

**County Council of Dorchester County
Regular Meeting Minutes
September 20, 2016**

The County Council of Dorchester County met in regular session on September 20, 2016 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

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Price led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council approved the following additions to the agenda: Requests to advertise a Program Administrator position for Heart of Chesapeake Country Heritage area and a Project Manager Position and Tax Sale Property Offers.

APPROVAL OF MINUTES- SEPTEMBER 6, 2016

The Council approved the minutes of September 6, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers with additions as presented with Councilman Travers abstaining for payments made to Simmons Center Market.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$3,681,716.58.

CLOSED SESSION

The Council adjourned from a Regular Session and convened in a Closed Session on 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 and pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto on September 20, 2016 at 5:00 p.m. in Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Action taken at the Closed Session: 1) approved the request of the Planning and Zoning Director to hire an individual to fill the Inspector Technician position by a 5 to 0 vote; 2) approved the request of the Public Works Director to restructure a vacant position into a Project Manager position by a 3 to 2 vote and agreed to consider advertising this position in open session; 3) discussed offers to purchase County owned property acquired by tax sale-agreed to consider in open session; and 4) agreed to consider a request to advertise a Program Administrator position for the Heart of Chesapeake Country Heritage Area in open session.

The purpose of the Closed Session is also set forth in the Written Statement of Closing a Meeting Under the Open Meetings Act, which will be provided upon request. Voting in favor of the closed Closed Session were all Council members.

REGULAR SESSION

COMMENDATIONS-911 CENTER STAFF

The Council presented Commendations to the following 911 Center staff members for going above and beyond the call of duty to assist a resident to ensure her safety and well-being: Cindy Coker, Suzanne Short, Mark Dignen, Brian Stevanus.

CAPITAL IMPROVEMENT PLAN-BOARD OF EDUCATION

Dwayne Abt, Assistant Superintendent for Administration, thanked the Council for its collaborative relationship with the Board of Education (BOE) and its support of the public school system throughout the years. He said Dr. Henry Wagner, Superintendent of Schools, was unable to attend due to a prior commitment. He referenced the recent signing of the guaranteed maximum price document with Whiting-Turner for the new North Dorchester High School (NDHS). He expressed his hope the entire Council will be able to attend and participate in the groundbreaking of the new school. He said they are seeking the Council's approval of the FY18 Capital Improvement Plan (CIP) prior to the BOE's meeting with the Interagency Committee for School Construction (IAC) on October 31, 2016. He explained that obtaining the Council's approval is necessary in order to be eligible for and to receive State construction funding. He said the BOE is not seeking increased funding over last year's plan as the North Dorchester High School is their number one priority.

Chris Hauge, School Facilities Engineer, explained that the updated Capital Improvement Plan focuses on the following two issues: the priority replacement of the North Dorchester High School and energy conservation projects that span across the entire school system. He said it is their objective to identify a way for these projects to be self-funding., noting that the BOE may be eligible for State funds.

The Council conceptually approved the FY18 Capital Improvement Plan for planning purposes only, contingent upon future County budget approvals.

UNITED WAY OF THE LOWER EASTERN SHORE UPDATE-ALLEN NELSON

Allen Nelson provided an update on the United Way of the Lower Eastern Shore. He asked the Council for the opportunity to present County employees information regarding this organization. In response to an inquiry from Councilman Travers, Jeremy Goldman, County Manager said it is the only automatically deductible charity the County supports. Based on the suggestion of Councilman Satterfield, Council agreed to a presentation c at the next Department Head meeting.

2017 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION DISCUSSION

Councilman Travers stated that: 1) this is the second discussion regarding proposed 2017 legislative initiatives and/or topics of discussion; 2) a final discussion will be held on October 18, 2016; and, 3) the meeting with legislators is on November 15, 2016. He advised that the Board of License Commissioners may submit a legislative proposal.

Mr. Goldman asked the Council to consider seeking a legislative amendment to alter the prevailing wage so it is calculated based on geographic location. Councilman Travers noted that the prevailing wage requirement substantially increased the cost to replace NDHS.

MANAGERS COMMENTS

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

The Council approved the requests of Jane Devlin, Executive Director, Richardson Maritime Museum: 1) to reserve the dockage in front of County Office Building for use by schooners and other vessels attending the Annual Cambridge Schooner Rendezvous from October 20 to October 23, 2016; and 2) to use the parking lot on October 22nd and October 23th which will remain open to the public.

RESERVE DOCKAGE REQUEST-ANNUAL CHOPTANK HERITAGE SKIPJACK RACE

The Council approved the request of Lou Hyman, Race Committee Chair, Dorchester County Skipjack Committee, to reserve docking space along the County Office building bulkhead and the use of the parking lot on September 23 and September 24, 2016 for skipjacks visiting for the 20th Annual Choptank Heritage Skipjack Race.

LOCAL ELECTED OFFICIAL CONCURRENCE REQUEST-OPERATIONAL PLAN- UPPER SHORE WORKFORCE INVESTMENT BOARD

The Council approved the written request of George Weeks, President, Upper Shore Investment Board, and agreed to execute a Statement of Concurrence for the submission

of a four year operational plan for Dorchester County to continue Workforce Investment Act services for the period of 2016-2020.

**FY18 AGRICULTURAL LAND PRESERVATION EASEMENT APPROVALS-
REQUEST TO HOLD PUBLIC HEARING-PLANNING AND ZONING**

The Council approved the request of Rodney Banks, Assistant Planning and Zoning Director, to hold a public hearing on FY18 agricultural land preservation easements

**REQUEST TO HOLD PUBLIC HEARING-COMPREHENSIVE WATER & SEWER
PLAN AMENDMENT-LAURIE LANE-PLANNING & ZONING**

The Council approved Mr. Bank's request to hold a public hearing on a Comprehensive Water & Sewer Plan Amendment to revise Table 4-1 and the Sewer Service Area Map Exhibit 4-E to change the designation of two unimproved lots on the west side of Laurie Lane.

**2016 COMMUNITY RATING SYSTEM RECERTIFICATION-PLANNING AND
ZONING**

The Council approved the request of Brian Soper, Environmental Planner, to execute the annual Community Rating System recertification required by Federal Emergency Management Agency to continue the County's participation in the Community Rating System program.

**STATE HOMELAND SECURITY GRANT PROGRAM-EMERGENCY MEDICAL
SERVICES SUB-AWARD-EMERGENCY SERVICES**

The Council approved the request of Anna Sierra, Emergency Services Director, to accept a State Homeland Security Grant Program-Emergency Medical Services Sub-award of \$14,562 to purchase ballistic protection for Emergency Medical Services personnel to aid in the protection of providers during an active assailant event.

**REQUEST TO USE SAILWINDS PARK EAST AMPHITHEATRE-IRONMAN
ATHLETE WELCOME CEREMONY-TOURISM**

The Council approved the request of Amanda Fenstermaker, Tourism Director, on behalf of the Cambridge Multi Sport Club, to use the Sailwinds Park East Amphitheatre site on September 29, 2016 for an Athlete Welcome Ceremony for the IRONMAN Maryland event from 5 p.m. and 8 p.m. Councilman Travers said there are athletes from 38 countries participating in the triathlon whose flags will be displayed at the ceremony.

**NATIONAL TRUST PRESERVATION FUND BARTUS TREW GRANT AWARD-
HEARN BUILDING STABILIZATION-GRANT MONITOR**

The Council approved the request of Cindy Smith, Grant Monitor, to accept the National Trust Preservation Fund Bartus Trew Grant Award for \$25,000 for the emergency

stabilization of the Hearn Building with Councilman Price opposing. The Council acknowledged that this grant serves as part of the County's 75% cash match for the MHAA grant which is being used to fund removal of debris and water from the building.

MARYLAND TRANSIT ADMINISTRATION TRANSPORTATION DEVELOPMENT PLAN GRANT AWARD-DELMARVA COMMUNITY SERVICES-GRANT MONITOR

The Council approved the request submitted by Cindy Smith, on behalf of Delmarva Community Services to accept a grant award from the Maryland Transit Administration (MTA) in the amount of \$81,000 to have MTA hire a consultant to perform a 5 year Transportation Development Plan for Dorchester County. The Council agreed to provide the \$9,000 match from Contingency Fund.

In response to a question from Councilman Price, Mr. Goldman stated that this comprehensive study of current activity in the County will also identify future needs. Ms. Smith advised that the possible seeking of Federal Land Access Program funding to assist in development a transit system between the City of Cambridge and the Harriet Tubman Visitor's Center is being discussed. Mr. Goldman said one of the eligibility requirements for this funding is the development of this plan. He said it will also assist DCS in determining whether the transportation needs of County residents are being met.

BID AWARD-TERMINAL BUILDING CARPET REPLACEMENT-AIRPORT

The Council approved the request of Meighan "Chis" Chisholm, Airport Manager, to award the bid for the carpet replacement in the terminal building to Carpet Village, the lowest bidder, at the cost of \$14,685. The Council acknowledged that there is \$12,000 in the Airport's Capital Budget for this purpose and that the replacement of the least worn areas will be deferred in order to stay within that amount.

REQUEST TO ADVERTISE FOR PROPOSALS-TOWER AIR HANDLER MODIFICATION-INTERIOR AND EXTERIOR PAINTING-PUBLIC WORKS

The Council approved the requests of Tom Moore, Public Works Director, to advertise for proposals for the following: 1) courthouse bell tower air handler unit #1 modification project; and 2) painting services for the preparation and painting of both interior and exterior County owned space. Pursuant to an inquiry from Councilman Price, Mr. Goldman said since there is no specific line item, funds have been set aside in maintenance that can be utilized to cover these costs. He explained that he and Mr. Moore will conduct a walk through and determine the areas of need.

LETTER OF SUPPORT REQUEST-SMALL COLLEGE GRANT EQUITY-CHESAPEAKE COLLEGE

The Council approved the request of Barbara Viniar, President, Chesapeake College, and agreed to send a letter to Governor Lawrence Hogan in support of equalizing grants to

small colleges including Chesapeake College and asking him to consider including the funding in the State's FY18 budget to address the inequity.

NATIONAL ENVIRONMENTAL POLICY ACT STUDY-CHESAPEAKE BAY CROSSING-QUEEN ANNE'S COUNTY COMMISSIONERS

Mr. Goldman said Governor Lawrence "Larry" Hogan and the Maryland Transit Administration have approved the Tier 1 National Environmental Policy Act (NEPA) Study for a new Bay Bridge, which will take 48 months. He noted that study requires concurrence from Eastern Shore counties on a crossing location. He explained the Queen Anne's County Commissioners have expressed concern about the future backups at the bridge identified in the Bay Bridge Lifecycle Study and are seeking Council's comments about a potential third bridge.

The Council members expressed their desire to review the study, upon completion, prior to making comments.

NAVAL AIR STATION AT PATUXENT RIVER JOINT LAND USE STUDY DISCUSSION

Mr. Goldman said he spoke to George R. Clark, Project Manager, and Christopher Jarboe, a Navy representative, about Part 15 devices and their potential impact on existing and future County equipment. He said he believes there may some issues with Part 15 devices and, in particular, with equipment for broadband. He recommended Council send an opt out letter.

Councilman Bradshaw expressed concern that the JLUS recommendations may become the basis for regulations or law in the future.

Mr. Clark explained that the Tri County Council's is acting as a liaison between the Navy and the counties that joined the study.

In response to questions from Councilman Travers, Mr. Clark advised that neither of the other counties opted out of the study recommendations and some of the counties impacted by the Naval Station activities are southern Maryland, Worcester County, Northern County Virginia. Councilman Travers noted that the available income in those counties may mitigate some of the impact.

Pursuant to an inquiry from Councilman Price. Mr. Clark said the objective of the JLUS is to foster communication between the Navy and the County.

The Council agreed to send a letter to opt of out and to not incorporate the JLUS recommendations into the County's Comprehensive Plan with Councilman Price opposing.

REQUEST TO ADVERTISE-PROGRAM ADMINISTRATOR-HEART OF CHESAPEAKE COUNTRY HERITAGE AREA-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.

REQUEST TO ADVERTISE-PROJECT MANAGER-ENGINEERING DIVISION- PUBLIC WORKS

The Council agreed to advertise a Project Manager position in the Engineering Division with Councilmen Price and Nichols opposing.

TAX SALE PROPERTY OFFERS

The Council accepted the following offers to purchase County owned property acquired by tax sale: 1) \$100 from Antonio McCoy for Lot 9, N/S U.S. Route 50, Hilltown, Ocean Gateway; 2) \$1,500 from Joseph Brummell and Karen Brummell for Lot 72-74 S/S Edgewood Avenue, Cambridge; 3) \$1,500 from Joseph Brummell and Karen Brummell for Lot 63-65 N/S Edgewood Avenue, Cambridge; and 4) \$500 from Wallace Groton for 5536 Galestown/Old School House Road, Galestown. The Council agreed that the house on the Galestown property to be purchased by Mr. Groton should be demolished within 120 days.

PUBLIC COMMENTS

Libby Nagel, resident, questioned the status of revisions to the County's Dog Control Ordinance. Councilman Satterfield said he and Councilman Bradshaw recently inquired about the status of these revisions which will require legislation. He advised that Sheriff James Phillips has provided proposed language to William Jones, State's Attorney, for his review to ensure legal sufficiency.

Ms. Nagel noted that she presented the Council information on shelter requirements in other counties at its March 3, 2015 meeting. Ms. Nagel provided Council with a photograph of a dog that passed, noting the lack of a shelter. She expressed concern that no action was taken, noting that the owner now has a puppy and is building a house. She also referred to a text she sent to them on August 25, 2016 about another dog on Washington Street. She said she spoke to Sheriff Phillips, who noted that the lack of shelter and tethering requirements limit enforcement.

Ms. Nagel expressed her understanding a committee was formed and the members said the shelter requirements she provided were too restrictive. In response to a question from Councilman Travers, Ms. Nagel said it is her understanding Sheriff Phillips formed the committee, which has only met once. She asked the Council to ensure that shelter and tethering requirements are included in any future revision.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Satterfield referenced the recent rain event and thanked local law enforcement, emergency responders and Public Works staff. He cited the recent events in New York and New Jersey and encouraged the public to contact the Sheriff's Office if they view any suspicious activity. Councilman Satterfield referenced recent telephone calls to his home from a caller claiming he won a Publishers Clearinghouse prize, which organization does not notify winners via telephone. He said cautioned the public about several scams that are being conducted in this area. He commended the Nause Waiwash Band of Indians for organizing the recent Native Festival.

Councilman Price echoed Councilman Satterfield's comments about reporting suspicious activity. He encouraged residents to be mindful of the welfare neighbors and senior citizens particularly during weather events. He acknowledged and thanked the members of the Veterans Recognition Committee for the recent Veterans Recognition Day event. He referenced the following upcoming events: 1) Annual Health, Home and Housing Resource Day on September 27th at the Dorchester Career and Technology Center; 2) East New Market Heritage Day on October 1st; and, 3) the Town of Hurlock Fall Festival on October 1st.

Councilman Bradshaw recognized the efforts of the 911 dispatchers who assisted an elderly lady with medical issues. He referenced a recent Clean Chesapeake Coalition (CCC) update from Charles MacLeod, Special Legal Counsel that included a link to a Lancaster Online article about a recent quarterly strategy session of the Chesapeake Bay Commission. He said it included a comment made by a member of the Pennsylvania delegation that the Conowingo Dam is Maryland. He stressed the need for cooperation and coordination among all of the States that have waterways which flow into the Chesapeake Bay in order to improve the health and water quality of the Bay.

Councilman Bradshaw referenced the Oyster Advisory Commission which was formed by Governor Hogan. He noted that there was a consensus among the members to move forward with the Tred Avon project but not until the repairs are made to the Harris Creek and watermen/boaters are compensated for damage that occurred to their boat as a result of the material placement. He expressed his understanding that they are discussing the possible designation of two additional rivers on the western shore as sanctuaries. He stressed that the seafood industry may not survive if additional waterways are identified on the eastern shore.

Council Bradshaw said he has been made aware of the special interest the National Oceanic and Atmospheric Administration (NOAA) has in the Choptank Watershed Complex from Delaware to the Choptank River, including Little Choptank. He asked staff to conduct a search to determine if any correspondence was received from NOAA about placing the Atlantic sturgeon on the endangered species list in 2009 or 2010. He said he does not recall receiving any correspondence seeking public comment. He advised that comments are being sought now and CCC is covering this issue. He expressed concern that this action could eliminate commercial or other types of fishing

on the Nanticoke River. He explained that a review a proposed set of rules will be conducted at tomorrow's Dorchester Seafood Harvesters meeting. Councilman Bradshaw echoed prior comments about reporting suspicious activity. He said he spoke to Sheriff Phillips who advised that he would rather respond to an unfounded call than a disaster situation.

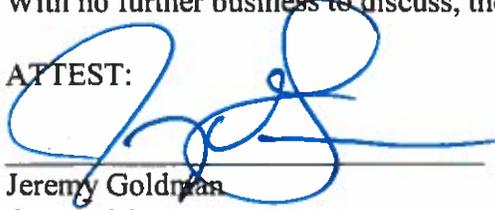
Councilman Travers stated that in less than a year with the assistance of Ms. Smith, Mr. Goldman and County staff, 110 properties that were taken off of the property tax rolls were offered for sale. He said counting the four approved earlier, there are only eight remaining. He noted that two years ago funds had to be set aside for expenses relating to these properties, including lawn maintenance. Mr. Goldman applauded Council and staff and Ms. Smith expressed appreciation for the Council's support.

Councilman Travers said Crabtoberfest is being held this weekend in downtown Cambridge and the IRONMAN Maryland Triathlon will be held on October 1st. He noted that a record amount of individuals, 2,600 or 2,700 have registered for the triathlon.

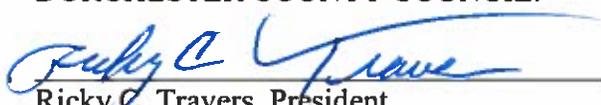
Councilman Travers announced that Council members will attend the following on Thursday, September 29th: 1) a Groundbreaking ceremony for the new North Dorchester High School at 10 a.m. at the school; and, 2) the Ironman Maryland Opening Ceremony at 5 p.m. at the Sailwinds Amphitheatre next to the Visitors Center. He also announced that the next meeting will be held on October 4, 2016 and the Council reserves the right to meet in closed session.

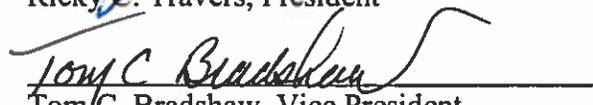
With no further business to discuss, the Council adjourned.

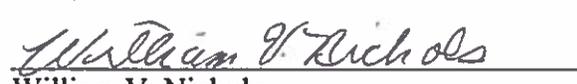
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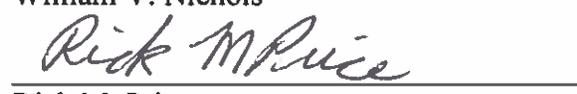

Jeremy Goldman
County Manager

DORCHESTER COUNTY COUNCIL:


Ricky C. Travers, President


Tom C. Bradshaw, Vice President


William V. Nichols


Rick M. Price


Don B. Satterfield

Approved the 18th day of October, 2016.