

County Council of Dorchester County
Regular Meeting Minutes
June 7, 2016

The County Council of Dorchester County met in regular session on June 7, 2016 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; and Rick M. Price. 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; 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 and 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 of the present 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: Request to Sole Source-Gradall Replacement-Public Works; Federal Byrne Justice Assistance Grant-Interlocal Agreement-Grant Monitor; Eastern Shore Innovation Center License Agreements; Request to Advertise GIS Specialist Position; and Tax Sale Property Offers.

OTHER

Councilman Travers announced that Councilman Satterfield is out of town and has provided written proxy votes, and Councilman Nichols, who has provided a proxy vote, is currently meeting with individuals regarding economic development.

APPROVAL OF MINUTES- MAY 17, 2016

The Council approved the minutes of May 17, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Satterfield voting by written proxy.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$6,878,644.32

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in a Closed Session at 4:30 p.m. on June 7, 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; 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 and 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) deferred discussion relating to the vacant Economic Development Director position; 2) approved the request of the Recreation and Parks Director to hire individuals to fill seasonal/part time positions for the upcoming summer season by a 4 to 0 vote with one written proxy vote; 3) based on the request of the Warden agreed to hire an individual to fill a vacant Administrative Associate Advanced position by a 3 to 0 vote; 4) discussed matters relating to Liquor Inspector position; 5) confirmed the hiring by the Sheriff of individuals to fill a Court Security position and a Dog Control Officer position by a 4 to 0 vote; 6) discussed the request of the Planning and Zoning Director to advertise a GIS Specialist position-agreed to consider in open session; 7) discussed with legal counsel leases for space at the Eastern Shore Innovation Center- agreed to consider in open session; 8) discussed with legal counsel matters relating to a resolution in support of a Maryland Department of Commerce loan-agreed to discuss in open session; 9) discussed offers to purchase County owned property acquired via tax sale-agreed to consider in open session; and, 10) received legal advice from County Attorney regarding an exchange of land agreement.

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-2015 MARYLAND STAR OF LIFE AWARDS-CHARLES LAYFIELD, EDWARD DEAN

The Council presented Commendations to Charles Layfield and Edward Dean for receiving the 2015 Maryland Star of Life Award for working as a team with emergency medical services providers from neighboring jurisdictions to provide exemplary prehospital care resulting in a successful resuscitation thereby saving a man's life.

PROCLAMATION-FOUR HORSEMEN DAY

The Council presented a Proclamation declaring June 7, 2016 as Four Horsemen Day which was accepted by Ray Stevens and Kay Stevens, on behalf of Herman Stevens, the remaining survivor of the Four Horsemen.

OPERATING BUDGET AMENDMENT AND TRANSFER-FY2016-1-BOARD OF EDUCATION

The Council approved the request of Dr. Henry Wagner, Superintendent of Schools, for a FY16 Board of Education Operating Budget Amendment, with Councilman Satterfield voting by written proxy, to transfer: 1) \$150,000 from Student Transportation; \$50,000 from Operation of Plant; \$11,200 from Instructional Other and \$25,000 from Mid Level Administration to Textbook & Instructional Salaries, \$229,000 and to Instructional Salaries, \$7,200 to purchase a new reading series for the Elementary Schools, with related staff professional development. Due to low diesel fuel prices and transportation fuel expenses were under budget. The savings in dual enrollment and testing supplies will also be utilized. 2) \$207,731 from Operation of Plant to Maintenance of Plant, \$173,277 and Capital Outlay, \$34,454 to cover design costs related to the Cambridge South Dorchester Softball Field project, to address HVAC issues at three schools, for concrete sidewalk repairs at various schools and upgrade light fixtures at the Central Office. Mild winter weather, low utility prices and continued emergency management activities kept utility expenses below budget.

The Council approved the request of Dr. Wagner for the following budget alignment: to remove the budgeted revenue and related budget expense for health insurance since, although reserves in the Eastern Shore of Maryland Educational Consortium (ESMEC) Health Alliance will be utilized to cover up to \$450,000 in health insurance claims expenses, the transaction will be recorded through the Alliance, not through the Board's financial records with Councilman Satterfield voting via written proxy. The Council acknowledged that the Dorchester County Board of Education members approved the budget amendment at their May 19, 2016 meeting.

ANNUAL PRESENTATION/LETTER OF AGREEMENT-MID SHORE MENTAL HEALTH SYSTEMS

Holly Ireland, Executive Director, Mid-Shore Mental Health Systems (Mid-Shore), presented the Mid-Shore Mental Health Systems' Community Mental Health Plan, including county specific data and Behavioral Health Integration and a summary of funding sources for this entity.

The Council approved the request of Ms. Ireland to execute the Fiscal Year 2017 Letter of Agreement with Mid-Shore Mental Health Systems, Inc. to act as the agent in oversight, planning and development of the Public Behavioral Health System in Dorchester County.

PUBLIC HEARING-COMMUNITY DEVELOPMENT BLOCK GRANT-GENERATOR-GRANT MONITOR

Councilman Travers acknowledged Cindy Smith, Grant Monitor, was present to conduct a public hearing on a Community Development Block Grant project.

Ms. Smith advised that this hearing is on the progress of the purchase and installation of an emergency shelter generator at the Cambridge South Dorchester High School (CSDHS) for which Community Development Block Grant (CDBG) funding was awarded to Dorchester County under the Disaster Recovery Program. She said it was a 100% funded grant with local contractors being hired for the majority of the work. She advised that the generator is in route to the site.

Jeremy Goldman, County Manager, explained that the generator received damage in route to CSDHS. He explained that the damaged items were replaced. Ms. Smith presented pictures of the damage. Mr. Goldman noted that a 10 year warranty is being provided at no cost. Ms. Smith said the anticipated arrival date of the generator is Friday, June 11, 2016 and that CDBG personnel have been advised of this estimated delivery.

Ms. Smith said pursuant to CDBG grant requirements a public hearing on grants must be held every six months during this project to update the public on the progress of project. She stated that the grant ends July 3, 2016, noting that the project should be completed by that date. She noted that the CDBG grant funds received were \$800,000, there was a County in-kind services match and the Board of Education donated a 6,000 gallon reserve fuel tank worth \$30,000 as a match. Ms. Smith advised that tests of the generator conducted today were successful. She explained that CSDHS is the primary evacuation shelter for the southern part of the County where there is also a pet shelter. Councilman Travers noted the grant funds were used to purchase fuel, other than the unit purchase, a local contractor was utilized for the project and no taxpayer funds were expended. He thanked Ms. Smith for pursuing this grant opportunity and managing the project.

There were no public comments.

The Council adjourned the public hearing and then convened into Legislative Session.

LEGISLATIVE SESSION

INTRODUCTION

Council introduced 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 this legislation is to grant a property tax credit against the property tax imposed on newly constructed residential property with an automatic fire protection sprinkler system which are built from July 1, 2016 to June 30, 2019 and meet the requirements outlined in the bill. The Council agreed to proceed with publication of a public hearing on this matter with Councilman Satterfield voting by written proxy.

Councilman Travers referenced the concerns expressed by residents on the Eastern Shore about the financial impact of the State mandated sprinkler system requirement for single family home. He noted that legislation was submitted during the 2016 Maryland General Assembly Legislative Session for some type of relief, however, although it was discussed on the floor the final day of the session no vote was taken. Councilman Travers expressed his understanding that State legislators may pursue this legislation during the 2017 legislative session. He stated that the proposed County property tax credit is the lesser of the total cost of the sprinkler system or \$5,000. He advised that prior demonstrations of sprinkler systems have been successful, noting that they provide residents time to leave the residence and for emergency response.

The Council adjourned into regular session.

REGULAR SESSION

MANAGERS COMMENTS

SOLID WASTE MANAGEMENT PLAN REVISIONS REQUEST-PUBLIC WORKS

Councilman Travers made a motion to adopt a resolution for revisions to the Solid Waste plan to include: 1) a 20% increase in the recycling rate; 2) the addition of an Apartment Building and Condominium Recycling Program for those which have 10 or more units; and 3) the inclusion of the proposed vertical expansion and revision of the County's plan for proposed facilities to provide for additional future capacity through vertical expansion of the existing landfill facility over existing lined cells.

Councilman Price questioned whether additional recycling opportunities are available which may prolong landfill capacity until action is taken on the Council's request for rescinding a portion of the Zero Waste Executive Order which restricts the Maryland Department of Environment (MDE) from permitting new landfill capacity. Mr. Moore said residential recycling is voluntary,

noting that containers are available. He explained that due to various factors curbside recycling is not available. He advised that another e-cycling event will be conducted, however, historically less than one ton is recycled. He noted that tire recycling events are also held.

The Council agreed to adopt the resolution with Councilmen Nichols and Satterfield voting by written proxy and Councilman Price opposing. He cited concerns posed by residents in the area of the vertical expansion including concerns about potential air and water quality issues and trash in the immediate area.

TAR BAY AND HONGA RIVER MAINTENANCE DREDGING-PUBLIC WORKS

Tom Moore, Public Works Director, stated that correspondence was received from Graham Mcallister, Chief, Navigation Section, Army Corps of Engineers, regarding availability of funding for engineering and design of a maintenance dredging project for Honga River and Tar Bay. He said pursuant to Mr. McAllister no funds are available for dredging activities this year. He explained that as part of the maintenance dredging project, the County (local sponsor) is responsible to provide a suitable spoil site and Mr. Mcallister is suggesting the County contact the U.S. Fish and Wildlife Service to request the use of the Barren Island site. He noted that in July 2013 correspondence was received from Suzanne C. Baird, Wildlife Refuge Manager, Blackwater National Wildlife Refuge, recommending this island be used as a spoil site. The Council agreed to send a letter to the Acting or new Refuge Manager seeking confirmation that the 2013 correspondence is still correct. Based on a motion made by Councilman Bradshaw, the Council agreed to send correspondence to the federal delegation seeking their assistance in securing funding for dredging.

REQUEST TO ADVERTISE FOR PROPOSALS-FY17 GOVERNOR'S OFFICE FOR CHILDREN FUNDING-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Director, Local Management Board, to advertise for proposals from local vendors to develop or enhance existing programs to reduce the impact of incarceration and improve outcomes for disconnected youth with Councilman Satterfield voting by written proxy.

HURRICANE SANDY DISASTER RELIEF PROGRAM GRANT AWARD-TOURISM-GRANT MONITOR

The Council approved the request of Amanda Fenstermaker, Tourism Director, and Cindy Smith, Grant Monitor, to accept and execute a Maryland Historic Trust Grant Agreement for Hazard Mitigation funding of \$44,000 with in-kind County staff commitments and no matching funds to evaluate historic resources in the Dorchester County floodplain and to incorporate cultural resources planning into the updated Hazard Mitigation and Flood Mitigation planning documents with Councilman Satterfield voting by written proxy.

**GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION GRANT
APPLICATION-SAFE STREETS-SHERIFF'S OFFICE-GRANT MONITOR**

The Council approved the request of Ms. Smith, on behalf of the Sheriff's Office, for authorization to submit a Governor's Office of Crime Control and Prevention application for funds to hire a heroin coordinator plus a cell phone extraction device with Councilman Satterfield voting via written proxy.

**FY15 MD HERITAGE AREAS AUTHORITY CHESAPEAKE COUNTRY MURAL
PROJECT GRANT EXTENSION-TOURISM-GRANT MONITOR**

The Council approved the request of Ms. Fenstermaker and Ms. Smith to accept and execute a grant extension for the FY15 Maryland Heritage Areas Authority Chesapeake Country Mural Project Grant until July 31, 2017 to allow for completion of the mural process and for implementation of a public engagement component to generate mural concepts and greater public buy-in and investment with Councilman Satterfield voting via written proxy.

MHAA CAPITAL EMERGENCY GRANT AWARD-HEARN BUILDING-TOURISM

The Council approved the request of Ms. Fenstermaker to accept a Maryland Heritage Area Authority Capital Emergency (MHAA) Grant for the Hearn building interior demolition clean up in the amount of \$66,000 with a \$66,000 required match with Councilman Satterfield voting by written proxy and Councilman Price opposing.

**REQUEST TO APPLY FOR COMMUNITY LEGACY-BARTUS TREW FUNDING-HEARN
BUILDING-TOURISM**

The Council approved the request of Ms. Fenstermaker for authorization to submit the following applications for funding for the Hearn building project: 1) to Bartus Trew Fund, administered by the National Trust for Historic Preservation, for funds of \$25,000 to be utilized as a match to the MHAA Capital Emergency Grant for debris removal; 2) for Community Legacy funding of \$500,000 to assist in a Phase II rebuild which will include rebuilding the south masonry wall, interior support structure and roof system that will return the building to a dry shell. Councilman Satterfield voted via written proxy.

**LETTER OF SUPPORT REQUEST-MD OFFICE OF TOURISM GRANT- UNDERGROUND
RAILROAD BYWAY DRIVING TOUR-TOURISM**

The Council approved the request of Ceres Bainbridge, Project Manager, on behalf of Ms. Fenstermaker, to send a letter of support for the Maryland Office of Tourism Development's (OTD) grant application to MHAA for \$50,000 for the editing and reprinting of the Harriet Tubman Underground Railroad Byway Driving Tour with Councilman Satterfield voting via written proxy.

REQUEST TO EXPEND EMERGENCY SERVICES GRANT FUNDS-EMERGENCY SERVICES

The Council approved the request of Jeremy Goldman, as Emergency Services Director, for authorization to expend \$14,500 in emergency services grant funding and to sole source with Atlantic Tractor, LLC to purchase a Gator with Councilman Satterfield voting by written proxy.

TRAVEL REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Susan Banks, Business Development Director, for herself and administrative staff to attend the Maryland Association of Counties Conference, from August 17 to August 20, 2016 in Ocean City Maryland with costs being funded through the FY17 Economic Development budget with Councilman Satterfield voting via written proxy.

RESOLUTION IN SUPPORT OF LOAN FROM MARYLAND DEPARTMENT OF COMMERCE

E. Thomas Merryweather, County Attorney, said Council has been provided for its consideration a resolution in support of a \$1.5 million loan from the Maryland Department of Commerce for the acquisition by a new employer operating a seafood processing facility with a minor retail component of a property located at 828 Fieldcrest Road. He advised that the company will employ 10 or more individuals. He explained that the resolution authorizes the County to work with the State on the loan which will be paid by the new owner without recourse to the County and authorizes the President and County Manager to execute documents. He further explained that the new owner will provide loan payments to the County which will forward them to the State. The Council adopted the resolution with Councilman Satterfield voting by written proxy.

REGIONAL BEHAVIORAL HEALTH ADVISORY COMMITTEE APPOINTMENT-MID SHORE MENTAL HEALTH SYSTEMS

The Council approved the request of Holly Ireland, Executive Director, Mid-Shore Mental Health Systems, to appoint Donald Hall, Program Director, Dorchester County Addictions Program, to the Regional Behavioral Health Advisory Committee for a three year term representing Dorchester County, beginning June 1, 2016 and expiring May 31, 2019 with Councilman Satterfield voting via written proxy.

BOARD APPOINTMENTS

The Council reviewed a list of current and upcoming boards/committees term expirations through the month of August. The Council reappointed the following individuals to the Electrical Examiners Board: Jimmy Travers, Jr., as a County employee, and Rick McCollister, Electrician. The Council also reappointed Dwight Cromwell to the Council for Senior Citizens Services, also known as the Senior Council, as a District 2 representative.

FIRST-SECOND QUARTER FY16/17 COUNCIL MEETING SCHEDULE

The Council agreed to adopt the First-Second Quarter FY16/17 Council Meeting Schedule with Councilman Satterfield voting via written proxy.

REQUEST TO SOLE SOURCE-GRADALL REPLACEMENT-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to expend FY16 capital funds and sole source under the NJ/PA contract pricing with Elliott & Frantz, Inc. to purchase a Gradall for \$312,598.11 with Councilman Satterfield voting by written proxy.

FEDERAL BYRNE JUSTICE ASSISTANCE GRANT-INTERLOCAL AGREEMENT-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, for approval and execution of an Interlocal Agreement for the annual Federal Byrne Justice Assistance Grant which will allocate the County's portion to the City of Cambridge, which will use the funding for its Body Worn Camera program with Councilman Satterfield voting via written proxy. Councilman Price opposed, citing his support for the Sheriff's Office utilization of body cameras.

LICENSE AGREEMENTS-EASTERN SHORE INNOVATION CENTER-ECONOMIC DEVELOPMENT

The Council approved the request of Steve Dolbow, Incubator Manager to enter into Eastern Shore Innovation Center License Agreements with the following entities: 1) Patrick's Northeast Kitchens (Suite#39); 2) Purdy Group, LLC (Suites 12 and 13). The Council acknowledged that there will be an initial term for a 24 month period commencing on approximately June 1, 2016 and ending on May 31, 2018 with monthly installments based on licensed square feet, due on or before the first day of each month.

REQUEST TO ADVERTISE GIS SPECIALIST POSITION

The Council approved the request of Steve Dodd, Planning and Zoning Director, to advertise a GIS Specialist position due to the pending resignation of an employee.

TAX SALE PROPERTY OFFERS

The Council accepted the following offers to purchase County owned property acquired at tax sale: 1) from Tristan Price of \$800 for 4843 Ocean Gateway, Cambridge; 2) from DM Services, LLC of \$800 for 4212 Hurlock East New Market Road; 3) from Susan Collins of \$300 for 5634 Indiantown Road; 4) from Christopher Lankford of \$100 for Jones Thicket Road lot; 5) from Sherita Cottom of \$500 for 7005 Butler Road; 6) from John Miller of \$1,010 for Route 318 lot; and 7) from Tristan Price of \$100 for Graveyard/Harris Avenue, Vienna.

PUBLIC COMMENTS

Tracy Whitby Fairall, resident, who lives on Linkwood Road, said she and neighbors are present in opposition to a proposed 20 megawatt solar farm on approximately 180 acres which will impact properties from the corner of Route 392 to Hawkeye Road. She noted that she spoke to Councilman Travers about this matter. She stated that a neighborhood group has been formed. She advised that several residents received correspondence regarding a June 1, 2016 open house at the East New Market fire house at which the plans were presented. She expressed her understanding that local legislation passed in 2011 which changed permitted uses to allow for utility scale solar projects on farms of 25 acres or more. Ms. Fairall asked the Council to send it back to Planning and Zoning for review. She stressed that she is only opposed to solar projects that are in close proximity to residences.

Councilman Travers advised that the Council members and County staff have copies of the plans and a meeting was held with Planning and Zoning staff earlier today about solar facilities. He expressed dismay about the potential impact this project will have on neighboring properties. He said it is his understanding that permits have not been sought for this project and construction is scheduled for next year. Mr. Goldman noted that the company will have to obtain exceptions/approvals from the County Board of Appeals and the Planning Commission and from the Public Service Commission. He expressed his understanding that if constructed this will be the largest utility scale solar project in the State, noting there is a 90 acre facility in Queen Anne's County. He referenced the overturn by the federal government of Kent County legislation regarding the amount of acreage to be covered by solar. He advised that staff is available to provide information to residents, noting that there is an overlay of the property on a GIS map which is available for review.

Ms. Fairall queried as to whether all property owners in the neighborhood received the open house correspondence. She noted her understanding that one resident was not included in the mailing nor was anyone from the Town of East New Market invited.

Mr. Goldman advised that, to his knowledge, zoning requirements include a 50 foot setback from the property lines or screening which can consist of three to four rows of vegetation over a certain height.

Ms. Fairall said the same company that is constructing a 90 acre solar facility on Route 404 and does not directly impact residential neighbors. Mr. Goldman said there is no screening.

Councilman Bradshaw referred to emails Bruce Gordon sent him expressing concerns about removing agricultural land out of production which places a strain on the poultry industry. He referenced the prior Mid Atlantic Pathway Project which was shelved and could be revived due to the presence of solar systems. He said he is in favor of placing solar panels on residential buildings to offset electric costs, noting that there are other available sources of renewable energy. He expressed his understanding that State officials did not pursue discussions with Vienna Power Plant representatives about their interest in constructing a bio mass plant for which lumber scraps could be utilized.

Ms. Fairall said behind her property is a commercially zoned parcel owned by Warwick Corporation which is listed as 68 acres and on which a trailer park is located. She expressed her understanding that a portion will be needed for a substation. She noted that that a portion of the facility will be 189 feet from the back door of a resident. Ms. Fairall said she spoke with Delegate Johnny Mautz about meeting with him and received an email response from Senator Adelaide Eckardt that she is willing to meet with the neighborhood group.

Cathy Collins, resident and owner of a property on Linkwood Road, voiced her belief that regulations regarding screening of solar facilities should be strictly enforced, noting the lack of screening for the Bucktown Road 20 acre facility. She expressed her understanding that these types of facilities are not supposed to be located near historical landmarks. She pointed out that Friendship Hall and the Train Depot are near the property to be utilized and that the Underground Railroad Byway runs through Route 392. She said she appreciates any support or assistance the Council can provide.

Councilman Price thanked residents for speaking and expressed concern about the encroachment of a utility scale solar project on privately owned land.

Patrick Wielgosz, Jr., resident, Linkwood Road, expressed dismay that the plan is to install solar panels around the farm he purchased. He asked the Council for assistance in seeking relief from the proposed plan.

Patrick Wielgosz, Sr. voiced his concerns about the loss of farm land, noting that other renewal energy resources are available. He said cited concerns about addressing a fire at such a facility and the impact the solar project will have on the surrounding area. He also articulated concerns about the loss of property value and decreased property tax revenue.

William Tyndall said he has lived on Linkwood Road for 34 years. He expressed his appreciation to the Council members for allowing residents to speak and for any assistance they can provide. He advised that he is not against solar projects, noting his understanding that only seven of the 14 property owners in the area were notified of the open house. He explained that he and Ms. Fairall canvassed the neighborhood and the main concern voiced by residents was loss of property value. Mr. Tyndall expressed concern about possible noise and heat pollution. He thanked the Council for listening to their concerns and for assistance in seeking the downsizing of this project.

Vernon Rickwood, a resident on the Linkwood East New Market Bypass, noted that his property is across from the proposed solar project. He expressed concern about the potential negative impact on his property value.

Kirk Willoughby, a 15 year resident of Linkwood Road, said it is his understanding that a 20 megawatt facility is the maximum for transmission lines and the facility on Ennals Road which is the same size is in the middle of a field. He voiced his concern about the loss of farm land.

Ms. Collins expressed her understanding that the solar facility on Bucktown Road provides 40% of the electricity per year for the National Aquarium at the Inner Harbor whereas the one on

Route 40 serves Johns Hopkins University. She said when she inquired about the proposed facility, she was told the electrical service was out to bid. She said she is concerned about potential health hazards and risks.

Bill Windsor, resident, said electricity can be transmitted to any location connected to a power grid. He noted that the Vienna Power Plant only provided electric service to Delmarva.

Stephanie Hallowell, resident, expressed concern about: 1) the potential resurgence of the Mid Atlantic Power Pathway project; and 2) the possible negative impact of dredging on the Chesapeake Bay and its tributaries. She provided information regarding dredging.

Gloria Dolan referenced the Council's decision to adopt a revision to the Solid Waste Management Plan which includes the vertical expansion of the landfill. She said she is concerned about a decrease in property value. She stated that the northern area is referenced in the County's Comprehensive Plan as a prime residential growth area. She expressed her understanding that the expansion will provide approximately five years of landfill space and after that trash may have to be transported to an out-of-County facility.

Councilman Travers referenced the Council's continued pursuit of options other than vertical expansion to increase landfill capacity which at this point must remain confidential. He said if another solution is identified the vertical expansion project may be halted. He stressed that Council is working towards a long term solution so trash does not have to be transported out-of-County.

Mr. Windsor, resident and a veteran, said he lives a mile from the landfill. He expressed concern about the adverse impact the proposed vertical expansion will have on the Veterans cemetery and its visitors. He said he is also concerned about surrounding properties since it will be visible through the existing tree line and tourism. He expressed his belief additional screening in the form of indigenous trees is necessary and opposition to the vertical expansion. He stressed the need to remain diligent in securing other options to address waste.

Mr. Windsor opined that the solar facility on Bucktown Road should be screened and expressed concern about impact the proposed solar facility on Linkwood Road will have on property values. He noted that methane gas can be utilized to power small generators as an energy source. He asked the Council to not pursue horizontal expansion.

Ken Heesh, resident, referenced the prior failed attempt of Waste Management to expand its facility beyond County height limit requirements. He voiced his concern that due to the earlier passage of the Solid Waste Management revision such action may be possible in the future. He said it is his understanding that the existence of the landfill was one of the reasons housing developments were not pursued. He also expressed his understanding that landfill capacity could have been extended by one to two years based on discussions he had with MDE about the need for eight feet of material for capping. He reiterated Ms. Dolan's comments about the inclusion of the northern area in the County's Comprehensive Plan as a prime residential growth area. He suggested that any possible alternate plan be made public so residents can provide comment.

Margaret Anzalone, resident, referred to Councilman Travers comments about another option to address landfill capacity and asked for an explanation. Councilman Travers noted that land issues cannot be discussed in open session and that if an alternate plan is identified it will be addressed publicly. Ms. Anzalone queried as to whether a public hearing will be held on the Solid Waste Management Plan revision the Council voted on earlier in the meeting. Mr. Goldman explained that a public hearing was held at a Council meeting several months ago on the revisions with a 30 day written comment period afterwards and public comment was also received at two prior meetings. She again asked for details regarding the alternative plan. Councilman Travers said County staff is currently working on a potential option. Mr. Goldman noted that they are working with three agencies.

In response to an inquiry from Ms. Anzalone, Mr. Goldman explained that: 1) the Council followed MDE guidance and adopted a resolution to revise the Solid Waste Management Plan; and, 2) after that action was taken the County was advised that in order to comply with State law a public hearing was required to adopt revisions to the plan; and 3) a public hearing was scheduled and held.

Ms. Anzalone expressed dismay that there are not sites in Dorchester County to dispose of contaminated fuel.

Pursuant to an inquiry from Mr. Windsor, Councilman Travers said to ensure sufficient landfill capacity is available in the future the vertical expansion must proceed.

In response to a question posed by Mr. Windsor, Mr. Goldman said permitting for vertical expansion will take approximately two years. He explained that even if an alternative solution is identified, due to the length of the permitting process, a permit will not be obtained prior to the landfill reaching capacity.

Mr. Windsor referenced the need to seek relief from the State. Councilman Travers noted that Mr. Goldman has already meet with the Governor's staff. In response to questions posed by Mr. Windsor, Mr. Moore explained that the next steps include the following: 1) seeking MDE's final review of the permit; 2) the County's consultant providing MDE with some information; and, 3) the scheduling of another meeting. Pursuant to inquiries from Mr. Heesh and Mr. Windsor, Mr. Moore said it will take approximately six months for MDE staff to finish the review and additional landfill capacity will be needed either late 2017 or early 2018. In response to a question from Mr. Heesh, Councilman Travers said confirmation from MDE is needed in order for Council to be able to pursue a horizontal expansion option.

Bud Foxwell commended Tom Moore, Public Works Director, for responding to his concerns about the condition of the County boat ramp between Vienna and Salem, and expressed his appreciation for the subsequent improvements made to this facility.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Bradshaw said it is not optimal to vertically expand the landfill, noting that the permitting process must commence to ensure that there is sufficient landfill capacity to address

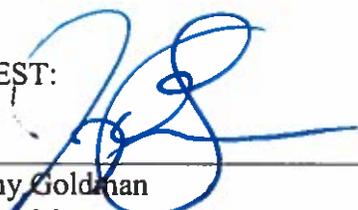
future needs. He stated that the alternative would be out-of-county disposal. He explained that the Council is diligently working with State officials and County staff to pursue horizontal expansion. The Council, pursuant to a motion from Councilman Bradshaw, agreed to provide a commendation to Jeremy Shockley who rescued 23 individuals after the sinking of a Chesapeake Bay Foundation marine vessel.

Councilman Price thanked the public for expressed their concerns. He expressed his belief that vertical expansion of the landfill is not a viable option. He stressed the need to preserve quality of life in the County and to address the solar facility issue. He opined that a distinction between residential and agricultural property should be pursued. He thanked the emergency responders, including Mr. Shockley, who responded to the boating incident.

Councilman Travers announced that the next meeting will be held on June 21, 2016 and the Council reserves the right to meet in closed session prior to regular session.

With no further business to discuss, the Council adjourned.

ATTEST:

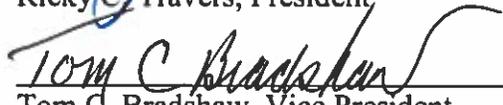


Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:



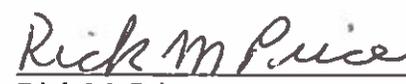
Ricky C. Travers, President



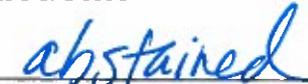
Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 21st day of June, 2016.