

**County Council of Dorchester County
Regular Meeting Minutes
July 5, 2016**

The County Council of Dorchester County met in regular session on July 5, 2016 with the following members present: 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)(7) to consult with counsel to obtain legal advice on a legal matter.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Price led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

Jeremy Goldman, County Manager, said the following items were added to the agenda after publication: 1) a request to use ball fields-American Legion; and, 2) a recommendation to send correspondence regarding an Aerobatic Practice Area.

The Council agreed to add the following items to the agenda: 1) Request to Advertise-Economic Development Director position; 2) Eastern Shore Innovation Center License Agreement; and, 3) Tax Sale Property offers.

APPROVAL OF MINUTES- JUNE 21, 2016

The Council approved the minutes of June 21, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Bradshaw reported total cash and investments as \$3,486,839.80.

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in an Closed Session at 5:00 p.m. on July 5, 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)(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 a job description for the Economic Development Director position and agreed to consider advertising the position in open session; 2) approved the request of the Tourism Director to hire an individual to fill a grant funded Outreach Coordinator position by a 4 to 0 vote; 3) discussed with legal counsel a license agreement for space at the Eastern Shore Innovation Center- agreed to consider in open session; 4) discussed offers to purchase County owned properties acquired by tax sale-agreed to consider in open session; 5) discussed with legal counsel a housing rehabilitation lien-requested additional information; and, 6) received legal advice regarding a matter relating to a County owned facility.

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

MANAGERS COMMENTS

LETTER OF SUPPORT REQUEST-HARRIET TUBMAN STATUE-STATE CAPITAL GROUNDS-COLIN BYRD

The Council approved the request of Colin Byrd for Council to send correspondence to Thomas V. Miller, Jr., President of the Senate, and Michael E. Busch, Speaker of the House, asking them to sponsor a bill for a statute of Harriet Tubman to be placed on the State Capital Grounds.

NATIONAL MULTIPLE SCLEROSIS SOCIETY CHESAPEAKE CHALLENGE EVENT REQUEST

The Council approved the written request of Lauren Gilbertson, Senior Manager, Event Experience, National Multiple Sclerosis Society, Maryland Chapter, to use County roads during their annual Chesapeake Challenge 2016 event in Cambridge on Saturday, September 10, 2016 from 7:30 a.m. to 5:00 p.m. The Council acknowledged that they will post route marker signs beginning Thursday, September 8th and use chalk on sidewalks along the route to encourage walkers. The Council also acknowledged that the Chapter should seek the City of Cambridge Council's approval for the roads within that municipality.

LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION-COUNTY REPRESENTATIVE

Mr. Goldman advised that: 1) Chapter 515 of 2016 enacted Justice Reinvestment Act which made significant changes to the State's criminal and public safety law; 2) the Act established a Local Government Justice Reinvestment Commission which is charged with advising the Justice Reinvestment Oversight Board on matters relating to implementing the Act, making recommendations regarding certain grants to local governments, and creating performance measures to assess the effectiveness of the grants made to local government; 3) provisions relating to the Commission are not effective until October 1, 2016; and, 4) the Commission consists of one member from each County appointed by governing body of the county. The Council appointed Councilman Satterfield as the County's representative.

REQUEST TO USE PARKING LOT-ELECTRICAL OUTLETS-CUBMOBILE DERBY

The Council approved the requests of Michael O'Connor, Chair, Cubmobile Committee, to: 1) use the parking lot at the County Office Building on Court Lane for parking, registration, and concessions on October 9, 2016 for the annual Del-Mar-Va Council Cubmobile Derby; 2) use the electrical outlets on the outside of the building for the use of a public address system and a laptop computer; and 3) the placement of two bleachers on the sidewalk in front of the building to be provided by the Recreation and Parks Department. The Council recognized that Mr. O'Connor has submitted with this request a certificate of liability insurance for the event, which names the County as an additional insured.

MARYLAND AVIATION ADMINISTRATION SPECIAL GRANT AWARD-AUTOMATED WEATHER OBSERVATION SYSTEM REPLACEMENT-AIRPORT

The Council approved the request of Meighan "Chis" Chisholm, Airport Manager, for authorization to accept a Maryland Aviation Administration Special Grant Award for funding of \$67,257 (75%) with a County commitment of \$22,419 (25%) which is included in the budget for the procurement and installation of a new Automated Weather Observation System for the Cambridge-Dorchester Regional Airport, estimated at \$89,676.

HANGAR SIDING ROOFING AND INSULATION REPLACEMENT CAPITAL BUDGET PROJECT-AIRPORT

The Council approved the recommendation of Mr. Chisholm to sole source and accept a proposal from Harkins Contracting, the company which submitted the lowest quote, to refurbish the deteriorated "Big Hangar," previously known as the "Paint Hangar" at cost of \$153, 720, which is included in the FY17 budget, and to authorize an immediate Authorization to Proceed in order to facilitate the ordering of the required steel siding and roofing. The Council acknowledged that three contractors were contacted and two responded.

TRAFFIC SAFETY COMMITTEE RECOMMENDATIONS

Tom Moore, Public Works Director, advised that the Traffic Safety Committee met on June 24, 2016 to discuss residents' concerns about public safety due to speeding motorists on Green Point Road and Riverside Road. He provided a summary of their concerns.

The Council approved the Committee members' recommendation to place 15 mph speed limit signs along an approximately 400 yard long stretch of Green Point Road and to notify the Sheriff's Office the need for speed enforcement in response to the concerns expressed by Bob Pritchett, resident.

Mr. Moore advised that traffic has increased on Riverside Road since an announcement was made about the location of a proposed oyster hatchery on that road. He said a sign was erected by a Developer which is affecting visibility. He stated that another issue to consider is a possible increase in traffic, noting a newspaper article that referred to the creation of 25 full time and up to 50 part time jobs. The Council approved the Committee members' recommendation to place 15 mph speed limit signs on Riverside Road and to notify the Sheriff's Office the need for speed enforcement in response to the concerns expressed by Mary Jo and Tom Bosley, residents.

Councilman Price said the site plan for the proposed hatchery is being reviewed by the Planning Commission. Mr. Moore said Public Works staff will submit comments to the Planning and Zoning about the site plan for the hatchery to include comments about the current condition of the road.

LEGISLATIVE SESSION

The Council adjourned into Legislative Session.

PUBLIC HEARING

BILL NO. 2016-3 AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO THE AUTHORITY GRANTED BY SECTION 9-232 OF THE TAX – PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND: TO GRANT A PROPERTY TAX CREDIT AGAINST THE PROPERTY TAX IMPOSED ON NEWLY CONSTRUCTED RESIDENTIAL PROPERTY WITH AN AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM

E. Thomas Merryweather, County Attorney, said a public hearing is being held on Bill No. 2016-3 which will grant a property tax credit against the property tax imposed on newly constructed residential property with an automatic fire protection sprinkler system.

Joan Strang, Vice President, Governor's Affairs for the Maryland Building Association on the Eastern Shore, expressed her support for the tax credit which will benefit first time buyers. She noted that pursuant to State law counties can no longer opt of the sprinkler system requirement. She expressed her belief construction is down due to the cost to comply with this State mandate. She encouraged the Council to adopt the bill.

Mr. Merryweather said the passage of this bill does not impact the Council's efforts in seeking relief from State law.

Councilman Satterfield stated that as a fire fighter he understands the benefit of sprinkler systems. He advised that he supports the tax credit particularly for first time home buyers. Councilman Price echoed his comments.

The roll call on the enactment of Bill No. 2016-3 was as follows: Bradshaw-aye; Price- aye; Satterfield-aye; Nichols-aye. Mr. Merryweather said the tax credit will apply to real property tax billings as of July 1, 2016.

The Council convened into Regular Session.

REGULAR SESSION

CAPITAL BUDGET EXPENDITURE REQUEST-TRANSPORT VAN-DETENTION CENTER

The Council approved the request of Steve Mills, Warden, to expend FY17 Capital Budget funds to purchase a 2017 Ford passenger transport van from Hertrich Fleet Services utilizing State of Maryland government pricing of \$27,417.

FY17 SENIOR CARE PLAN-SOCIAL SERVICES

The Council approved the request of Kathleen Rineholt, Family Services Supervisor, Social Services, on behalf of Nicholette Smith-Bligen, Director, to continue the Senior Care Program for Dorchester County with Maryland Department of Aging funding for the period of July 1, 2016 to June 30, 2017.

FY16 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT SHERIFF'S OFFICE-GRANT MONITOR

The Council approved the request submitted by Cindy Smith, Grant Monitor, on behalf of Sheriff James Phillips, to apply for FY16 Edward J. Byrne Memorial Justice Assistance Grant funding in the amount of \$70,086, with no match, to purchase equipment.

ADA RAMP BID RECOMMENDATION-GRANT MONITOR

Based on the recommendation of Ms. Smith, the Council agreed to award the bid for the construction of ADA ramps for the County Office Building to Hill-Kimmel Contracting, the lowest bidder, at the cost of \$118,500. In response to a question from Councilman Bradshaw, Ms. Smith said despite advertising and sending out requests for proposals to 17 minority and disadvantaged businesses in the Delmarva Region, there were only two bids received. She explained that CDBG bond requirements limit the amount of bidders.

COMMUNITY LEGACY GRANT-HEARN BUILDING STABILIZATION-GRANT MONITOR

Mr. Goldman said Ms. Smith is seeking authorization to submit a Community Legacy Grant for funds of \$500,000 from the Maryland Neighborhood Revitalization Program to support the stabilization of the Hearn Building and to adopt a resolution in support of its submission.

Councilman Nichols questioned whether the intention is for the County to renovate the building. Mr. Goldman explained that the funds are associated with the structure; therefore, these monies will not be lost if the County transfers the property. He said these funds can be used for debris removal, the stabilization of the walls and for a roof. In response to a query from Mr. Goldman, Ms. Smith explained that only projects within the municipal boundaries of sustainable communities are eligible for Community Legacy funding. She noted that the sustainable communities in Dorchester County are the City of Cambridge and the Town of Hurlock.

The Council approved Ms. Smith's request with Councilmen Price and Nichols opposing and Councilman Travers voting by written proxy.

MEMORANDUM OF UNDERSTANDING-GRACE UNITED METHODIST CHURCH-HEARN BUILDING

The Council agreed to enter into a Memorandum between County Council and Grace United Methodist Church which will provide the County temporary access over, across and upon the church land as shown on a "Right of Way" exhibit for the purpose of performing emergency stabilization measures to the Hearn Building. Mr. Merryweather advised that a second memorandum with another adjacent property owner must be obtained.

PROPOSED CORRESPONDENCE-PUBLIC SAFETY CONCERNS

The Council agreed to send correspondence to John T. Cannon, President, and the Wicomico County Council members requesting that consideration be given to the placement of a restriction of Delmarva Sporting Clays Range that will ban the use of large caliber weapons in light of a recent incident during which structures on a private property were damaged.

TELEPHONE POLL CONFIRMATION

The Council confirmed its decision, in the interim between meetings, by means of a poll, to send correspondence to Congressman Andy Harris asking him to seek an amendment during the Federal Aviation Administration reauthorization to require approval of any public-use airport owner before authorizing an aerobatic practice area over the respective public-use airport by a 4 to 0 vote (1 no answer).

REQUEST TO USE BALL FIELDS-AMERICAN LEGION

The Council approved the request of the American Legion to utilize the ball field in Hurlock from July 18, 2016 to July 24, 2016 (rain dates may affect schedule) for a baseball tournament. The Council acknowledged that the American Legion: 1) has filled out an agreement for use of property as required by Recreation and Parks; 2) paid \$50 per game fee; and, 3) will provide a certificate of liability insurance by end of week. The Council further acknowledged that Recreation and Parks staff will cut grass twice during this period of time and Tri City Little League will drag the field and run the concession stand.

CORRESPONDENCE RECOMMENDATION-AEROBATIC PRACTICE AREA

The Council agreed to send correspondence to the National Transportation Safety Board (NTSB) requesting a meeting with County representatives with a NTSB representative(s) to initiate an expeditious risk analysis and reversal of the Federal Aviation Administration imposed aerobatic practice area over the Airport.

REQUEST TO ADVERTISE-ECONOMIC DEVELOPMENT DIRECTOR

The Council agreed to advertise the vacant Economic Development Director position.

EASTERN SHORE INNOVATION CENTER LICENSE AGREEMENT-ECONOMIC DEVELOPMENT

The Council approved the request of Steve Dolbow, Incubator Manager, to enter into an Eastern Shore Innovation Center License Agreement with IES Diagnostics (Suite #008) with Councilman Price opposing and Councilman Travers voting via written proxy.

TAX SALE PROPERTY OFFERS

The Council approved following offers to purchase County owned property acquired by tax sale: 1) from Nathaniel Keene to purchase 5238 Aireys Road for \$500; and, 2) from MWB Properties LLC (Mike Baugh) to purchase 303 Choptank, a vacant lot, for \$500, contingent upon final order in foreclosure case.

PUBLIC COMMENTS

In response to a question posed by Donald Gray, resident, Councilman Bradshaw stated that the proposed oyster hatchery location is on Riverside Road. Councilman Bradshaw confirmed his vote in favor of seeking grant funding for the stabilization of the Hearn building pursuant to an inquiry from Mr. Gray. Based another inquiry from Mr. Gray, Mr. Goldman explained that the additional funding being sought is for debris removal, stabilization of the walls and for a roof. He further explained that water removal is a part of the debris removal process, which will be coordinated with the Maryland Department of Environment and mitigated, if necessary. Mr. Gray expressed his belief that the structure is a hazard and queried as to whether there is a potential purchaser. Mr. Goldman said someone has expressed an interest in acquiring the property. In response to a question from Mr. Gray, Mr. Goldman stated that the estimated completion time for the stabilization of the remaining walls is 90 days and the approximate time for roof replacement is six to nine months. Councilman Bradshaw said the goal is to ensure the property is marketable so it can be sold and placed back onto the tax rolls.

In response to an inquiry from Whitney Pogwist, National Multiple Sclerosis Society, Eastern Shore Community Development Coordinator, Greater DC-Maryland Chapter, Mr. Goldman advised that the Council approved the Society's request to use County roads for the Chesapeake Challenge 2016 walk. Ms. Pogwist provided an overview of the route, noting that the Hyatt Regency Chesapeake Bay is partnering with the Society.

Thomas Bosley, resident, referenced the two page article in the Bay Journal about the proposed oyster hatchery on Riverside Road. He expressed concern that this tar and chip road may deteriorate rapidly if there is a substantial increase in traffic. He thanked the Traffic Safety Committee members for listening to his and his wife's concerns about this road.

Bruce Coulson, a Dorchester County resident, expressed concern about shoreline erosion on Bay Shore Road. Mr. Moore said he will have staff view the area. Councilman Bradshaw suggested that Mr. Moore contact Dave Wilson, Resource, Conservation and Development, to obtain ideas on addressing this issue and to ask Ms. Smith about any grant funding opportunities.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Price commended law enforcement personnel and emergency responders, including those who responded to a traffic accident last week involving a State Trooper. He referenced an article in a news publication about the increased crab harvest.

Councilman Satterfield echoed Councilman Price's appreciation for law enforcement and emergency responders as well as Public Works Department staff for grass cutting in Crapo and other surrounding areas. Based on a motion made by Councilman Satterfield, the Council agreed to appoint Tom Moore to the Sanitary Commission to fill a vacancy.

Councilman Bradshaw announced that: 1) the next County Council will be held on July 19, 2016; and, 2) the County 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:

abstained

Ricky C. Travers, President

Tom C Bradshaw

Tom C. Bradshaw, Vice President

William V. Nichols

William V. Nichols

Rick M Price

Rick M. Price

Don B. Satterfield

Don B. Satterfield

Approved the 19th day of July, 2016.