

**County Council of Dorchester County
Regular Meeting Minutes
October 20, 2015**

The County Council of Dorchester County met in regular session on October 20, 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, 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; pursuant to §3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nichols led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: two offers to purchase property acquired by the County via tax sale and a proposed shoreline restoration project for a cemetery. The Council also removed from the agenda a forward funding request from the Board of Education for the North Dorchester High School replacement project.

APPROVAL OF MINUTES- OCTOBER 6, 2015

The Council approved the minutes of October 6, 2015.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented. Councilman Price opposed the following payments for the Eastern Shore Innovation Center: Invoice 1103 to Facility Logix, \$6,058 and Invoice No. 014 to Willow Construction, \$311,045.59. Councilman Bradshaw abstained for mileage reimbursement.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$8,808,929.94.

EXECUTIVE SESSION SUMMARY

The County Council of Dorchester County convened in an Executive Session at 5:00 p.m. on October 20, 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)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; 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 the request of the Emergency Services Director to hire an individual to fill a vacant Emergency Medical Technician position and to place individuals on the on-call provider list by a 4 to 0 vote; 2) discussed two tax sale property offers-agreed to discuss in open session; 3) discussed matters relating to County owned property acquired via tax sale; 4) continued a discussion with legal counsel regarding a liability matter relating to non-County owed property-agreed to discuss in open session; and 5) discussed with legal counsel a State law tax requirement.

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

PRESENTATION-911 HERO AWARD-BRANDON OWENS

Kimberly Vickers, 911 Communications Center Chief, presented a 911 Hero Award to Brandon Owens for his role in obtaining fast and expedient care of David Owens by calling 911.

BOARD OF HEALTH

Beth Spencer, LCSW-C, Program Manager, provided an update on the School Based Wellness Centers and Healthy Families Dorchester programs. The Council thanked her for the update.

Councilman Nichols left the meeting.

MANAGERS COMMENTS

MARYLAND DEPARTMENT OF AGING SENIOR CENTER OPERATING FUND PROGRAM-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to authorize the Maryland Department of Aging (MDA) to process payments for the FY 2016 Senior Center Operating Fund to MAC Incorporated, the Area Agency on Aging for Dorchester County, and acknowledging that MAC will distribute grant funds of \$6,000 from the MDA to the Dorchester County recipient, Delmarva Community Services, and complete all mandatory reports.

CITIZEN PARTICIPATION PLAN-ANTI-DISPLACEMENT PLAN-GRANT MONITOR

The Council approved the request of Ms. Smith for approval of a Citizen Participation Plan and an Anti-Displacement Plan for Dorchester County, which will be effective for a three year period. The adoption of these documents are required by the U.S. Department of Housing and Urban Development and the Department of Housing and Community Development in order for the County to be eligible to receive funding from these entities.

NATIONAL RIFLE ASSOCIATION GRANT REQUEST-TACTICAL VESTS-SHERIFF'S OFFICE-GRANT MONITOR

The Council approved the request of Ms. Smith and authorized the submission of a grant application to the National Rifle Association, by the Sheriff's Office, for funding of \$22,031, with no County match, to purchase 10 tactical vests for the SWAT team.

SUB-RECIPIENT AGREEMENT-COMMUNITY DEVELOPMENT BLOCK GRANT- DELMARVA COMMUNITY SERVICES- RENOVATIONS

The Council approved the request of Ms. Smith to execute a sub-recipient agreement with Delmarva Community Services (DCS) to sub grant to this non-profit organization \$286,585 of a FY16 Community Development Block Grant award, under which Dorchester County is the grantee and DCS is the implementing agency, for the renovation of six group homes located in Hurlock and Cambridge which are operated by DCS.

REQUEST TO EXPEND TRANSFER TAX FUNDS-RECEIVING COUNTER DESIGN- ELECTRICAL-CIRCUIT COURT

The Council approved the request of Amy Craig, Clerk of the Court, to sole source and contract with John W. Tieder, Inc. to convert six single duplex receptacles to six double duplex receptacles and to extend the home run feeder circuits to the proper panel at the cost of \$1,735 utilizing funds from the Transfer Tax Fund. The Council acknowledged that: 1) the receiving counter in the Judicial Department is being redesigned; 2) arrangements for cabinet redesign and the removal and re-installation of plate glass have been made and Ms. Craig has received approval for this work which will be funded by the State; and, 3) pursuant to Mike Spears, Finance Director, the current fund balance in the Transfer Tax Fund is \$1,484,021.

RESOURCE DEVELOPMENT PROPOSAL & REQUEST TO SOLE SOURCE-LOCAL MANAGEMENT BOARD

The Council approved the request of Nancy Shockley, Local Management Board Director, to submit a Resource Development Plan in cooperation with the Caroline Human Services Council, which includes a request for funding of \$50,000 from the Governor's Office of Children, of which \$25,000 will be directly distributed to Dorchester County and \$25,000 will be directly distributed to Caroline County.

The Council also approved Ms. Shockley's request and authorized the Dorchester County Community Partnership for Children to sole source with Salisbury University to conduct community surveys, focus groups and provider forums to gather information specific to the following strategic goals, at the cost of \$25,000, utilizing these Governor's Office of Children funds: 1) to reduce the impact of incarceration on Children, Families and Communities; 2) to improve outcomes for disconnected youth; 3) to reduce childhood hunger; and 4) to reduce youth homelessness.

Councilman Nichols rejoined the meeting.

FY16 MARYLAND HERITAGE AREA AUTHORITY GRANT AWARD-VISITOR CENTER AND EXHIBIT UPGRADES-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to accept a FY16 Maryland Heritage Area Authority Grant Water Moves Us Exhibit Installation Grant award in the amount of \$6,700 for Visitor Center and exhibit upgrades. The Council acknowledged that the match of \$6,700 consists of \$5,025 from the General Tourism Operating budget (a portion of FY16 building maintenance) and \$1,675 in in-kind services (volunteers will provide labor and materials for the painting of alcoves).

STATE ASSISTANCE APPLICATION REQUEST-HAMBROOKS BAY-SHORELINE RESTORATION-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to submit an application for State Assistance to allow a lock in of zero interest loan monies by the Maryland Department of Natural Resources (DNR) for a living shoreline project to protect 365 feet of shoreline along Hambrooks Bay in the area of Pinks Pond. The Council acknowledged that this will not bind the County to move forward with this project. The Council further acknowledged that: 1) Public Works staff have been working with Dave Wilson, Resource Conservation and Development, and Bhaskar Subramanian, DNR to develop this project; 2) DNR has prepared a preliminary plan for this work; 3) the total project cost estimate is \$139,100; and 4) Public Works staff will also pursue other grant and funding resources. The Council recognized that Public Works staff will also begin the permitting process.

TRAFFIC SAFETY COMMITTEE RECOMMENDATION-PERCY MAY ROAD

Councilman Price referenced the Council's June 2, 2015 referral to the Traffic Safety Committee a request Councilman Bradshaw submitted on behalf of families who live on Percy May Road for the placement of "Children At Play" signs on that road. He advised that the Traffic Safety Committee members met and agreed to recommend the placement of 35 mph speed limit signs and notification to the Sheriff's Office of the need for speed enforcement on the road to address the complaint. He explained that there are similar County roads connecting to Route 50 with a posted speed of 35 mph and a few un-marked roads that have a speed limit of 50 mph. He further explained that they agreed to recommend the speed reduction based on their belief that a speed limit of 50 mph near a residential area or approaching Route 50 seems excessive.

A motion to approve the Traffic Safety Committee members' recommendation was made by Councilman Price and seconded by Councilman Bradshaw.

Rusty Eberspacher, resident, cited his belief that 50 mph is not excessive for this road, which is not mainly residential and is utilized by residents in Bucktown, Toddville, as well as companies in the area. He said he and his son have property adjacent to the road. He expressed concern that the reduced speed will create a bottleneck effect, particularly when farmers are driving their vehicles/equipment down the road. He asked that the speed limit be increased to 50 mph on the entire roadway. Councilman Price noted that there are no speed limit signs posted on the road. Councilman Bradshaw explained that as a bus driver he has encountered speeding motorists on that road that try to pass him. He expressed his belief that the front portion of the road, from Route 50, should be reduced to 35 mph. Mr. Eberspacher said it is his understanding that only a couple of individuals submitted the speed reduction request even though a change will impact a larger number of motorists.

In response to a question from Mark Eberspacher, resident, Councilman Bradshaw said concerns were expressed by the individuals who own the first house on the left on Percy May Road. Mark Eberspacher said he owns a farm on the west side as it joins with Drawbridge Road. He questioned whether the speed reduction will be for a portion or for the entire road. Councilman Bradshaw suggested a speed reduction on the residential end of the road near Route 50.

Councilman Price advised that the Traffic Safety Committee members discussed the possible installation of 35 mph signs at each end of Percy May Road. Mark Eberspacher suggested a 35 mph speed limit for one fourth of a mile from Route 50 to the end of the woods and a 50 mph speed limit for the remainder of the road. Rusty Eberspacher concurred but expressed concern about setting precedent by changing the speed limit of a road because one or a few residents submitted a request. He suggested the placement of "Children At Play" signs at either end of the residential area.

Libby Nagel, resident, referenced her prior request for assistance in addressing speeding motorists on Salem Road. She said from Route 50 into Salem the speed limit is 35 mph through the residential area and then 50 mph.

Councilman Price noted that the Traffic Safety Committee meeting was advertised and that there were no attendees. He withdrew his prior motion. He made a second motion to proceed with changing the speed limit to 35 mph from Route 50 to the tree line which was approved by the Council. Councilman Travers opposed. He expressed concern about making this change at the request of only one individual. Based on a motion made by Councilman Nichols, the Council agreed to revisit the concerns relating to speeding in the Salem area and to refer them to the Traffic Safety Committee. The Council acknowledged that Ms. Nagel will provide her concerns in writing which will be forwarded to that Committee upon receipt.

EASTERN SHORE INNOVATION CENTER CONTINGENCY REQUEST-ECONOMIC DEVELOPMENT

The Council approved the request of Keasha Haythe, Economic Development Director, to accept a change order to the contract between Dorchester County and Willow Construction, contractor for the Eastern Shore Innovation Center project, which authorizes the installation of a folding partition to separate the training room from the conference room, at the cost of \$14,388.61. Councilmen Price and Bradshaw opposed. The Council acknowledged that funds will be used from the contingency line item in the project budget to cover this cost.

DORCHESTER COUNTY SOCIAL SERVICES BOARD APPOINTMENT

The Council approved the request of Nicholette Smith-Bligen, Director, to appoint Brandon Hesson to serve on the Dorchester County Department of Social Services Board for a three year term to replace David Wooten, whose second term expired on July 28, 2015.

SANITARY COMMISSION APPOINTMENT

The Council approved the request of the Sanitary District to appoint Charles Tinley of the Bonnie Brook Association to the Dorchester County Sanitary Commission to replace Clint Waters, who recently passed away. The Council acknowledged its prior approval to select someone from that association.

ADOPTION OF FY17 BUDGET SCHEDULE

The Council agreed to adopt the FY17 budget schedule.

COUNTY COUNCIL FY15-16 THIRD/FOURTH QUARTER MEETING SCHEDULE

The Council agreed to adopt the County Council's FY15-16 Third/Fourth quarter meeting schedule.

TELEPHONE POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, to amend its October 6, 2015 decision to utilize unused funds of \$20,000 from the FY14 Capital Budget, instead of funds allocated in the FY16 Capital Budget for a milling head, in addition to

\$8,000 allocated in the FY16 budget for snow plows, to purchase from Meadows Hydraulics, Inc. three new snow plows at a cost not to exceed \$28,000 by a 4 to 1 (no answer) vote.

TAX SALE PROPERTY OFFER-716 MEADOW AVENUE CAMBRIDGE-ANCHOR POINT INC.

The Council approved the written request of Alan W. McRae, Executive Director, Anchor Point, Inc. to purchase the vacant lot at 716 Meadow Avenue, Cambridge for \$500 with intention of using it as a neighborhood garden project with the community's youth.

TAX SALE PROPERTY OFFER-620 DOUGLAS STREET CAMBRIDGE

The Council accepted the offer of Sonya Ferguson to purchase the vacant lot at 620 Douglas Street, Cambridge for \$100, which is adjacent to her property, 618 Douglas Street, Cambridge.

SHORELINE RESTORATION-ANCHOR OF HOPE CEMETERY

The Council agreed to seek a permit for shoreline restoration of the Anchor of Hope Cemetery in Hoopers Island contingent upon its review and approval.

PUBLIC COMMENTS

There was no public comment.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Bradshaw said at the recent Clean Chesapeake Coalition (CCC) meeting members discussed legislative initiatives for the 2016 Maryland General Assembly Legislative Session. He noted that George O'Donnell, Fisheries Customer Relations Manager, Maryland Department of Natural Resources (DNR) attended that meeting. He explained that CCC members intend to pursue the reintroduction of the "oyster bill" which will open up additional bottom for watermen. He advised that a tentative meeting between Coalition members, Mark Belton, Secretary, DNR, Mr. O'Donnell and other DNR staff to discuss this proposed legislation has been scheduled. He referenced information he provided to the Council regarding Harbor Rock, a company that has expressed an interest in dredging spoils at the Conowingo Dam at the cost of \$38 to \$50 a ton with the intention of using the clay and silt to create a clay aggregate, similar to powdered concrete. He noted that the projected cost to dredge behind the dam according to Excelon is in the billions. He advised that Harbor Rock also wants to expand a similar project at the Port of Baltimore, however, the Port Authority is not receptive at this time. He noted that this proposed expansion will be discussed at the meeting between CCC and DNR with the hope of garnering the Port Authority's support.

Councilman Price referenced rumors and social media posts regarding an item relating to him that was addressed at last night's Dorchester County Ethics Commission meeting. He stated that he received a telephone call from a constituent about a conversation with Sheriff James Phillips about the use of body cameras. He said in an attempt to garner information about possible

funding sources for this equipment he obtained confirmation from staff there were no FY16 budget discussions about funding for this equipment and he spoke to Cindy Smith, Grant Monitor. Councilman Price explained that after being advised by Ms. Smith that there were email communications with the Sheriff relating to a possible grant opportunity through the County's insurer, Local Government Insurance Trust, he asked the Information Technology Director for a copy of those emails. He noted that the Ethics Commission members determined that he did not violate any County ethics rules or regulations when he requested this information.

Councilman Price referenced the Regulatory Reform Commission meeting that was held recently at which homeowners, prospective businesses, the public and the farming community were able to discuss State rules and regulations that were burdensome to them. He commended Councilman Travers for speaking about issues that affect County citizens and businesses at this meeting.

Councilman Price said at the Social Services Board monthly meeting earlier today it was reported that homelessness is on the rise and that the Governor's Office has created a new committee for children to address their needs with the following four areas of emphasis: impact on incarceration, hunger, homelessness and disconnected youth.

In response to an inquiry from Councilman Satterfield, Mr. Moore said he will continue to contact Waste Management about removing dumpsters at County marine facilities in the southern part of the County, noting he has made several attempts, without success.

Councilman Nichols expressed dismay about social media posts made by a resident about him and questioned their accuracy. He said it is his understanding that in the past all of the Council members have sought information and/or documents from individual departments. He said he is concerned about the impact negative social media comments may have on the County.

Councilman Travers advised that several Council members and staff conducted a boat tour on October 13, 2015 with Secretary Belton and Ben Grumbles, Secretary, Maryland Department of Environment, from the Tyler's Cove Marina during which they showed them the Tar Bay Channel which is in need of dredging. He noted that a representative from Congressman Andy Harris' staff also participated in the tour. He explained that the State representatives said the U.S. Army Corps of Engineers is the entity responsible for dredging. He stated that although efforts to obtain the Army Corps concurrence to include the Tar Bay Channel in its maintenance dredging schedule have been unsuccessful, the Council continues to seek their assistance. He stressed that the silting in of the channel negatively impacts watermen, local business and public safety. He expressed concern about emergency response times and that there may be issues relating to Homeland Security if this channel is not dredged.

Councilman Travers said the topics he addressed during the Regulatory Reform Commission meeting included prevailing wage, poultry regulations and permit issues relating to tidal and non-tidal wetlands. In response to a question from Councilman Bradshaw, Councilman Travers said he also addressed critical areas regulations and stressed that a "cookie cutter" approach will not work since the topography in each County is different.

Councilman Travers announced that the: 1) County Council will meet in executive session to conduct a personnel hearing on Tuesday, October 27, 2015 at 6:30 p.m. in Room 110 of the County Office Building; 2) the next County Council meeting will be held on November 3, 2015; and, 3) the Council reserves the right to meet in executive session prior to regular session.

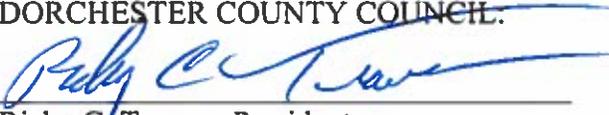
With no further business to discuss, the Council adjourned.

ATTEST:

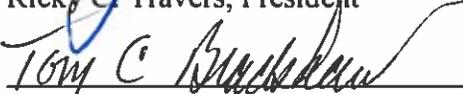


Jeremy Goldman
County Manager

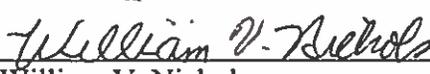
DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 3rd day of November, 2015.