

Regular Meeting Minutes
May 5, 2015

The County Council of Dorchester County met in regular session on May 5, 2015 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, Acting County Manager; 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 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)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §3-305(b)(14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Voting in favor of the closed Executive Session were all Council members present at the beginning of that meeting.

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 removal of the bid award for grass cutting for tax sale properties and the following additions to the agenda: a request to advertise Heart of Chesapeake Country Heritage Area Program Administrator position; the renewal of Emergency Medical Services station lease agreement; the request to purchase an all-terrain utility vehicle for Emergency Services and law enforcement use; and a request to advertise to fill a contractual position for a landfill project.

APPROVAL OF MINUTES- APRIL 21, 2015

The Council approved the minutes of April 21, 2015.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented with Councilman Price abstaining for a payment to Hyatt and Councilman Bradshaw abstaining for mileage reimbursement.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$7,372,924.37.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on May 5, 2015 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)(7) to consult with counsel to obtain legal advice on a legal matter; and pursuant to §3-305(b)(14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

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) discussed a personnel matter relating to a County Department; 2) discussed a matter relating to board membership and attendance; 3) confirmed the hiring by the Circuit Court Judge of an individual to fill a Social Worker position at the Family Access Center by a 4 to 0 vote; 4) approved the request of an employee for reassignment by a 4 to 0 vote; 5) approved the request of the Emergency Services Director to post in-house an Emergency Medical Technician position by a 4 to 0 vote; 6) approved the request of the Tourism Director, to fill the Heart of Chesapeake Country Heritage Area Program Administrator position by a 4 to 0 vote- agreed to consider request to advertise in open session; 7) approved the request of the Recreation and Parks Director to fill a vacant seasonal maintenance position by a 3 to 1 vote; 8) discussed a personnel component relating to a Landfill project-agreed to consider a request to hire a contractual employee in open session; 9) discussed with legal counsel the renewal of an Emergency Medical Services lease agreement-agreed to consider in open session; and 10) discussed with legal counsel a matter directly related to a negotiating strategy or the contents of a bid proposal.

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

COMMENDATIONS-CAMBRIDGE SOUTH DORCHESTER HIGH SCHOOL SENIOR PLAY PARTICIPANTS

The Council presented a Commendation to the participants of the Cambridge South Dorchester High School 2015 senior class play entitled "Damn Yankees."

COMMENDATION- TIFFANY YEHL-FIRST CLASS TEACHER

The Council presented a Commendation to Tiffany Yehl for being named Dorchester County's First Class Teacher of the Year 2015-2016.

PROCLAMATION-CORRECTIONAL OFFICERS WEEK

The Council presented a Proclamation declaring May 2 to May 9, 2015 as Correctional Officers Week. Councilman Satterfield noted that Steve Mills, Warden, was unable to attend this meeting.

PROCLAMATION-SALVATION ARMY WEEK

The Council presented a Proclamation declaring May 11 to May 17, 2015 as Salvation Army Week.

PROCLAMATION-OLDER AMERICANS MONTH

The Council presented a Proclamation declaring May as Older Americans Month.

PROCLAMATION- CELEBRATE SENIOR CITIZENS MONTH

The Council presented a Proclamation declaring May as Celebrate Senior Citizens Month.

MATCHING CONTRIBUTION REQUEST-NATIONAL PUBLIC AGENCY ACCREDITATION-DORCHESTER COUNTY DEPARTMENT OF SOCIAL SERVICES

Nicholette Smith-Bligen, Director, Dorchester County Department of Social Services, thanked the Council for providing her the opportunity to speak regarding the department's efforts to improve the quality of service for residents by obtaining a four year national public agency accreditation. She referenced her written correspondence to the Council in which she requests a one-time matching contribution of \$10,000 to support those efforts. She said the core of accreditation is performance quality improvement and there will be a continuous review and assessment of policies and practices to ensure compliance. She explained that they recently reviewed the departments' current programs and services, including the community impact of the

program from a programmatic and fiscal perspective. Ms. Smith-Bligen advised that using that information, they calculated that approximately \$35 million can be attributed to customer spending from benefits received from the agency. She said that reinvestment into the community benefits the local economy. She opined that the accreditation will attract new businesses and strengthen property values and assist in attracting and increasing grant opportunities. Ms. Smith-Bligen noted that the financial support provided by the State is for mandated programs, however, it does not always cover those expenses. She stated that foundations usually consider partnering with agencies or communities based on their ability to reinvest in their individual growth and development. She explained that Caroline County and six other counties statewide have obtained public national accreditation. She said national accreditation will provide an in-depth review and accountability of the agency's services, administrative and management functions to ensure the highest level of customer service to residents. She reiterated her request for a one-time matching contribution of \$10,000.

Based on question posed by Councilman Price, Ms. Bligen-Smith explained that: 1) the accreditation process lasts 12 to 18 months; 2) the four year accreditation will only be for Dorchester County; 3) a review by the national accreditation board will be conducted annually; 4) at the end of four years there is renewal process for continued accreditation; and, 5) she believes obtaining the accreditation will benefit the agency and the community.

Councilman Travers questioned whether national accreditation will result in increased eligibility for grant funding. Ms. Bligen-Smith expressed her belief it will, noting that no grant funds are currently being provided to the department. In response to an inquiry from Councilman Satterfield, she said the annual audit will identify any necessary adjustments.

Ms. Bligen-Smith thanked the Council.

BUDGET PUBLIC HEARING

E. Thomas Merryweather, County Attorney, said this is the first public hearing on the 2015-2016 annual budget appropriation ordinance.

Councilman Travers announced that for this hearing as well as the public hearing on the Solid Waste Management Plan revisions a group representative should be selected in order to avoid repetitive comments, each individual will be limited to a maximum of five minutes, and all speakers must speak from the podium and state their name and address. He said written comments can also be submitted.

Henry Wagner, Superintendent of Schools, asked for Council's support in moving forward with the next steps in the North Dorchester High School (NDHS) replacement process. He acknowledged that the following individuals are present: Glen Bramble, Vice President, Board of Education and Board Members Glen Payne and LeOtha Hull, his executive team and staff, Principal Lynn Sorrells and interested stakeholders from the

North Dorchester Community. He said he is pleased that the Council has appropriated \$1,438,175 for the planning and design phase in the County's draft FY16 budget. He stressed the need for the replacement of this high school. Dr. Wagner noted that the Board of Education was unable to identify additional funding sources for this project.

Dr. Wagner advised that the planning phase of this replacement project has been stretched from one to two fiscal years to delay debt service. He said the school system has shown its commitment to responsible stewardship over the last ten years by achieving a \$10 million savings on past school projects, absorbing technology costs that were previously part of the capital allocation of the Board's operating budget and utilizing grant funds. He expressed his appreciation of the Council's support of the public school system.

Mr. Bramble said he concurs with the statements Dr. Wagner made and stressed the need for a new high school in the north Dorchester area.

Glen Payne, Board Member, urged the Council to leave the funds in the proposed FY16 budget for this project. He said it is his understanding that the current facility, which is a campus style school, may pose a safety risk. He noted that the first class at that school graduated in 1955 and one building had to be closed due to various reasons. He expressed appreciation for the partnership between the Council and the Board of Education.

Beth Lynch, resident, said she will not make any comments since Fred Pomeroy will speak.

Dr. Hall expressed his hope that the Council will continue to allocate funding for a new high school. He advised that he worked as school administrator at North Dorchester Middle School and NDHS.

Laura Layton, Dorchester Retired Educators Association, concurred with Dr. Wagner's statements. She said providing a quality education for students is important and urged the Council to provide funding for the new school. She expressed her understanding that even though every Council member did not vote for the proposed funding they are aware that the current school is in need of replacement.

Fred Pomeroy, Dorchester Citizens for Planned Growth (DPG), thanked the Council for including a \$25,000 budget allocation for watershed improvement projects (WIP) in the FY15 budget. He also expressed his appreciation for the Council's action to provide \$5,000 of those funds to DCPG for a storm water management demonstration project and educational station which will be constructed in front of the bridge at the Sailwinds Visitor's Center. He said it will provide local residents and visitors the opportunity to learn how important storm water managements is to the health of the Chesapeake Bay and its tributaries. Mr. Pomeroy advised that the project cost has increased to approximately \$80,000 and they have applied for three grants. He noted that at the DPG's request, the the Council supported their Maryland Area Authority grant

application. He said it is his understanding that \$10,000 is in the proposed FY16 budget for WIP and offered his assistance in identifying future projects to utilize these funds.

Dr. Lorraine Henry, a resident and former member of the Board of Education, said her first teaching position was at NDHS. She echoed Dr. Wagner's comments. She stressed the need to replace the school in order to provide students a safe and orderly environment that promotes learning. She expressed her appreciation for the Council's past support of the public school system.

Kimberly Smith said she works, lives and volunteers in the County and one of her two children attends NDHS. She expressed her hope that the funds for the school replacement project will remain in the FY16 budget.

Libby Nagel, resident, noted that \$300,000 for a dog kennel is included the proposed FY16 budget. She asked the Council to consider using these funds for a building instead of a dog kennel. She said her statement does not reflect negatively on Sheriff James Phillips. Ms. Nagel also referenced the allocation of funds in the proposed budget for carpet in the Planning and Zoning Department. She said it is her understanding that carpet has never been installed in that office and expressed concern that a wear pattern may be caused due to substantial staff and customer activity. Ms. Nagel expressed her support for the replacement of NDHS, which is an aging structure. She said she believes real property taxes should not be raised to fund this new school, based on her concerns that it may place a financial burden on the County's senior citizens.

Bill Windsor, resident, said he attended NDHS citing his belief it needs to be replaced. He opined that it is not financially feasible to refurbish this school based on its current condition. Mr. Windsor recommended that funds be set aside for maintenance and updates to the new school and that inspections and maintenance, if necessary, be performed on an annual basis. He expressed concern about raising real property taxes which will adversely impact those residents on fixed incomes. He said it is his understanding that a schedule for the future replacement of schools has been established. He expressed his belief that this schedule would not be necessary if a maintenance program was established for each school.

Councilman Travers said the next budget public hearing is scheduled for May 12, 2015 and the legislative public hearing will be held on May 19, 2015 after which the Council will consider the adoption of the FY16 budget.

PUBLIC HEARING-SOLID WASTE MANAGEMENT PLAN REVISION

Councilman Travers reminded the public of the rules for the hearing, including the five minute time limit. He advised that the comment period for the proposed changes to the County's Solid Waste Management plan will be open for 30 days after this hearing for written comment only.

Mr. Moore explained that a public hearing is being held on the following proposed changes to the County's Solid Waste Management Plan: an increase in the recycling rate to 20%; the addition of an Apartment Building and Condominium Recycling Program for those which have 10 or more units; and revisions to 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. He introduced Jeremy Morris, Professional Engineer, Geosyntech Consultants, noting he is the County's consultant on landfill design issues and that he will provide an overview of the proposed vertical expansion project.

Mr. Morris advised that: 1) the plan is to vertically expand the existing Beulah landfill which currently occupies a lined foot print of approximately 26 acres; 2) the maximum height of the landfill is currently at 100 feet above mean sea level and with the surrounding terrain of about 30 feet is 70 feet approximately above elevation of that terrain; 3) the current permit allows the landfill to reach height of 107 feet; 4) the goal is to obtain a permit to vertically expand this facility to 175 feet; 5) the current capacity of landfill at 107 feet will be exhausted 2017; 6) the vertical expansion will allow an additional disposal of 450,000 cubic yards of waste and provide disposal air space until 2024; 7) as a municipal solid waste landfill by permit this facility is not permitted to accept hazardous or toxic materials and there are checks and measures in place at the county and state levels to ensure does not occur; 8) this fully modern landfill is designed to current Environmental Protection Agency (EPA) and State regulations and is environmentally protective; 9) utilizing airspace available over the current lined footprint is maximizing use of an existing County resource; 10) the construction of a new landfill will cost between \$2 to \$3 million; 11) because this facility is a modern doubled lined landfill with a leachate collection system any water that percolates down through the waste is collected above a plastic liner and removed for treatment so it does not infiltrate the ground water; 12) the landfill has an active gas management system that burns any gases, including methane and other volatile organics, that are produced from decomposition of the waste; 13) a full monitoring system surrounding the landfill which will detect any potential gas migration through soil or leakage from the base of landfill to ground water has been in place since 1990; 14) to date there is no evidence of leachate impacting ground water; 15) surface waters around the landfill are also monitored on a routine basis; 16) monitoring data is reported to the state; 17) since the lined area of the landfill will not be extended and waste will be placed on top of existing infrastructure, the existing monitoring system will continue to provide data; 18) the landfill operation has a mechanism for litter control which will remain in place, and will be enhanced as necessary; and 19) following state and federal regulations for landfill designs standards promulgated by the EPA as well as the Maryland Department of Environment is part of the permitting process.

Mr. Morris explained that permitting is a five stage process and the public information meeting held on November 19, 2014 is part of phase one as is this hearing. He said as part of the permitting process, Geosyntec, which provides engineering services, has to provide calculations that show vertical expansion is safe and the facility will remain environmental protective. He advised that these calculations should show that: 1) it will

remain stable; 2) there will be no excessive settlement; 3) the liner will not be over strained and fail; and 4) no leachate or other liquids or gases will be released into the environment.

Mr. Morris said based on current calculations the vertical expansion will cause the landfill to settle over 19 inches and over a width of 1400 feet the additional waste that will be placed on top of this facility will cause additional sediment of a foot and a half. He advised that this is in the design tolerance of the liner system and the existing monitoring infrastructure. He expressed his belief that utilizing existing assets, which can be safely used, is fiscally responsible.

Mr. Payne said he supports opening a new cell versus the vertical expansion of the landfill. He referenced an action taken by Waste Management approximately 20 to 25 years ago to raise its landfill in the County to 175 feet. He advised that he was one of those individuals who opposed this increase. He explained that this entity was not able to extend the height of its facility because the County's Zoning Ordinance includes a height limit on landfills. He said when he was a County Council member residents from the surrounding counties expressed concern about the impact the landfill had on the adjacent Maryland Veterans Cemetery (Veterans Cemetery). He encouraged the public to recycle in lieu of disposing trash. He reiterated his support for the construction of a new cell. He thanked the Council for the opportunity to speak.

Pat Finley, resident, advised that she drives by the landfill frequently, which emits odors and is visible over the tree line. She expressed her opposition to the vertical expansion of the landfill which she believes is a detriment to property owners in the area. She said she prefers the horizontal expansion of this facility. She encouraged the use of recycling as a way to minimize waste disposal.

Gloria Dolan, a resident of Dorchester County for over 35 years, stated her opposition to the vertical expansion of the landfill. She said until today it was her understanding that the expansion will only provide an additional five to six years of disposal airspace. She expressed her belief that this proposed project is in contradiction to the provisions outlined in the County's Comprehensive Plan and will lower property values. She queried as to whether pursuing a lateral expansion of the existing landfill will achieve a savings based on her belief that one will be necessary in the future. She stated that the existing site can be viewed from Route 331 which she believes is not compatible with the surrounding landscapes and neighboring homes even with a tree buffer. She expressed her understanding that the County's Comprehensive Plan has designated the north Dorchester areas as a growth area since 1996 which she believes coincided with the opening of the lined Beulah Landfill. She also expressed her understanding that the County owns 500 plus acres of designated landfill property adjoining this area. She referenced the prior attempt of Waste Management to raise its landfill and questioned whether the proposed County height expansion will set legal precedence. She advised that she viewed a proposed Solid Waste Management Plan dated September 2014 which included the vertical expansion, noting her understanding that the Council did not take action on revising that document to include that expansion until October 2014. She

expressed her understanding that all County plans and documents reference lateral expansion prior to this date. Ms. Dolan asked the Council to reconsider its decision to vertically expand the landfill. She thanked the Council for allowing her the opportunity to speak.

William Kennedy, resident, stated that he concurred with Ms. Dolan's statements.

Kenneth Heesh, resident and President of Concerned Citizens of Northern Dorchester (CCND), said he moved to the Town of Hurlock in 1993. He referenced a flyer he distributed about the proposed vertical expansion. He advised that this organization has been very active in projects relating to the landfill and its members have served on several County committees. He explained that three of the entity's Board of Directors served on the County's Landfill Advisory Committee and assisted in the development of the current Solid Waste Management Plan. He expressed his understanding that this plan includes the lateral and not the vertical expansion of the landfill. He said pursuant to that plan and the County's Zoning Ordinance landfills higher than 107 above mean sea level are not permitted in the County. Mr. Heesh referenced the prior failed attempt of Waste Management to expand its facility beyond that height limit. He said it is his understanding that the existence of the landfill in the 1990s was one of the reasons housing developments were not pursued. He expressed his belief the Council members should allow the public the opportunity to work with them on developing a plan for the landfill and to update the Solid Waste Management Plan.

Jerry Johnston, who signed up, said she does not wish to speak.

Ronald Nichols, and Michael Simpson residents, said they also concur with prior statements in opposition to the vertical expansion of the landfill. Mr. Simpson expressed concern about the potential environmental impact on residents, particularly youth.

Mr. Windsor, a resident and veteran, who lives a mile from the landfill, expressed concern about the adverse impact to property values within that area as well as the Veterans Cemetery and its visitors, particularly since smells emanate from the facility and it is visible through the tree lines. He spoke in opposition to the vertical expansion and questioned whether a lateral expansion will be necessary in the future. He expressed his opinion the Council should pursue a lateral expansion now in order to reduce future costs. He said it is his understanding that the average indigenous tree can grow 65 to 75 feet and therefore, will not be sufficient to eliminate or minimize the view of the landfill. In response to an inquiry from Mr. Windsor, Mr. Morris explained that although the existing cell, if vertically expanded, will settle 19 inches the pressure will be dissipated close to the surface. Mr. Windsor noted that roadside trash is prevalent in this area and questioned whether waste haulers or inmates can be utilized for litter removal.

Heather Daniss, resident, explained that her property backs up to the landfill. She said she and her husband, as veterans, are concerned that raising the height of the landfill will detract from the adjacent Veteran's Cemetery.

Beverly Era, a licensed realtor, said she has resided in northern Dorchester for 31 years. She opined that the expansion will have a negative impact on property value. She suggested that an appraisal be conducted to ascertain the impact the vertical expansion will have on property values. She said her husband is a veteran and expressed concern about visiting the cemetery in view of the landfill.

Dennis Lanham, resident and a Vietnam Veteran, stated that he lives a mile from the landfill. He said his daughter and parents are buried at the cemetery, and that he believes the landfill is unsightly. He explained that he has viewed vehicles from Delaware entering the landfill and questioned whether out-of-trash is accepted at that facility. Councilman Travers said out-of-county trash is not accepted at the Beulah Landfill. He expressed his understanding that companies, such as Waste Management, have vehicles registered in Delaware, stressing that they are only allowed to dispose of trash from the County. Mr. Lanham says smells occasionally emanate from the landfill. He stressed the roadside trash is prevalent around the landfill and on other County roads, especially Pine Top Road, on which mattresses and other larger items have been deposited. He noted that it costs individuals to dispose of large items and suggested reconsidering the way roadside trash is handled without a substantial added expense or having County Public Works staff pick up the material.

Susanne Trice, resident, said her and her husband's farm, which has been in his family since 1732, borders the landfill. She expressed concern about increasing the height of the landfill. She explained that she and her husband opposed Waste Management's plan to raise its landfill. She queried as to whether the County raising the landfill height will allow that entity or another business the opportunity to increase their facilities.

Earl Murphy, resident and Council Member, Town of Hurlock, said he attended this meeting to support the replacement of NDHS and expressed his opposition to the vertical expansion of the landfill. He noted that the Board of Education utilized public forums to allow residents input on that proposed facility and suggested the Council do something similar in relation to the landfill. He explained that the recycling containers in the Town of Hurlock are often full and encouraged the public to recycle. He asked the Council to consider other alternatives to increase the life expectancy of the existing landfill. He thanked citizens for speaking at this public hearing.

David Tolley, resident, Vice Mayor and a member of the East New Market's Town Council, said he is speaking on behalf of the other members in opposition to the vertical expansion of the landfill. He expressed his understanding that the Council must be fiscally responsible in order to ensure taxpayers monies are being spent wisely. He encouraged the Council to consider another alternative to raising the existing landfill. He said he is a combat veteran of Vietnam, his mother, father and some of his uncles are buried at the Veteran's Cemetery and he and his wife will be interred at that facility. He expressed concern that visitors will have a view of the landfill from that site. He said he concurs with prior statements in opposition to the vertical expansion. He advised that written correspondence from the Town will be submitted at a later date.

Councilman Travers said written comments will be accepted for 30 days after this hearing, which must be provided to the Council's Office.

MANAGERS COMMENTS

TRAFFIC SAFETY COMMITTEE RECOMMENDATION

Tom Moore, Public Works Director, said the Traffic Safety Committee members met on April 24, 2015 and discussed the request of Kathleen and Lawrence Ten Eyck, owners of property located at 6209 Twin Point Road, for the installation of a "dead end" sign to alert motorists that this road does not have an outlet. He said he and other Committee members were concerned about setting precedence since most of the roads in this area have no outlet. Councilman Price noted that although some "No Outlet" signs have been installed on County roads it was the purpose of this Committee to address signage on County roads. He said he is also concerned about setting precedence. Based on the recommendation of the Traffic Safety Committee members, the Council agreed to take no action on the Eyck's request at this time.

BID AWARD-PURCHASE OF LANDFILL COMPACTOR-PUBLIC WORKS

The Council approved the request of Mr. Moore to award the bid for the contract for the purchase of a Landfill Compactor to McClung-Logan Equipment Company, Inc., in the amount of \$595,516. The Council acknowledged that this figure represents a purchase price of \$747,810 plus an additional \$20,000 for an extended five year warranty, less the trade-in value of \$172,294. The Council further acknowledged that funds of \$525,000 are in the FY15 Landfill budget for the purchase of the compactor and agreed that an additional \$70,516 can be used from the Landfill Fund Balance to cover the entire cost.

REQUEST TO ADVERTISE FOR PROPOSALS-BITUMINOUS MATERIALS

The Council approved the request of Mr. Moore to advertise for proposals for the supply and delivery of bituminous materials to the Highway Division for the period beginning July 1, 2015 and ending June 30, 2016.

LETTER OF SUPPORT REQUEST-AGRICULTURE TOURISM SIGNING PROGRAM-MARYLAND DEPARTMENT OF AGRICULTURE

Jeremy Goldman, Acting County Manager, said Council received written correspondence dated April 21, 2015 from Joseph Bartenfelder, Secretary, Maryland Department of Agriculture (MDA), in follow up to a letter sent in 2013 seeking the Council's support of the Agriculture Tourism Signing Program. He advised that in 2013, based on the recommendation of the Traffic Safety Committee members, the Council sent a reply to MDA noting that it is not opposed to the program; however, it will not be developed for Dorchester County at the present time since there has been no interest expressed by farmers/farming organizations for signs.

Pursuant to a question posed by Mr. Goldman, Mr. Moore said he has not received a request for this type of signage.

In response to inquiries from Councilmen Price and Bradshaw, Councilman Travers noted that in his letter Secretary Bartenfelder states that the State Highway Administration (SHA) and MDA will manage the program along state highways once a county agrees to participate and that these entities will not accept applications in Dorchester County until a partner program and guidelines are established.

Mr. Moore explained that in 2013 the Traffic Safety Committee members, due to the amount of time, effort and costs involved in developing a program for the County, agreed that it was best to wait and adopt a such a program, if necessary, when and if the County received a request.

The Council agreed to take no action.

DORCHESTER REGIONAL TECHNOLOGY PARK MAINTENANCE REQUEST- ECONOMIC DEVELOPMENT

Mr. Goldman referenced the request Keasha Haythe, Economic Development Director, submitted for authorization to hire a company to perform landscaping services at the Dorchester Regional Technology Park at a fee not to exceed \$5,000 prior to the Eastern Shore Innovations Center groundbreaking ceremony scheduled for June 10, 2015. He explained that three quotes were received for this work, two of which were in excess of the \$5,000 and one which was not responsive to the request.

In response to a question from Councilman Nichols, Mr. Goldman noted that Ms. Haythe called three vendors and he received quotes from them today on her behalf, since she is out on leave. Mr. Goldman recommended that the scope of the work be defined and requests for proposals be advertised. He expressed his belief that although County staff is able to mow a portion of the grass with a bush hog, special equipment is necessary in order to trim around the trees along the entryway, which is also in need of mulch.

Mr. Moore noted that twice a year County Public Works personnel, Airport staff and inmates have been cutting the grass on the property. Mr. Moore said his plan was to have staff mow the property closer to the event.

Councilman Satterfield stressed that the park will need continued maintenance. Pursuant to an inquiry from Councilman Travers, Mr. Goldman said one bid was to cut grass once and neither bid referenced continual mowing or maintenance.

The Council deferred Ms. Haythe's request and instructed Mr. Goldman to work with Mr. Moore on the possible use of existing County staff and Steve Mills, Warden, on the potential use of inmate labor, to develop a plan to improve this facility.

ADULT PUBLIC GUARDIANSHIP REVIEW BOARD MEMBER APPOINTMENTS

Based on the recommendation of Ms. Smith-Bligen, the Council agreed to appoint Jessica Dukes to the Adult Public Guardianship Review Board to complete the term of David Wooten as the Social Services Representative, who resigned from the board. The Council acknowledged that this term expires August 30, 2016.

REQUEST TO ADVERTISE-PROGRAM ADMINISTRATOR-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to advertise the Program Administrator position for the Heart of Chesapeake Country Heritage Area which is funded through the FY16 Maryland Heritage Area Authority Management Grant.

RENEWAL OF EMERGENCY MEDICAL SERVICES STATION LEASE AGREEMENT

The Council agreed to renew the lease between the Commissioners of Cambridge and the County Council for a portion of the Edward E. Watkins Public Safety Building for an Emergency Medical Services station at \$3,000 a month for a term of two years, to begin on July 1, 2015 and end on June 30, 2017. In response to a question from Councilman Price, Mr. Goldman explained that the lease includes a 90 day termination clause which can be exercised if an alternate location for this EMS station is identified.

REQUEST TO PURCHASE AND EQUIP - ALL-TERRAIN UTILITY VEHICLE (UTV) - EMERGENCY SERVICES

The Council approved the request of Mr. Goldman to accept a proposal from Rommel Harley-Davidson for the purchase of a Polaris R15RUA87AA with skid at the cost of \$18,650, the lowest of three quotes obtained, utilizing FY13 and FY14 Homeland Security Grant funding with Councilman Nichols opposing. The Council acknowledged that this all-terrain utility vehicle: 1) has transport capability; 2) will be maintained and stored by the Department of Emergency Services; and 3) will be used by the Department of Emergency Services, law enforcement and volunteer fire companies for various purposes, including large events such as the Ironman Maryland triathlon.

REQUEST TO ADVERTISE TO FILL A CONTRACTUAL POSITION FOR A LANDFILL PROJECT.

The Council agreed to advertise for a contractual on-site daily inspector for the Old Beulah capping project for seven months from the commencement date of this project, with an option to renew the contract with this individual on a month to month basis.

TELEPHONE POLL CONFIRMATIONS

Mr. Goldman announced that in the interim between meetings Council, by means of a poll: 1) approved the request of Coach Narr for the dedication of one Emergency Medical Services unit at the May 1, 2015 Bayside Conference Track Championship at the Cambridge South Dorchester High School between the hours of 2 p.m. and 7 p.m., at the same rate as a football game, by a 5 to 0 vote; and 2) agreed to authorize Jeremy Goldman, as Emergency Services Director, to deploy one ambulance with a crew to Baltimore, Maryland this weekend at the request of the Maryland Institute for Emergency Medical Services Systems (MIEMSS) Region 4 Strike Team which Dorchester County agreed to participate in, provided there are sufficient resources to cover the County, by a 3 to 2 vote.

PUBLIC COMMENTS

Delegate Johnny Mautz said the sentiment among legislators is that the 2015 Maryland General Assembly Legislative Session was positive, noting that the gap was closed on State spending and debt.

He explained that one local initiative, the pursuit of legislation to allow the hunting of any game bird or game mammal, except migratory game birds and wetland game birds, on a Sunday on specified land during the open season for that game bird or game mammal was unsuccessful. He noted that Dorchester County joined Caroline County in pursuing this legislation which passed in the House and stalled in the Senate due to concerns from riders and/or owners of horses in Caroline County. He said he believes this legislation will be revived next year. Delegate Mautz said he is the Chair of the Talbot Delegation, however, he will be glad to provide the Council assistance in pursuing legislative initiatives.

Delegate Mautz referenced United Healthcare's change in its pharmacy network, which was approved by the Department of Health and Mental Hygiene (DHMH). He said legislation was passed during the 2015 legislative session but with amendments does not substantially alter the new change. He said DHMH staff have agreed to assist health insurance participants in ensuring they receive their prescriptions on time. He offered to assist any members of the public who have issues relating to this change.

Delegate Mautz advised Council that he will be sending the Maryland Department of Natural Resources (DNR) several letters. He said the first letter is in response to the reduced striped bass harvest quota, under which the catching of fish from 36 to 40 inches during trophy session is prohibited. He advised that several individuals have expressed their belief that the reduction is substantially higher than 25% and may be as high as 70%. He explained that through this correspondence he is seeking the following information: 1) the scientific model utilized by DNR to determine this reduction to collect data; 2) who made the final decision; and 3) if these restrictions will be applied to future seasons. He expressed his belief that Senator Adelaide Eckardt, Delegate Christopher Adams and 37 members of the delegation will sign this letter. Councilman

Travers asked Delegate Mautz to provide a copy of this correspondence to the Council members, who may wish to also inquire about this harvest reduction.

Delegate Mautz advised that the second letter is in light of yesterday's announcement that DNR is opening up the contract for the shell replenishment program. He said buy boats are exclusively bidding for these contracts. He explained that traditionally these buy boats are run and owned by watermen, however, the contract is now being opened to non-commercial fishing contractors, most of which he believes have no expertise on oyster beds. Delegate Mautz noted that money used to fund this program is derived from licensing fees, taxes on oysters and Maryland Department of Transportation dredging revenues. He said, in this correspondence, he will ask what restrictions are being placed on bidders, including whether experience is required, and how local seafood harvesters will be impacted.

Delegate Mautz advised that he met with DNR representatives after the 2015 legislative session regarding the oyster habitat restoration program for the Tred Avon River. He explained that the Harris Creek restoration was conducted by the U.S. Army Corps (Army Corps) of Engineers and DNR and consisted of the placement of heavy material, mostly from Harve De Grace, and shell from an unknown source. He noted that the shell was different than the material used in the Little Choptank River restoration project. Delegate Mautz said yesterday, as part of the Tred Avon River project, barge boats, equipped with a 40 foot crane with a scoop pulled up to the mouth of the Oxford Harbor. He expressed his understanding that the area was previously dredged and one dredge haul consisted of five bushels of live oysters. Delegate Mautz advised that the Talbot Watermen Association members are watching this project closely. He said the plan was changed from laying substrate on 43 acres to placing it on three isolated locations. He noted that this is solely an Army Corps project, which entity is purchasing the shell. He explained that he posed the following questions in this correspondence: 1) what material has been used on which project; 2) the location of the work; 3) the cost; and 4) how the end result of the work performed is being assessed.

Councilman Travers stressed the need for the Army Corps to focus on dredging local channels. He questioned the impact oyster restoration projects conducted by this entity and DNR will have on the livelihood of watermen. He expressed his understanding the Army Corps is currently only dredging main shipping channels.

Delegate Mautz said he firmly believes that market based oyster restoration should be pursued so money used by state or federal agencies for this restoration can instead be used to dredge channels. He explained that during a meeting Army Corps representatives advised him there is no shell in the Bay. He further explained that DNR representatives have advised that they plan to reevaluate and amend the oyster habitat restoration plan so areas that have been affected by the deposit of the material will be open to fishing. However, he expressed his understanding that once an established sanctuary receives federal funding or support it will remain as such in perpetuity unless the management plan changes. He said he will work with DNR on revising this plan to allow these areas to be opened for harvest.

In response to a question from Councilman Price, Delegate Mautz said he only discussed with DNR areas that received shell and substrate and that he is willing to discuss any issues relating to the Nanticoke River that need to be addressed.

Ms. Nagel advised that that Farmers and Friends is hosting a fundraising event for local volunteer fire companies on June 13, 2015. She referenced the Council's earlier discussion regarding an agriculture tourism signage program for business, noting that business permits limit how many signs can be placed on Route 50. In response to a question from Ms. Nagel, Councilman Travers said he believes that only generic symbols are used on the signs under this program.

Terry Wheatley, resident, provided the Council a copy of an envelope with a return address of "Council Cambridge Maryland" and a note that was enclosed. She expressed her support for the appointment of Jay Newcomb as County Manager. She opined that the individual who wrote the note should be willing to come before the Council and speak about their position. Councilman Travers explained that the Council does not acknowledge anonymous letters. Ms. Wheatley said to her knowledge only one individual spoke against appointing Mr. Newcomb as County Manager. She expressed her understanding that Jane Baynard, County Manager, submitted her resignation in September 2014 and that a new Acting County Manager was selected on January 20, 2015 after Mr. Newcomb served in that capacity for two years. She recommended that the Council appoint a committee to assist in the selection of an individual to fill the County Manager position on a permanent basis.

Mr. Heesh questioned when the County's Comprehensive Plan will be updated. Councilman Travers said Council recently had discussions with Mr. Dodd regarding this plan. Mr. Goldman said the cost to update the plan is not currently in the budget. In response to a question from Mr. Heesh, Mr. Goldman explained that the cost to completely revise the plan is estimated at \$100,000. He further explained that the cost to update the existing plan piece by piece is different. Councilman Nichols expressed his understanding that several years ago the cost to update the plan step by step was \$50,000. Mr. Goldman said he spoke to representatives of Talbot County who advised that they only updated certain sections. Mr. Heesh noted that he has served on several County committees, including one in 2007 involving the Comprehensive Plan. He expressed concern that certain sections may be out of date.

Donna Hooper, resident, referenced the envelope Ms. Wheatley spoke about previous and questioned whether it was sent from the Council's Office. Councilman Travers said it is not the type of envelope used by Council's Office. The Council asked staff to provide Ms. Hooper with a sample envelope from that office, which differs from the one in question.

Mr. Murphy asked the Council members to continue to keep Les Hutton, Chief of Police, Town of Hurlock and his wife in their prayers.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Bradshaw said he received a letter from Michelle Chesnik, a member of the Delmarva Poultry Industry, in which she noted a group called "Backbone Corridor" is vehemently opposed to an individuals' plan to expand his farm to include additional poultry houses which will scheduled to be heard at the Somerset County Planning and Zoning meeting on Thursday, May 7, 2015. He expressed his understanding that this individual withdrew his permit application and that Kathy Phillips, from the Assateague Waterkeepers Association, who instituted a suit against the Hudson family, is leading this opposition. He referenced the right to farm law which is applicable in Somerset County and in Dorchester County.

Councilman Bradshaw advised that Secretary Robert J. Benton, DNR, was unable to attend the April 1, 2015 Clean Chesapeake Coalition meeting because he had other obligations at the Conowingo Dam.

Based on the comments Mr. Heesh made earlier in the meeting relating to the update of the County's Comprehensive Plan, Councilman Price asked if volunteers can provide their assistance during an update. Mr. Goldman said he will ask Steve Dodd, Planning and Zoning Director. Councilman Nichols expressed his understanding that it is a tedious and time consuming process, having been on the Council when the plan was updated. He explained that meetings were held in different areas of the County to obtain public input.

Councilman Price said residents and local contractors shared with him their concerns about not being able to be at the landfill scales prior to 3 p.m. He questioned whether any other Council member has received such comments. He asked for Mr. Moore's input. Mr. Moore said no large contractors have expressed concern about the time the facility closes. He said it is his understanding that there is only one contractor who tries to deposit as much material as possible each day. He stressed that the times were changed due to limited use after 3 p.m.

Councilman Price noted that on May 4, 2015, Peter Franchot, Comptroller of Treasury, presented three Dorchester County students Maryland Masters Awards for displaying extraordinary artistic skills. The honorees were: Evan Kaiser, a fifth grader from Warwick Elementary School, Brooke Windsor, South Dorchester School and Hailey Mills, North Dorchester High School. He acknowledged that during this Correctional Officers Week, Charles Nield was recognized as Dorchester Correctional Officer of the Year. He thanked those residents who spoke during the public hearings earlier.

Councilman Satterfield advised that he had the opportunity a week ago to join Public Works Department staff to view certain roads, based on residents' concerns. He thanked the staff for taking the time to view those roads with him and for following up on any necessary repairs to the best of their ability. He encouraged the public to call the Public Works Department with any concerns about the condition of County roads. Councilman Satterfield thanked public safety employees for their service to the residents in the

County and those who participated in a task force operation during the recent unrest in the City of Baltimore.

Councilman Travers announced that: 1) the next County Council meeting will be held on May 12, 2015 at 6 p.m. for a budget public hearing on the proposed FY16 budget only; 2) the County Council will also meet in executive session on this date at 7 p.m. to conduct a personnel hearing; and 3) a legislative public hearing on the proposed FY16 budget will be held during the County Council's May 19, 2015 meeting, after which the Council will consider the adoption of the budget.

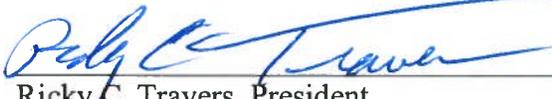
With no further business to discuss, the Council adjourned.

ATTEST:

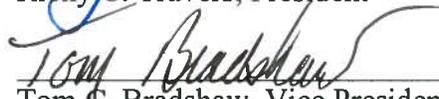


Jeremy Goldman
Acting County Manager

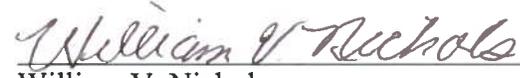
DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 19th day of May, 2015.