the Council for proceeding with the Ironman Maryland event in September 2014 and applauded Ms. Fenstermaker and Mr. Boyle for pursuing this economic development opportunity.

Keasha Petticolas, resident, thanked Ms. Fenstermaker, Mr. Boyle, the Council and anyone else who were responsible for making the Ironman Maryland event a reality.

Mr. Boyle said seven local residents are now planning to compete in the full Ironman Maryland race.

Ms. Smith advised Council that Community Development Block Grant grants are due on May 30, 2014. She explained that she will work with City of Cambridge officials to schedule and hold public meetings at City Hall on Gay Street to announce the availability of these grants. She said she also plans to hold a public meeting in the northern part of the County. She encouraged the Council to provide her with any suggestions on any proposed projects for low or moderate income funding which will benefit the community. She explained that these funds can be used for housing rehabilitation and for

improvements to community facilities. She said she is also working with Mr. Moore to identify possible County projects and will contact non-profit organizations that may have “shovel ready” projects that will benefit the community.

William Jones, State’s Attorney, referenced the DeWolfe v. Richmond decision that defendants are entitled to representation by attorneys at their initial appearances before a District Court Commissioner. He expressed his understanding that Governor Martin O’Malley and the Maryland General Assembly have set aside funds to utilize private attorneys to assist the Public Defender's Office. Mr. Jones said he intends to work with local law enforcement and the courts to ensure that there is a State’s Attorney representative at each initial appearance for those Defendants who may pose a public safety risk.

Councilman Bradshaw referenced a summary Delegate Michael A. McDermott wrote regarding the State of Maryland’s FY15 budget which included the following: 1) the budget will increase total spending by 4%; 2) revenues will only increase by 1% optimistically; 3) \$200 million this year and another \$200 million will be taken out of the Teacher and Employee Retirement Fund along with an additional \$700 in the next few years; 4) Delegate Rudolph Cane said the money will be replaced within 20 years however there is a \$600 million balloon payment; 5) \$4.5 billion was removed from other trust funds to balance spending increases, including the Chesapeake Bay Trust and the Transportation Trust Fund; 6) although highway user revenues to local jurisdictions will not be restored, the red and purple transit lines are being fully funded; and 7) the total budget increase in spending since Governor Martin O’Malley took office will come close to 40% this year.

Councilman Bradshaw said he attended the joint Army Corps and MDE public hearing in opposition to the issuance of a permit and a Tidal Wetlands License for the State of Maryland’s proposed oyster restoration project. He said it is his understanding that there may have been some issues relating to the introduction of fossilized oyster shells into Harris Creek that may be detrimental to that waterway. He commended the Council for opposing the use of this material.

Councilman Nichols expressed his understanding the State Pension System funds are being redirected to balance the State’s FY15 budget and expressed concern that the burden of reimbursing this system will be shifted to taxpayers.

Councilman Price referenced the Army Corps and MDE joined meeting, noting that the public comment period on the State’s proposed oyster restoration plan relating to the Little Choptank River ends on May 9, 2014. He expressed his belief that the use of granite and fossilized oyster shells will negatively impact the upcoming oyster and crab seasons.

Based on a motion made by Councilman Newcomb, the Council agreed to send correspondence to Senator Barbara Mikulski, Senator Benjamin Cardin and Congressman

Andy Harris regarding its opposition to the State's plans to place fossilized oyster shells imported from Florida and granite in the Little Choptank River.

Councilman Nichols said Hershel Johnson was commended for his 47 years as a Youth League Basketball Coach at Cambridge South Dorchester High School on Saturday, April 5, 2014 and that he thanked the Council for its support of the Youth League.

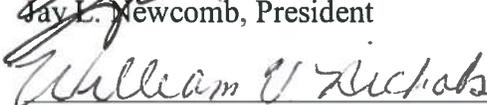
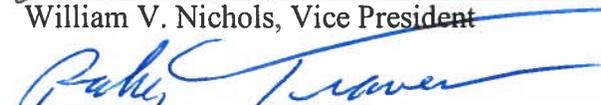
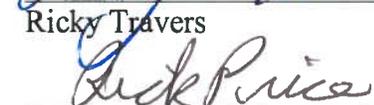
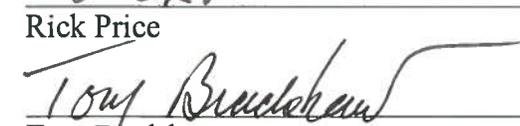
Councilman Newcomb announced that the next meeting will be held on May 6, 2104 during which a budget public hearing will be held. He said copies of the proposed FY15 budget are on the back table.

With no further business to discuss, the Council adjourned.

ATTEST:


Jane Baynard, County Manager
Donna Flane
Executive Administrative Specialist

DORCHESTER COUNTY COUNCIL:


Jay L. Newcomb, President

William V. Nichols, Vice President

Ricky Travers

Rick Price

Tom Bradshaw

Approved the 6th day of May 2014.