

**County Council of Dorchester County  
Regular Meeting Minutes  
October 6, 2015**

The County Council of Dorchester County met in regular session on October 6, 2015 with the following members present: Ricky C. Travers, President; Tom C. Bradshaw, Vice President; William V. Nichols; Rick M. Price. 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; pursuant to Section 3-305(b)(5) to consider the investment of public funds; and pursuant to Section 3-305(b)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

Voting in favor of the closed Executive Session were all 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 agreed to add to the agenda a request from Jane Devlin, Executive Director, relating to the Cambridge Schooner Rendezvous Committee.

**APPROVAL OF MINUTES- SEPTEMBER 15, 2015**

The Council approved the minutes of September 15, 2015.

## **APPROVAL OF DISBURSEMENTS**

The Council approved the vouchers with additions. Councilman Price opposed a payment for debt service for the Chesapeake College Allied Health and Athletics building at the Wye Mills campus based on his prior vote on the project.

## **FINANCIAL REPORT: CASH AND INVESTMENTS**

Councilman Travers reported total cash and investments as \$8,118,803.35.

## **EXECUTIVE SESSION SUMMARY**

The County Council of Dorchester County convened in an Executive Session at 4:30 p.m. on October 6, 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; pursuant to Section 3-305(b)(5) to consider the investment of public funds; and pursuant to Section 3-305(b)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

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 promote an employee to fill a full time advanced life support provider position and to hire two individuals as on call advanced life support providers by a 5 to 0 vote with two votes by written proxy; 2) approved the request of the Public Works Director to hire an individual through a temporary agency to fill a part time Airport Technician position by a 5 to 0 vote with two votes by written proxy; 3) confirmed the hiring by the Sheriff of an individual to fill a Court Security Officer position by a 4 to 0 vote with one vote by written proxy; 4) discussed a counter offer to purchase County property acquired via tax sale-to discuss in open session; 5) discussed with legal counsel a State law tax requirement; 6) discussed with legal counsel a liability matter relating to non-County owed property; 7) discussed with staff the investment of funds relating to a school construction project; and 8) discussed the development/implementation of an emergency plan.

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**

### **MEETING WITH LEGISLATORS-2016 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION**

Senator Adelaide Eckardt, Delegate Christopher Adams, Delegate Sheree Sample-Hughes, joined the meeting to discuss Council's requested legislative initiatives and topics for the 2016 Maryland General Assembly Legislative Session.

Councilman Travers advised that the Council will meet with the Secretaries of the Maryland Department of Environment and Department of Natural Resources for a tour and discussion regarding dredging issues relating to the Tar Bay Channel in the afternoon on October 13, 2015. He said in the morning on that same date he will be attending a Regulatory Reform Commission meeting.

Councilman Travers referenced the 2016 legislative packet the Council sent to the legislators regarding legislative initiatives and topics of discussion for the upcoming session.

Delegate Eckardt referenced the Council's request for the pursuit of legislation to ensure that the Council is able to partake in discussions by the Maryland State Board of Elections and be able to account for salary adjustments during its yearly budget process. She acknowledged that the Council received untimely notification of a salary adjustment in 2013. She expressed her belief that the Council should have adequate notification and/or be a part of the discussion regarding these types of adjustments. She said there is a provision in the State process to advise local authorities but it is not being followed.

Delegate Sample-Hughes explained that when she served as a Wicomico County Council member they made a similar request, noting that the legislation passed. She said the Election Board Officers came before the Council and provided them with a list of duties and justification for salary increases. Senator Eckardt advised that the local delegation will review that legislation.

Councilman Travers expressed dismay that some of the salary adjustments in the Election's Office were made during a time in which the Council was unable to provide County employees a raise. He noted that the County pays the majority of the costs for that office, however, does not have input on salary adjustments and was recently required to pay for new voting machines.

Councilman Travers referenced the information the Council provided to the legislators regarding the pursuit of an "opt out" provision for the State mandated sprinkler system requirement.

Delegate Adams said as a business owner an “opt out” option for local control resonates with him. He cited his belief that each county should be able to make its own decision. He said the cost for a sprinkler system for a 1,100 square foot rancher is \$6,000 to \$7,000 and may deter a first time homebuyer from constructing a home due to that additional cost. He explained that this amount does not include the cost for a tank. He questioned what will happen if power is lost during a fire and if tanks or wells will be able to withstand the pressure. He said Caroline County elected officials believe local jurisdictions should make their own decision regarding sprinkler systems and he supports the Council’s willingness to pursue an “opt out” provision.

Delegate Eckardt noted that fire personnel are not in support of the “opt out” option. She explained that the Caroline County Commissioners advised them they only three building permits have been issued since the mandate became effect. She said any information the Council can provide, including actual invoices and dates for any permits that have been issued since the mandate will be helpful. She noted her understanding that some communities may not have sufficient water supply to support sprinkler systems. She said another issue that needs to be addressed is whether the mandate applies to mobile homes.

Councilman Travers explained that clarification is being sought from the State on whether the requirement applies to mobile homes, particularly those who are moved from one site to another, noting they are titled and not deeded.

Councilman Price noted that there are several of the individuals present at this meeting have expressed to him their concern about the cost to retrofit a mobile home if a sprinkler system is required when moving it from one site to another. Councilman Travers noted that the State mandate does not require a property owner to retrofit an existing home.

Cindy Twilley, resident, said her family’s company owns Heritage Park. She expressed her understanding that mobile homes are not exempt from this mandate, noting that a new home must have a sprinkler system. She stated that she was advised that a permit is required to move a mobile home and a sprinkler system must be installed if it is moved. She said this cost prohibitive. She noted that since 1938 there has only been one fire in the park, which was a stove fire that was contained.

In response to a question from Councilman Travers, Ms. Twilley said the County’s Planning and Zoning and Middle Department Inspection Agency staff advised her that a sprinkler system must be installed if a mobile home is moved to another site.

Delegate Adams explained that concerns have also been raised that some financing companies do not allow modifications to mobile homes and there are issues regarding ongoing sprinkler system maintenance.

Delegate Sample-Hughes noted that her son is a cadet with the Salisbury Fire Department. She said she understands the financial concerns regarding this requirement, however, she supports the sprinkler law since it will save lives.

Councilman Travers expressed concern that owners may be required to install a sprinkler system even if they move their mobile home a short distance. He noted that if houses are remodeled by over 51% at one time a system needs to be installed.

Councilman Price said there are other alerting systems homeowners can use.

Delegate Adams reiterated his belief that requirement sprinkler system installation should be a local decision. He also expressed his belief that the current State mandate adversely impacts growth and development on the Eastern Shore.

Senator Eckardt said there is Regulatory Reform Commission Meeting on October 13, 2015 from 10 a.m. to 1 p.m. and encouraged residents, homeowners and other members of the public to attend this meeting to discuss this issue.

Councilman Travers noted that the topics of discussion in the legislative packet which include the need for the restoration of highway user funds and concerns about potential increases in commercial fishing licenses, permits and fees.

Senator Eckardt said maintenance of effort and teachers' pensions, which also impact county budgets, will also be revisited this upcoming legislative session.

Councilman Travers advised that the packet also included concerns about a State law that was passed without the Council's knowledge which requires holders of special events to recycle. He said it places a large burden them and will adversely impact fundraising efforts of nonprofit organizations. He explained that the Council is asking the legislators to review this law.

Delegate Sample-Hughes queried as to whether non-profit organization members have provided information on the financial impact of this legislation on their organizations. Councilmen Travers and Price expressed their belief that they are not aware of this law.

Senator Eckardt said she learned about this law when she did a bicycle tour and was advised that she would be held accountable and responsible for trash and recyclables.

Councilman Bradshaw expressed concern that home schooled children are not allowed to participate in programs such as those held at the Dorchester Career and Technology Center. He explained that his son was laid off because he did not possess a certificate and that participating in a mechanical program at this facility may have helped him keep his job. He noted that all home schooled parents pay taxes.

In response to a question from Delegate Sample-Hughes, Dr. Wagner said this is a State COMAR regulation.

Councilman Travers acknowledged that municipal representatives are present.

Town of Secretary Mayor Dukes provided an update on the Town's water treatment plant replacement project which will cost \$14 million. She advised that \$9 million dollars have either been designated for the project or are anticipated, including funds from the Maryland Department of Environment, United States Department of Agriculture and the Department of Housing and Community Development through the Community Development Block Grant program. She explained that pursuant to the latest census the Town does not qualify for CDBG funding at the present time due to a low number of low to moderate income residents. She further explained that they are allowing the Town to survey the residents at the Heritage Park in January 2016 which will hopefully increase the number of low to moderate income residents.

In response to questions from Senator Eckardt, Mayor Dukes confirmed that an additional \$5 million is needed and representatives from all the funding agencies met recently to discuss the project. Mayor Dukes said the plant is an old lagoon system and that once new mandates and/or regulations come into effect the Town will be unable to meet them. She expressed concern that smaller towns will not have the capacity to handle sprinkler systems.

Hurlock Town Councilman Cephas said he is present representing the Mayor and Town Council. He explained that the Mayor and Town will send correspondence to the legislators regarding their legislative initiatives and concerns. He expressed his personal opposition to the State mandated sprinkler system requirement and his belief that accurate information was not obtained prior to the passage of this mandate. He said many residents, including Hurlock citizens, will not be able for build due to this requirement. He noted that smoke and gas alarms, as well as security alarms are already utilized.

Councilman Bradshaw advised that he recently received several calls from watermen regarding aquaculture practices including the location of cages in non-designated areas, restricted harvesting areas due to the amount of leases entered into, and the lack of policing. He explained that a boat cannot travel across a leased area nor anchor within 50 feet and a trotline cannot be placed over it. Senator Eckardt said hunters will also be affected by these requirements and expressed concern that hunting dogs may be injured if they enter into the water near leased areas on which cages have been placed.

Delegate Sample-Hughes said they heard the same concerns last week at a meeting in Annapolis with the Waterman Caucus. She said at some point they will have Department of Natural Resources staff attend a meeting to hear these concerns. Delegate Adams said he also attended this meeting and although menhaden and crabbing regulations were discussed the majority of the meeting focused on concerns about aquaculture.

Delegate Sample-Hughes extended an invitation for the Council to join them at these meetings which are held every Monday during the legislative session at 6 p.m.

Senator Eckardt advised the Council of the following meetings: on Thursday, October 15<sup>th</sup> at 10 a.m. in the Economic Development Conference Room at which the State of Maryland Division of Neighborhood Revitalization will be in attendance to discuss

affordable housing and other regulatory issues relating to Dorchester County; and Thursday, October 26<sup>th</sup> from 10 a.m. to 12 p.m. at the Eastern Shore Hospital Center at which David R. Brinkley, Secretary, Budget and Management for Maryland will be present to discuss the state investment in the community.

The Council thanked the legislators.

## **CAPITAL IMPROVEMENT PLAN-BOARD OF EDUCATION**

Dr. Henry Wagner, Superintendent of Schools advised Council that he received a handwritten letter from David R. Craig, Secretary, Maryland Department of Planning, as a result of his visit to North Dorchester High School. He thanked the Council for its ongoing support for the public school system. He advised that he is seeking the Council's approval of the Board of Education's FY17 Capital Improvement Plan and an endorsement for forward funding of the North Dorchester High School replacement project in FY17 for initial construction. He explained that any delay in the project may increase construction costs. He noted that they are seeking funding for the final design phase and initial construction in FY17 of \$3.2 million.

The Council conceptually approved the FY17 Capital Improvement Plan for planning purposes only, contingent upon future County budget approvals.

Councilman Travers advised that the Council received recommendations from Finance Staff on allocating funds to provide the requested funding which is being reviewed by legal counsel. In response to a question from Councilman Travers, Dr. Wagner said the State will not release construction funding until the County provides funding for construction. He noted that this amount represents the State share which will be returned to the County at a later date. He explained that they are seeking a commitment from the County to provide this funding prior to January 2016 when the State Board of Public Works meets to discuss funding for this project.

Councilman Travers expressed concern that the State is requiring a County commitment for construction monies when the Council already approved the project in the FY16 budget.

Councilman Nichols also referenced the Council's FY16 budget approval of the project. He expressed his belief that the vote shows the County's commitment. He said he is concerned about the State's requirement that the Council provide this money to show its commitment.

In response to a question from E. Thomas Merryweather, County Attorney, Dr. Wagner stated that \$1.6 million is needed in FY17. He explained that groundbreaking can then commence on July 1<sup>st</sup>. He said the footprint for the new school is on the north east corner of the existing campus where the six lane track is currently located. He advised that one of the first projects to be performed will be the removal of this track and the installation of an eight lane state of art track. In response to a question from Councilman Travers,

Dr. Wagner said this will be considered site preparation. He explained that there are no phase-in costs since the old school can be utilized until the new school is built.

In response to a question from Councilman Travers, Dr. Wagner said the County's share has not changed since its FY16 budget approval. Mr. Merryweather queried as to whether the County will be insulated from a future change in its share. Dr. Wagner said he cannot speak to the final cost of the project. He noted that in addition to Secretary Craig, Comptroller Peter Franchot has toured the old school and has expressed his support for the new facility.

Dr. Wagner thanked the Council.

### **ANNUAL TRANSPORTATION MEETING-MARYLAND DEPARTMENT OF TRANSPORTATION**

Pete K. Rahn, Secretary, Maryland Department of Transportation introduced: Gregory C. Johnson, Administrator, State Highway Administration; Donnie Drewer, District #1 Engineer, State Highway Administration; Beth Kreider, Director of Locally Operated Transit Systems, Motor Transit Administration; Ashish Solanki, Director, Regional Aviation Assistance, Maryland Aviation Administration; Doug Simmons, Deputy; Nasim Sultan, Motor Vehicle Administration.

Secretary Rahn provided an overview of the items in Draft FY 2016 – 2021 Consolidated Transportation Program pertinent to the Eastern Shore and Dorchester County. These items included projects that were completed in FY15 and are scheduled to be completed in FY 2016 and FY2017 in Dorchester County.

Councilman Price thanked Secretary Rahn for the overview and the prior meetings he had with local elected officials. He inquired about the status of the study of the Maryland Route 392 and Maryland Route 331 intersection in Hurlock in light of Town residents' concerns about this intersection. Mr. Drewer explained that he presented the results of the study to the Mayor and Town Council. He said the study indicated that a signal is not warranted and that he suggested the creation of a four way stop and they asked him to wait until they hold a Town meeting. He explained that after this meeting was held last month, they advised him that they will schedule a meeting with him to discuss their proposed suggestions. He said they have not contacted him.

Councilman Price noted that concerns about visibility at the Maryland Route 14 and Maryland Route 392 intersection was included in the revised priority list that was sent to Secretary Rahn. Mr. Drewer said upon receiving that correspondence he viewed the area and cannot identify the problem. He offered to meet with Councilman Price at the site. Senator Eckardt said she has difficulty viewing the median, which is a neutral color, when she is traveling from Rhodesdale. Mr. Drewer said paving marks can be placed in that area.

Councilman Price questioned whether there are any funding options available for counties to repair and/or replacement local bridges, particularly since highway user funds were drastically reduced. Secretary Rahn explained that he has internally inquired as to whether counties can utilize toll credits the State receives from the Maryland Transit Administration to match federal funds for off system bridges. He said he is still waiting for a response.

Councilman Price advised that residents in the Town of Secretary have questioned whether the speed limit on Route 14 through the Town can be decreased. Mr. Drewer said a study was completed and the results indicate the speed limit is set according to the 85<sup>th</sup> percentile. Mr. Drewer said he will review the area again. Councilman Bradshaw said the speed limit in the Town of Secretary is 30 mph whereas the speed limit in East New Market is 25 mph and the speed limit between the two is 40. In response to a question from Councilman Price, Mr. Drewer said he will meet with the Mayor.

Councilman Bradshaw expressed concern about the lack of roadside ditching and clearing along State highways which has resulted in standing water. Mr. Drewer said he believes some of the water flow issues are due issues relating to the outflow areas. Councilman Bradshaw said contact will be made with Maryland Department of Environment officials about cleaning outlet ditches along County roads.

In response to a question from Councilman Travers, a Maryland Department of Transportation staff member said the State's rail study should be completed by the end of the year. Councilman Travers stated that the Council recently approved the Airport expansion project, noting that the award for construction will be discussed later during this meeting. He noted the next project is the extension of the runway and the County has the funds to remove the rail in that area but not for replacement. He explained the State's study will assist the Council in their decision making regarding this project. He said the Council does not want to stop rail service to the Town of Cambridge.

Pursuant to a question posed by Councilman Travers, Mr. Drewer said the study regarding the potential installation of bicycle lanes from the Blackwater National Wildlife Refuge to Gootees Marine has been completed. He said three options were provided and assuming environmental issues can be addressed the cost will be \$27 to 31 million. In response to a question from Councilman Travers, Mr. Drewer said the high cost is due to the amount of environmental issues that have to be mitigated and because bulkheads will need to be built at certain areas and on certain lengths of road. Based on another inquiry posed by Councilman Travers, Mr. Drewer said the study found that the installation of a boardwalk was not feasible. Secretary Rahn asked Mr. Drewer to provide the Council a copy of the study. Councilman Travers noted that the State has placed signs for bicyclists on those roads which provides them false security. He expressed concern about potential accidents between bicyclists and motorists. Senator Eckardt concurred, noting that if bicyclists use an alternative route they may encounter flooded roadways. She questioned the impact the construction of the Harriet Tubman Underground Railroad State Park will have on the use of this road.

Councilman Bradshaw expressed his belief that the State has obtained right-of-ways to widen Route 335. In response to a question from Councilman Travers, Mr. Drewer advised that some right-of-ways will have to be purchased.

The Council thanked Secretary Rahn.

## **MANAGERS COMMENTS**

### **APPOINTMENT OF AIRPORT MANAGER**

The Council acknowledged that pursuant to Federal Aviation Administration, Maryland Aviation Administration and COMAR regulations an Airport Manager must be appointed. The Council officially appointed Meighan K. Chisholm, Sr. as the Airport Manager for the Cambridge Dorchester Regional Airport with Councilman Satterfield voting by written proxy.

### **REQUEST TO SOLE SOURCE-TUB GRINDING-LANDFILL-PUBLIC WORKS**

The Council approved the request of Tom Moore, Public Works Director, to waive bids and sole source with Maryland Environmental Service for tub grinding services for the grinding of wood (trees, brush and discarded lumber) at the Beulah Landfill into wood chips to use for stabilization of the access areas leading to and around the working face, which material has accumulated at the Beulah landfill, at the cost of \$12,667.50. Councilman Satterfield voted in favor via written proxy. The Council acknowledged that funds from the Landfill Transfer Fund under Recycling Contract Services will be used to cover this cost.

### **CHANGE ORDER #3-CAPPING OLD BEULAH-LANDFILL-PUBLIC WORKS**

The Council approved the request of Mr. Moore to execute Change Order #3 to the contract between Dorchester County and Sargent Corporation, contractor for the Old Beulah Capping project, in the amount of \$27,812.23 to repair landfill seeps in order to prepare a proper subgrade for cap installation required by Maryland Department of Environment before approval of the subgrade for cap installation is provided by this entity with Councilman Satterfield voting by written proxy. The Council acknowledged the project came in below estimates therefore there are adequate reserves in the Landfill Enterprise Fund to meet the additional cost.

### **AIRPORT LAYOUT PLAN APPROVAL REQUEST-PUBLIC WORKS**

The Council approved the request of Mr. Moore for acceptance and approval of the Airport Layout Plan, dated August 13, 2015, as prepared by URS Aviation that describes the current and future development of the Cambridge Dorchester Regional Airport and surrounding areas of interest with Councilman Satterfield voting by written proxy. The Council acknowledged that: 1) the acceptance of this plan does not guarantee construction or funding commitment by any of the parties involved; 2) the locations in

the plan are not considered exact; and, 3) it will be the County's responsibility to obtain final approval from the Federal Aviation Administration and update this plan for any improvement projects.

#### REQUEST TO SOLE SOURCE-STAIRWELL FLOORING REPLACEMENT- CIRCUIT COURT -PUBLIC WORKS

The Council approved the request of Mr. Moore to sole source with B & B Floor Covering for the replacement of stairwell flooring in the Circuit Courthouse using "Blue Flake" rubber material at a cost of \$24,724 with Councilman Satterfield voting by written proxy. The Council acknowledged that Mr. Moore will provide a funding mechanism for this floor replacement for Council's review and consideration at a future meeting.

#### AIRPORT APRON EXPANSION PROJECT CONSTRUCTION CONTRACT AWARD-PUBLIC WORKS

The Council approved the request of Mr. Moore to award the bid for the construction contract for the Aircraft Parking Apron to Dixie Construction Company, Inc., the lowest bidder, in the amount of \$2,538,168.90 with Councilman Satterfield voting via written proxy. The Council acknowledged that: 1) the total eligible project cost is \$3,100,000 which equals Federal Aviation Administration approximately 90% share of \$2,790,000; 2) the County's 5% share is \$155,000 with the remaining 5% being provided by the Maryland Aviation Administration; 3) the County allocated \$71,053 in FY14 Capital Budget and \$65,398 in FY16 budget; and 4) an additional \$18,549 needs to be identified in the FY17 budget to equal the County's share of project.

#### SNOW REMOVAL SERVICE CONTRACT-2015-2016-PUBLIC WORKS

The Council approved the request of Mr. Moore to adopt new hourly rates for contract snow removal services as established by the State Highway Administration which represent a \$10 per hour increase over last year's rates. The Council also approved his request to contract with Extreme Tree Service to provide two trucks and Russell Paving Company, Inc. to provide three trucks for snow removal for the FY15/FY16 season. Councilman Satterfield voted in favor of these requests via written proxy.

#### AGRICULTURAL SCRAP TIRE DROP OFF EVENT-PUBLIC WORKS

The Council approved the request of Mr. Moore to participate in an Ag Scrap Tire Drop Off event late this winter for a two week period of the County's choosing between January 1 and March 6, 2016 with Councilman Satterfield voting by written proxy. The Council acknowledged that: 1) the Maryland Department of Environment, the Maryland Farm Bureau and Maryland Environmental Service have teamed up to conduct these types of events during the upcoming winter season; 2) each county that participates in this event will be asked to use their contractor to haul and dispose of the scrap tires; 3) Maryland Environmental Service will then reimburse the County after submittal of weight tickets; and, 4) more specific details will be provided at a later date.

#### CARPET REPLACEMENT AWARD-VETERANS/ASSESSMENTS-PUBLIC WORKS

The Council discussed the request of Mr. Moore to award the contract for the replacement of carpet in Room 204 which is occupied by the State of Maryland Assessment and Taxation Office for Dorchester County and in Room 101 which is utilized by the Veterans Administration on Mondays with Nylon 26 ounce carpet tiles to B & B Floor Covering. Councilman Price rescinded his motion to award the contract to B & B Flooring Covering using poly carpet tiles instead after Councilman Nichols noted that the other carpet tiles had a longer warranty.

The Council approved Mr. Moore's request to award the contract to B & B Floor Covering to install Nylon 26 ounce carpet tiles at the cost of \$11,676. The Council acknowledged that the lease amount was increased and a portion of the additional funds will be utilized to cover the cost of this carpet replacement.

#### FY16 PAVING CONTRACT-PUBLIC WORKS

The Council approved Mr. Moore's recommendation to waive bids and sole source with Russell Paving Co., Inc., to provide hot mix asphalt, labor and equipment and to install approximately 500 tons of hot mix overlay per day at \$76.76 per ton. The Council also agreed that shorter lengths of roads and other work identified in the proposal John Russell, President, submitted will cost \$88.36 per ton. Councilman Satterfield voted by written proxy.

#### PROPOSED FY16 HOT MIX PAVING LIST-PUBLIC WORKS

The Council approved the proposed hot mix paving list for FY16 Mr. Moore submitted with Councilman Satterfield voting via written proxy. The Council acknowledged that once the primary items are completed and funding is available, the projects listed on the bottom of this list may be completed. In response to an inquiry from Councilman Travers, Mr. Moore advised that a section of Elliott's Island Road will be paved utilizing last year's paving funding, however, the work has not yet been completed. He noted that the exact timing of the repairs is unknown due to tidal wave action on that road. Pursuant to a question posed by Councilman Nichols, Mr. Moore said he is still gathering information on Elks Lodge Road for Council's review and consideration.

#### REQUEST TO PURCHASE SNOW PLOWS-PUBLIC WORKS

The Council approved the request of Mr. Moore to utilize \$8,000 allocated for the purchase of a new snow plow and \$20,000 for a milling head for the skid steer to sole source and purchase from Meadows Hydraulics, Inc. three new snow plows at a not to exceed amount of \$28,000 with Councilman Satterfield voting by written proxy. The Council acknowledged that two of the plows will be used to replace damaged units and one will be kept as a back-up. In response to a question from Councilman Travers, Mr.

Moore said State Highway Administration representatives advised that due to inventory issues they are no longer able to sell their old plows to the County.

#### FY16 RENTAL ALLOWANCE PROGRAM GRANT AWARD-DELMARVA COMMUNITY SERVICES-GRANT MONITOR

The Council approved the request of Cindy Smith, Grant Monitor, to accept a Department of Housing and Community Development FY16 Rental Assistance grant award in the amount of \$40,000 and to execute a sub-recipient between the Council and Delmarva Community Services (DCS) with Councilman Satterfield voting by written proxy. The Council acknowledged that: 1) DCS will use 10% for administrative costs and the remainder to provide rental assistance to families who can demonstrate financial hardship; 2) this entity also matches the grant with other services and administrative costs; and 3) there is no County match.

#### PASS THROUGH GRANT REQUEST-DELMARVA REGIONAL HEALTHCARE MUTUAL AID GROUP-EMERGENCY MEDICAL EQUIPMENT

The Council approved the request of Ms. Smith for the County's support to act as fiduciary for the Delmarva Regional Healthcare Mutual Aid Group's (DRHMAG) Hospital Preparedness Program for a pass through grant in the amount of \$60,845 with Councilman Satterfield voting via written proxy. The Council acknowledged that: 1) funds will be used to purchase five BabyPod units, \$35,845; for DRHMAG to contract with a vendor to develop a pediatric surge annex to the existing Region IV medical surge, \$10,000; and to establish a medication stockpile with a pharmaceutical vendor which will include a stock rotation to minimize future costs; 2) the County will expend the funds and receive reimbursement from DRHMAG; and, 3) there is no County match other than administrative support.

#### TRAVEL REQUESTS-TOURISM-ECONOMIC DEVELOPMENT

The Council approved the following requests of Amanda Fenstermaker with Councilman Satterfield voting by written proxy: 1) for Katie Clendaniel, Program Administrator, Heart of Chesapeake Country Heritage Area (HCCHA), and herself to travel to and attend the Preservation Maryland's Six to Fix Gala on October 9, 2015 from 6 p.m. to 9 p.m. and stay overnight at the cost of \$250 from the Tourism Operating Budget which includes lodging, \$200, and mileage, \$50; 2) for Ms. Clendaniel to join Ms. Fenstermaker and travel to Washington, DC for the National Trust for Historic Preservation conference from November 4 to November 6, 2015 at the additional cost of \$257.50 which includes \$187.50 for registration and \$70 for meals utilizing funds from the HCCHA Management grant and the Tourism Operating Budget; and 2) for Ms. Fenstermaker to travel to the Maryland Tourism and Travel Summit from October 28 to October 30, 2015 at the Turf Valley Resort in Ellicott City at the cost of \$795 which includes: conference registration, \$425; lodging, \$270; and mileage, \$100 utilizing funds from the Tourism Operating Budget.

The Council denied the request of Susan Banks, Business Development Manager, to attend the FABTECH Trade Show in Chicago, Illinois with Councilmen Satterfield (by written proxy), Bradshaw and Price opposing.

#### FY16 MARYLAND HERITAGE AREAS AUTHORITY GRANT AGREEMENT & DISBURSEMENT REQUEST-TOURISM

The Council approved the request of Ms. Fenstermaker to accept a FY16 Maryland Heritage Areas Authority Management Grant award of \$100,000 to support the continued operation and management of the Heart of Chesapeake Country Heritage Area (HCCHA) under the Dorchester County Tourism Department and to execute the grant agreement for the period of July 9, 2015 to June 30, 2017 with Councilman Satterfield voting via written proxy.. The Council acknowledged that there is a \$5,000 local match, a \$10,000 match from the community through mini grants, \$60,000 from the Tourism Operating budget and another in-kind match of \$25,000.

#### RATIFICATION OF REVISED RESOLUTION-ECONOMIC DEVELOPMENT ADVISORY COUNCIL

The Council acknowledged its September 15, 2015 authorization of the amendment of Resolution 559 to allow for a second concurrent two year term for Voting Members on the Economic Development Advisory Council and adopted the resolution which was presented to them for this meeting.

#### AFFORDABLE CARE ACT REPORTING REQUIREMENTS-HUMAN RESOURCES

The Council approved the request of Becky Dennis, Human Resources Director, to sole source and use Integra to prepare these forms for the County and perform the required reporting at the cost of approximately \$18 per employee for an estimated total of \$5,400 which will be paid out of the health insurance line item with no additional funding required with Councilman Satterfield voting via written proxy. The Council acknowledged that effective January 1, 2016, the Affordable Care Act requires the County to annually provide every employee information regarding their health care insurance status on a Federal 1095 or 1094 form, which is similar to a W-2 form.

#### SPECIAL EVENTS AGREEMENT-HORN POINT OPEN HOUSE-5K WALK/RUN-FINANCE

The Council agreed to execute a Special Events Agreement University of Maryland Center of Environmental Science (UMCES), the Council and the Sheriff of Dorchester County to provide public safety services in the form of two vehicles and two deputies at the cost of \$700 for the Horn Point Open House sponsored by UMCES to be held on October 10, 2015 from 8 a.m. to 3 p.m. The Council acknowledged that pursuant to Robert Willey, Assistant Finance Director, the requested resources have been priced at overtime rates for personnel. The Council also agreed to execute a Special Events Agreement between UMCES and the Council to provide emergency medical services in

the form of one basic life support ambulance and two basic life support providers at the rate of \$150 at the 5K Walk/Run sponsored by UMCES to be held on October 10, 2015 from 8 a.m. to 11 a.m. Councilman Satterfield voted in favor of the execution of these agreements via written proxy.

#### SANITARY COMMISSION APPOINTMENT REQUEST

Based on the recommendation of the Dorchester county Sanitary Commission, the Council agreed to appoint either an individual from the Bonnie Brook Association to replace Clint Waters on the Commission with the understanding that an individual's name will be provided to the Council for its review and consideration at a future meeting.

#### TRANSFER OF PROPERTY-TOWN OF BROOKVIEW

The Council confirmed its decision to transfer a .35 acre parcel known as the "Daisy Marine" parcel to the Town of Brookview, which property is just outside of town limits at no cost and authorized Councilman Travers as Council President to sign the deed with Councilman Satterfield voting via written proxy.

#### TRAFFIC SAFETY COMMITTEE REFERRAL-HIP ROOF ROAD

Mr. Goldman said at the last meeting Councilman Travers requested information on past actions taken regarding the possible installation of no parking signs on Hip Roof Road. He said it is his understanding that the Council had already denied such a request. Councilman Bradshaw said individuals who own large parcels along this road are not amicable to the installation of these types of signs. He noted that the Council's prior decision was based on the Traffic Committee members' recommendation. The Council took no action.

#### LETTER OF SUPPORT REQUEST-UNIVERSITY OF MARYLAND SHORE REGIONAL HEALTH

The Council agreed to send a letter of support in favor of the University of Maryland Shore Regional Health's Certificate of Conformance application for an interventional cath lab with Councilman Satterfield voting by written proxy.

#### OBSERVANCE OF HALLOWEEN

The Council agreed that Halloween will be observed by County residents on Saturday, October 31, 2015 from 6:00 PM to 8:00 PM for children ages 12 and under with Councilman Satterfield voting by written proxy. This policy will not supersede prescheduled times and dates set by municipalities.

## TELEPHONE POLL CONFIRMATIONS

The Council confirmed its decisions in the interim between meetings, by means of a poll, to: 1) accept a Federal Aviation Administration Grant Award for the Airport Apron Expansion project at the Cambridge Dorchester Regional Airport in the amount of \$2,790,000 with a State and local match by a 5 to 0 vote; 2) adopt a resolution in support of the County's Community Development Block Grant application for the repair, installation and/or replacement of ADA ramps at both entrances of the County Office Building to change the request for funding from \$125,000 to \$140,000, which is the estimated cost of the project pursuant to the architect, by a 5 to 0 vote; 3) agreed to the rescheduling of the Ironman Maryland triathlon to October 17, 2015 by a 5 to 0 vote. Councilman Satterfield confirmed the polls via written proxy.

## BID AWARD RECOMMENDATION-AFTER SCHOOL PROGRAM-LOCAL MANAGEMENT BOARD

The Council approved the recommendation Nancy Shockley, Local Management Board Director, submitted on behalf of the Dorchester Community Partnership for Children and Families, to select the Dorchester County Board of Education as the vendor for after school services utilizing Governor's Office for Children funds awarded to Dorchester County in the amount of \$90,000 for this purpose with Councilman Satterfield voting by written proxy.

## COUNTER OFFER-TAX SALE PROPERTY

The Council accepted the counter offer Blaine Williamson, Broker, McClain-Williamson Realty, LLC, submitted on behalf of his client, Brandon Rash, to purchase Lots 39, 41, 47, 48, 53, 54 in "The Crossings Subdivision" located in the Town of East New Market for \$2,500 per lot, which were acquired by the County via tax sale.

## REQUEST TO RESERVE DOCKAGE-USE COUNTY PARKING LOT-CAMBRIDGE SCHOONER RENDEZVOUS 2015

The Council approved the following requests of Jane Devlin, Executive Director, Richardson Maritime Museum: 1) to reserve the County dockage on the Cambridge Creek in front of County Office Building for use by schooners attending the Annual Cambridge Schooner Rendezvous from October 22 to October 25, 2015; and 2) to use the parking lot at the County Office Building on Saturday, October 24<sup>th</sup> and Sunday, October 25<sup>th</sup> with the understanding that the parking lot will remain open to the public. The Council acknowledged that Museum staff will place signs along the dock on October 21<sup>st</sup> with removal on October 26<sup>th</sup>.

## RECONSIDERATION-TRAVEL REQUEST-ECONOMIC DEVELOPMENT

Councilman Nichols asked Council to reconsider Ms. Banks' request to travel to the FABTECH Trade Show in Chicago Illinois. He said he believes her attendance will

garner interest in the County. In response to an inquiry from Councilman Travers, Councilman Nichols noted that there is a \$3,200 savings since Economic Development will be sharing a booth. Pursuant to a question posed by Councilman Bradshaw, Councilman Nichols expressed his belief this will assist GKD and Cambridge International. Councilman Nichols made a motion to rescind the prior vote and approve Ms. Banks' request. The Council approved Ms. Banks request to attend the FABTECH Trade Show in Chicago, Illinois at the cost of \$1,570 which includes hotel accommodations (\$300 per night times 3 nights); shuttle, \$100; meals (\$55 per day times 4 days) and airfare, \$350, with Councilmen Satterfield opposing via written proxy. The Council acknowledged that the funds are available in the Economic Development budget to cover this cost. The Council further acknowledged that the Dorchester County Economic Development office will partner with the Department of Commerce, formerly the Department of Business and Economic Development, to use their booth as a home base for materials.

## **PUBLIC COMMENTS**

Terry Wheatley, resident, remembered Donald Jones, who attended Council meetings and recently passed. In response to an inquiry from Ms. Wheatley, Councilman Travers said the appointment of the County Manager, unlike the Airport Manager appointment, was added to the agenda after its distribution. She explained that she was surprised at the appointment, since the last information she was provided was that the Council was conducting interviews to fill the County Manager position. Councilman Travers said the Council decided to not hold any further interviews and agreed to move forward with the appointment. She referenced the six month residency requirement in the County Charter, noting her understanding Mr. Goldman lives in another County.

Delegate Sample-Hughes said she received an email from Ms. Smith regarding the possible pursuit of legislation to allow Dorchester County to create its own land bank and questioned whether this is a current legislative initiative. Councilman Travers and Mr. Goldman explained that at that time the Council was in the process of identifying potential ways to place property acquired by the County at tax sale back on the tax rolls. Mr. Goldman said since that e-mail a plan to accomplish this task has been reviewed and revised by the Council and is currently being reviewed by City representatives; therefore, land bank legislation is not necessary at this time.

## **COUNCIL'S COMMENTS/ADJOURNMENT**

Councilman Bradshaw noted that he advised Council at its last meeting that he was attending a Town Hall meeting at the University of Maryland Eastern Shore which was titled "A Game Of Chicken, Poultry Industry Expansion Community Health and Local Control." He stated that members of the panel were varied and he has notes which can be provided to the Council. He said the following items were discussed: 1) the possible pursuit of a State and local initiative to require that a variance be obtained to build one or more poultry house since the majority of the land on which these houses are constructed is zoned agricultural or residential; 2) the potential introduction of legislation similar to

the Farmers Rights Bill that was introduced during the 2015 session which required Perdue and other companies to assume responsible for manure; and 3) a possible change to the renewable energy portfolio to eliminate gasification of trash and manure, since manure is now classified as a Tier 1 renewable. Councilman Bradshaw advised Council that the Clean Chesapeake Coalition will hold a meeting in Stevensville on October 7, 2015 to plan a strategy for the upcoming legislative session and he will provide information about this at its next meeting.

Councilman Price said he neglected to share with Council during the annual meeting the status of the establishment of a scenic railroad between the Towns of Hurlock and Preston by the Eastern Shore Scenic Railroad Committee. He noted that he was able to speak to Secretary Rahn about this in the hall. He explained that for over ten years the committee members have sought the lease or acquisition of the rail for this purpose. He said they recently met with Maryland Department of Transportation staff members and are now working on a lease for the track. He advised that Dennis Schrader, Deputy Secretary, Maryland Department of Transportation; Jeannie Haddaway-Riccio, Director of Governmental Affairs; and Harry Romano, Rail and Project Manager and Brad Smith, Project Manager, Office of Freight and Multimodalism, were instrumental in setting up meetings between the committee and the new Maryland Administration.

Councilman Price acknowledged the emergency management staff for providing information regarding Hurricane Joaquin. He said the Ironman Maryland Triathlon and the Hurlock Fall Festival have been moved to October 17, 2015. He noted that at the East New Market Heritage Day event that occurred last weekend Marva Sampson, Chair, was recognized by County, State and Town proclamations for her efforts and dedication in promoting the Town's heritage. He advised that she is being replaced as Chair by Herschel Johnson.

Councilman Nichols expressed his understanding that an Ethics Commission request was recently sent to the Chair of the Ethics Commission and its legal counsel before being forwarded to the remaining members. The Council agreed that all requests to the Ethics Commission should be sent to all of the members as well as its legal counsel so that all parties receive the information within the same timeframe.

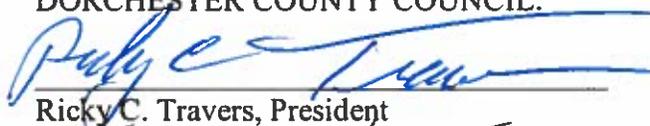
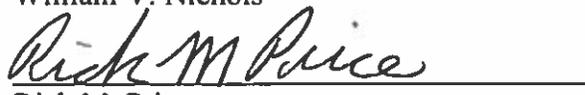
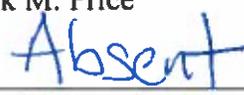
Councilman Travers said residents who expressed to him their concerns about Blackwater National Wildlife Refuge have provided him a draft letter to the U.S. Secretary of Interior seeking assistance in obtaining information about various issues relating to this facility. The Council agreed to send the correspondence after Mr. Merryweather's reviews and approves its contents.

Councilman Travers announced that: 1) members of the Dorchester County Council will participate in a boat tour/discussion with the Secretaries of the Maryland Department of Environment and Maryland Department of Natural Resources on Tuesday, October 13, 2015 at 1 p.m. regarding dredging in various areas of the County with the tour beginning

at Tyler's Cove Dock; 2) the next Council meeting will be held on October 20, 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 20<sup>th</sup> day of October, 2015.