

**County Council of Dorchester County
Regular Meeting Minutes
April 19, 2016**

The County Council of Dorchester County met in regular session on April 19, 2016 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price and Don B. Satterfield. Also present were E. Thomas Merryweather, County Attorney; Jeremy Goldman, County Manager; and Donna Lane, Executive Administrative Specialist.

REGULAR SESSION

CLOSED SESSION

The Council adjourned from a Regular Session and convened in a Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Travers 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 Special Events Agreement; a request to advertise for Probationary Correctional Officers; Tax Sale Property Offers and a Landfill Transfer Station lease with Gootees Marine.

APPROVAL OF MINUTES- APRIL 5, 2016

The Council approved the minutes of April 5, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Travers abstaining for payments made to Simmons Center Market and Councilman Price opposing payments relating to the Eastern Shore Innovation Center (incubator facility).

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$3,672,437.57.

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in an Closed Session at 4:30 p.m. on April 19, 2016 in a closed session at Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland, pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

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.

Councilman Travers announced that Council convened into a Closed Session on April 12, 2016 to discuss personnel items relating to the proposed FY17 budget pursuant to General Provisions Article, Section 3-305(b)(1).

He further announced that the Council convened into a Closed Session at 4:30 p.m. on April 19, 2016 to discuss the following items: 1) discussed the request of the Warden to advertise Probationary Correctional Officer positions and agreed to consider the request in open session by a 4 to 0 vote; 2) discussed an Economic Development personnel matter; 3) based on a recommendation from the interview panel, agreed to hire an individual to fill the Emergency Services Director position by a 5 to 0 vote; 4) discussed a lease for a landfill transfer station-agreed to discuss in open session; 5) received an update on matters relating to a proposed project at the Airport; 6) discussed offers to purchase County owned properties acquired by tax sale-agreed to discuss in open session; 7) discussed the renewal of a license agreement with an entity for the use of certain property; and 8) discussed a loan opportunity relative to an economic development project.

The above information is being provided to the public pursuant to and in compliance with Section §3-306(b) and (c) of Title 3 of the General Provisions Article.

REGULAR SESSION

COMMENDATION-RETIREMENT-KEITH MOLOCK

The Council presented a commendation to Keith Molock congratulating him on his retirement and recognizing his 31 years of service to Dorchester County.

COMMENDATION-NORTH DORCHESTER HIGH SCHOOL SENIOR PLAY PARTICIPANTS

The Council presented a Commendation to the participants of the North Dorchester High School Senior Class Play entitled "The Little Mermaid."

COMMENDATION-TEACHER OF THE YEAR-JENNIFER WINGATE

The Council presented a Commendation to Jennifer Wingate congratulating her on being named Teacher of the Year.

COMMENDATION-FIRST CLASS TEACHER OF THE YEAR-AMY STOOPS

The Council presented a Commendation to Amy Stoops congratulating her on being named First Class Teacher of the Year.

JANE BAYNARD PORTRAIT/PLAQUE UNVEILING

The Council presented a portrait and plaque which recognizes the outstanding leadership and unwavering dedication of Jane Baynard, the former County Manager, to the citizens of the County from 1996 to 2014 which will be displayed in Room 110, the Council's Chambers. The Council shared memories and expressed their appreciation for Ms. Baynard's assistance to them and residents.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

INTRODUCTION

The Council introduced Bill No. 2016-2 AN ORDINANCE CONCERNING: 2016-2017 ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF DORCHESTER COUNTY

E. Thomas Merryweather, County Attorney, said Bill No. 2016-2 is the 2016-2017 Annual Budget and Appropriation Ordinance of Dorchester County. The Council agreed to proceed with publication of a public hearing on this matter.

Mr. Goldman provided the following synopsis of the proposed budget: 1) total budget equals \$67.3 million, a decrease of \$6.3 million or 8.6% compared to the prior year's adopted budget; 2) Operating Budget totals \$52.8 million, which is \$.06 million, or 1.1% over the FY16 adopted budget; 3) proposed property tax rates will be equal to the lower of either the current rate or the constant yield tax rate; 4) proposed property tax rate for County, outside of Cambridge and Hurlock is 0.9760 which represents no change; 5) proposed property tax County rate within Cambridge is 0.9319 which represents a decrease of 0.0052; 6) proposed property tax County rate within Hurlock is 0.9268 which represents a 0.0009 decrease; 7) budget includes a one step increase, or its equivalent for essentially all staff amounting to \$344,000 in General Fund; 8) internal reserve fund will exceed 5% of budgeted general fund revenues; 9) Capital Budget totals \$8 million, a decrease of \$6.4 million or 44% below the 2016 adopted capital budget; 10) Capital Budget funded from PAYGO totals \$3.4 million or 42%, Federal and state funds of \$1.7 million or 21% and debt of \$3.0 million or 37% for the new North Dorchester High School (NDHS); 11) major projects that have been deferred are the Bestpitch Ferry Bridge Replacement, \$3.8 million, the replacement of various older Highway Division equipment, \$400,000; and 12) Grant Budget totals \$2.8 million, a decrease of \$800,000 or 25%.

Mr. Goldman said major projects in proposed capital budget include: 1) \$3 million to continue the planning and design of new NDHS to be funded with future debt;; 2) \$900,000 to remove obstructions to runway approach which is 95% grant funded by Federal Aviation Administration and Maryland Aviation Administration; 3) \$700,000 to replace various equipment at landfill from fund balance; 4) \$600,000 to replace various aging equipment at the highway department, redirecting fleet to more multi-purpose use; and 5) continues commitment from last year of an orderly program of replacement of the public safety fleets. He advised that a copy of the Bill is on the back table in the meeting room and will be available on the County's website tomorrow.

The Council adjourned to Regular Session.

REGULAR SESSION

MANAGERS COMMENTS

BILLING AGREEMENT RENEWAL-MEDICAL CLAIM AID-EMERGENCY SERVICES

The Council agreed to renew the Billing Agreement between the County Council of Dorchester County and Medical Claim-Aid to perform billing and claims services related to Emergency Medical Services transports for a five year period effective June 1, 2016 at the same rates in the previous agreement.

FY17 CRITICAL AREA GRANT AWARD ACCEPTANCE REQUEST-PLANNING AND ZONING

The Council approved the request submitted by Brian Soper, Environmental Planner, to accept the FY17 Critical Area Grant Award from the Critical Area Commission in the amount of \$13,000 that assists in paying a portion of the Environmental Planner's salary.

TRAVEL REQUEST-AIRPORT-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, for authorization for Meighan "Chis" Chisholm, Airport Manager, to travel to the Maryland Regional Aviation Conference from June 16, 2016 to June 17, 2016.

REQUEST TO ADVERTISE FOR BIDS-RECYCLING CONTAINERS-PUBLIC WORKS

The Council approved the request of Mr. Moore to advertise for bids for new recycling containers for which monies are available in the FY15 Landfill Fund Budget.

BID AWARD-CRUSHED STONE-PUBLIC WORKS

Mr. Moore explained that proposals were opened for the supplying of crushed stone on April 7, 2016 which is mostly used in tar and chip operations. He said there was only one bidder to whom he recommends the bid be awarded.

In response to a question from Councilman Travers, Mr. Moore stated that this bid was advertised and representatives of two other companies called the day of the bid award and expressed an interest but did not submit bids by the deadline. Pursuant to an inquiry from Mr. Goldman, Mr. Moore said the quoted prices are higher than last years. He advised that staff has worked with the company that submitted the lone bid in the past which consistently provided clean stone and reliable delivery service.

The Council agreed to award the bid for the supplying of crushed stone beginning May 1, 2016 and ending April 30, 2017 to Vulcan Materials.

BESTPITCH FERRY BRIDGE REPLACEMENT PROJECT UPDATE-PUBLIC WORKS

Mr. Moore stated that the design of the replacement of the Bestpitch Ferry Bridge which is 90% complete, was halted in September 2010. He explained that the proposed bridge is larger than the existing structure, includes extensive property acquisitions and will have a large environmental impact. He said currently the average daily traffic count is 90. He advised that although the existing bridge, which was built in 1948, is not listed as an historic bridge but it is eligible for that classification and therefore may have to be maintained. Mr. Moore noted that repairs will be necessary. He stated that staff has been speaking to State representatives regarding possible alternatives such as obtaining

permission to remove the old bridge for which mitigation will be necessary as well as the installation of a monument or documentation about the bridge.

Mr. Moore explained that if the Council elects to not proceed with bridge replacement, \$433,000 in Federal funding, which was used for the design, will have to be returned. Councilman Travers queried as to whether the bridge in its current state is repairable. Mr. Moore advised that he posed that question to State officials who said from the condition of the bridge it is not economically viable. He said repairs, including widening the one lane bridge, would be considered rehabilitation for which federal funds are not available. Mr. Moore said the County has until 2017 to move to a new phase on the project. He noted that the bridge is not the only access to properties in that area and that when it was closed last fall for over one month there were minimal complaints. He advised that emergency services vehicles and buses do not currently utilize the bridge.

Councilman Bradshaw questioned whether the bridge is on the Underground Railroad Byway and if so, whether funding may be available.

In response to an inquiry from Councilman Travers, Councilman Bradshaw expressed his understanding that an arch will be necessary for boaters who utilize the waterway in this area.

Pursuant to a question from Councilman Travers, Mr. Moore said the old bridge can be removed and a new bridge can be constructed in the same place. Mr. Moore said the plans can be revised to reduce costs.

Councilman Bradshaw confirmed the understanding of Robert Willey, Assistant Finance Director, that a conservation easement was placed on a farm that has been in a family for generations in that area by Eastern Shore Land Conservancy. He noted the nearby Pindertown African American Settlement is within the proposed boundary of the Harriet Tubman Underground Railroad National Park.

Mr. Moore said the old bridge can be removed with mitigation for approximately \$10,000 versus the cost to maintain the bridge. He explained that another issue to be considered is the proposed sea level rise in that area, noting that studies show that area will be underwater by 2050.

He advised that the last repairs made were the replacement of pilings on two sections to the bridge at the cost of \$27,000. Councilman Bradshaw questioned whether the pilings were replaced with salt treated or creosote pilings. Mr. Moore expressed his belief that salt treated pilings were and must be utilized.

The Council agreed that Mr. Goldman and Mr. Moore will meet to determine the next steps relating to this potential project and provide information in memorandum form for its review and, if necessary, for its review and consideration at a meeting the end of May or the beginning of June. The Council requested that Mr. Moore contact the National

Park Service to inquire as to whether this bridge is part of the Underground Railroad Byway and if so, if funding may be available for its replacement/repair.

MARYLAND DEPARTMENT OF ENVIRONMENT ELECTRONIC RECYCLING GRANT REQUEST-PUBLIC WORKS

Mr. Moore said he is seeking the Council's authorization to submit a Maryland Department of the Environment Electronic Recycling grant request for \$15,000 to reimburse costs associated with the collection and proper disposal of electronics and to purchase an e-cycling dumpster that will be located at the Beulah Landfill. He said after the purchase of the dumpster the remaining funds should be more than sufficient to reimburse disposal costs for the length of the grant period and if not, collection will stop until additional funding is obtained.

Councilmen Travers and Councilman Price queried as to whether an e-cycling container can be placed at one of the County's recycling stations or another centralized location for public access throughout the year. Mr. Moore said this is a possibility.

In response to a question from Councilman Travers, Mr. Moore explained that an advertisement about the e-cycling will be placed in a local news publication and that no fee will be required to access the Beulah Landfill for this event. He noted that the items that can be recycled include old cell phones, printers, computers, laptops and televisions. Mr. Moore stated that there are specific requirements for e-cycling and there is a cost for the removal of mercury in some of the items as well as for disposal.

The Council approved Mr. Moore's request to apply for the grant. The Council requested that consideration be given to placing a second e-cycling container in the southern part of the County, possibly at the Golden Hill Transfer Station, during the event.

ADMINISTRATIVE SERVICES CONTRACT REQUEST-HAMBROOKS BOULEVARD LIVING SHORELINE PROJECT

The Council approved the recommendation of Mr. Moore to enter into a contract with Delmarva Resource, Conservation and Development (RC&D) for this entity to provide the administrative services required for the Hambrooks Boulevard Living Shoreline Project at the cost \$11,500 with Councilman Bradshaw abstaining. The Council acknowledged that a non interest loan in the amount of \$133,000 has been received from the Department of Natural Resources for this project.

REQUEST TO SOLE SOURCE-LANDFILL DOZER REPLACEMENT

The Council approved the request of Mr. Moore to sole source and purchase from Jesco, Inc. under the State of Delaware Solid Waste Management Administration contract, a 850K John Deere dozer, to include a 10,000 hour extended warranty and a five year service agreement at the cost of \$398,116 and a trade in of the existing dozer, unit #1123 to Jesco for a reduced price of \$97,718.10 to reflect the needed carriage replacement for a

total cost of \$300,397.90. The Council acknowledged that funds are available in the FY16 Landfill Fund Budget to cover this cost.

JOINT HEARING INQUIRY-SOLAR FACILITY APPLICATION-PUBLIC SERVICE COMMISSION

Mr. Goldman advised that correspondence was received from Ryan C. McLean, Public Utility Judge, Public Service Commission, in which he extended an invitation for the Council to participate in a joint hearing on the application Todd Solar, LLC, has filed for a Certificate of Public Convenience and Necessity to construct a 20.0 megawatt solar photovoltaic generating facility in Dorchester County, which is scheduled for May 19, 2016 at 7 p.m. at the Comfort Inn located at 2936 Ocean Gateway, Cambridge. Mr. Goldman stated that pursuant to Steve Dodd, Planning and Zoning Director this project has been through the County Board of Zoning Appeals; has been granted a special exception and will be subject to a Certificate from the Maryland Public Service Commission, and site plan approval from the County Planning Commission. Mr. Goldman noted that in the past the Council made the decision to not participate in joint hearings for these types of applications. The Council agreed not to participate in a joint hearing and asked for a summary of public comments, if such a document is prepared.

SPECIAL EVENTS AGREEMENT-FINANCE

The Council agreed to enter into a Special Events Agreement between Jessica Hales, the County, and the Sheriff to provide public safety services in the form of one deputy and one vehicle at the cost of \$600 for the May 1, 2016 March of Dimes Walk at Preston Ford from noon to 4 p.m.

REQUEST TO ADVERTISE FOR PROBATIONARY CORRECTIONAL OFFICERS

The Council agreed to advertise for Probationary Correctional Officers.

TAX SALE PROPERTY OFFERS

The Council accepted the offer of James Elliott to purchase 849 Park Lane, Cambridge for \$7,000; and 2) to transfer two lots on Bobtown Road, .12 acres each, to Margaret Hubbard, the adjacent homeowner for the cost of the property transfers.

TRANSFER STATION LEASE-GOOTEES MARINE

The Council agreed to seek an extension to the current lease between the County and Gootee's Marine, Inc. for property in Golden Hill to be utilized as a Landfill Transfer Station for a two year period with a two year renewal option under the same terms and conditions.

PUBLIC COMMENTS

There was no public comment.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price cautioned the public about outside burning during the dry weather.

Councilman Travers announced the following: 1) Members of the Dorchester County Council will attend a regional meeting with representatives of the support counties of Chesapeake College to discuss the College's budget on Thursday, April 28, 2016 at 5:30 p.m. in Denton, Maryland; 2) The next County Council meeting will be held on May 3, 2015 on which date the first of two budget public hearings will be held; 3) A second public hearing will be held on May 10, 2015; 4) on May 17, 2015 a legislative public hearing/adoption of the budget; and 5) the Council reserves the right to meet in closed session prior to regular session.

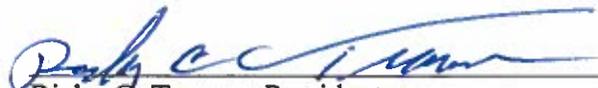
With no further business to discuss, the Council adjourned.

ATTEST:



Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



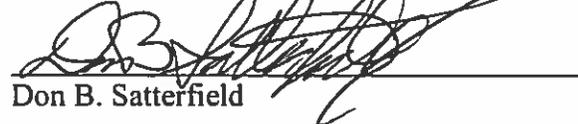
Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 3rd day of May, 2016.