

**County Council of Dorchester County
Regular Meeting Minutes
September 6, 2016**

The County Council of Dorchester County met in regular session on September 6, 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

CLOSED SESSION

The Council adjourned from a Regular Session and convened in a Closed Session pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, pursuant to §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; pursuant to §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and pursuant to §3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

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

REGULAR SESSION

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Travers led the invocation and the pledge of allegiance. A moment of silence was held for Nancy Spicer and Dwayne "Eddie" Simmons who recently passed.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

The Council removed from the agenda the presentation of commendations to Emergency Services personnel. Mr. Goldman noted that the commendations will be presented at the Council's September 20, 2016 meeting. The Council agreed to add the following items to the agenda: 1) Request for EMS support for Chesapeake Challenge 2016; 2) Termination of License Agreement-Snack Bar; and, 3) Tax Sale Property offers

APPROVAL OF MINUTES- AUGUST 16, 2016

The Council approved the minutes of August 16, 2016.

APPROVAL OF DISBURSEMENTS

The Council approved the vouchers as presented.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Travers reported total cash and investments as \$4,307,572.53.

REGULAR SESSION

PUBLIC HEARING-WATER AND SEWER PLAN AMENDMENT- GROUNDWATER MANAGEMENT AREA MAP-PLANNING AND ZONING

E. Thomas Merryweather, County Attorney, stated that a public hearing is being held on a Water and Sewer Amendment to modify the existing Groundwater Management Area Boundaries Map.

Rodney Banks, Planning and Zoning Director, advised that the applicant for the amendment to Exhibit 2A, a Groundwater Management Areas Boundaries Map, is the Dorchester County Environmental Health Division. He explained that he provided the Council with the original boundaries map, the proposed revised map as well as an enlargement of that map.

William Forlifer, Environmental Health Officer, stated that the map is utilized in the approval process for septic systems and subdivisions. He expressed his belief an amendment is necessary. He said the original plan was developed in the mid 1980's in response to a change in septic system regulations. He advised that lower shore counties were provided the opportunity to map out areas to allow septic systems with less than four feet treatment zones. He noted that the plan process in Dorchester County began in 1985 and was finalized and approved in 1988. Mr. Forlifer explained that the proposed change will ensure that the area between Bucktown Road and Route 50 is handled the same as the area on the north side of Route 50, noting that there is no geological difference between these areas. He said the revision has to be submitted to the Maryland Department of Environment for approval. He advised that he has received positive signals from that entity's staff that the plan will be approved.

Mr. Forlifer confirmed Mr. Merryweather's statement that the proposed map is less restrictive.

There were no public comments.

The Council adopted a resolution to amend the 2004 Dorchester County Comprehensive Water and Sewer Plan by modifying the Groundwater Management Area Boundaries Map, which is Exhibit 2A in the list of exhibits contained in the plan.

PROCLAMATION-VETERANS RECOGNITION DAY

The Council presented a Proclamation declaring Saturday, September 10, 2016 as Veterans Recognition Day.

MANAGERS COMMENTS

FY16 BUDGET AMENDMENT REQUEST-BOARD OF EDUCATION

The Council approved the request of Dr. Henry Wagner, Superintendent of Schools, to approve the transfer of \$315,300 from fixed costs to the following: administration, \$93,300; other instructional costs, \$25,000; special education, \$150,000; student personnel services, \$35,000 and student transportation, \$12,000. The Council acknowledged that expenses were lower than expected for fixed costs (health care, payroll taxes and State retirement). The Council also acknowledged that these savings are utilized to initiate an electronic time and attendance system, cover unexpected legal fees (administration); provide contracted athletic trainer services (other instructional costs); cover unexpected costs of speech therapist services and non-public placements (special education); cover additional salary expenses due to unexpected staff turnover (student personnel services) and cover additional salary expenses due to unexpected staff absences (student transportation). The Council also approved Dr. Wagner's request for a budget alignment to recognize increases in revenues and related increases in its Instructional Salaries expense due to stipends paid by the Maryland State Department of Education to 77 of the public school system's teachers who met the requirements of the Advanced Professional Certificate and the National Board Certification programs.

SURPLUS PROPERTY DECLARATION REQUESTS-EMERGENCY SERVICES

The Council approved the request of Anna Sierra, Emergency Services Director, to declare a 2008 International ambulance and two extra-long twin bed frames as surplus property. The Council agreed to offer the ambulance to the Dorchester Career and Technology Center.

LANDFILL MONITORING CONTRACT RENEWAL-PUBLIC WORKS

The Council approved the request of Tom Moore, Public Works Director, to sole source and contract with EMA Environmental Monitoring and Assessment, LLC to provide environmental monitoring, sampling, testing and reporting of groundwater, surface water and gas at four landfill sites and the old Bay Organics site, as required by Maryland Department of Environment, for a period of two years at the cost of \$40,100 each year.

BID AWARD-FUEL-PUBLIC WORKS

The Council approved the request of Mr. Moore to award the bid for the supply of gasoline, diesel fuel, heating oil and propane to Cato Gas & Oil, the low bidder for these four commodities based on markup and delivery tabulations.

AIRPORT CAPITAL IMPROVEMENT PLAN LAND ACQUISITION PHASE REQUESTS

The Council approved the following requests of Meighan “Chis” Chisholm, Airport Manager: 1) to accept and execute Delta Airport Consultants Work Order #4 for Phase One “Land Acquisition” of the Airport Capital Improvement Plan to procure easements for obstacle removal; and, 2) to sign and submit a Maryland Aviation Administration (MAA) Special Bridge Grant application to assist with funding until Federal Aviation Administration (FAA) reimbursement is made available. He advised Council that the FAA and MAA approved the work order.

TRAVEL REQUEST-TOURISM

The Council approved the request of Amanda Fenstermaker, Tourism Director, to travel and attend the Maryland Tourism and Travel Summit from November 2 to November 4, 2016 at the Baltimore Marriott Inner Harbor. The Council acknowledged that conference registration is \$425 and mileage is \$50 for a total of \$475 for which Tourism Operating Budget funds will be utilized.

HOOPERSVILLE CEMETERY SHORELINE STABILIZATION PERMITS-PUBLIC WORKS

Tom Moore, Public Works Director, advised that an individual has expressed a willingness to stabilize the Hoopersville Cemetery shoreline at no cost to the County. He explained that this individual cannot obtain a permit for this work because he does not own the property. He said the law allows the County to obtain permits. He advised that pursuant to Council’s directive he has obtained permits from the Maryland Department of Environment and the U.S. Army Corps of Engineers.

In response to a question from Councilman Travers, E. Thomas Merryweather, County Attorney, advised that the County is the permit holder and will be held responsible if the individual fails to perform the work pursuant to the conditions and obligations of the permits. Councilman Bradshaw expressed his understanding that the material to perform the stabilization is on site.

The Council agreed that a Memorandum of Understanding should be prepared for its review and consideration.

Councilman Bradshaw advised that Stephanie Hallowell from the University of Maryland Eastern Shore (UMES) is present and has information regarding potential grant funding. Ms. Hallowell explained that the UMES Department of Agriculture and Natural Sciences has received a Rural Development grant. She explained that some of the grant funds are for improvements to Hoopers Island Road and since the cemetery damage is also due to water erosion they are willing to provide matching funds to the resident. In response to a question from Councilmen Travers and Bradshaw, Ms. Hallowell said UMES was awarded the grant funds and she will provide the Council with more information. Jeremy

Goldman, County Manager, asked Ms. Hallowell to provide the details to Cindy Smith, Grant Monitor.

BOARD APPOINTMENTS

The Council reappointed Elizabeth Hill to the Board of Zoning Appeals as the District 5 representative. The Council appointed Mary Turner to the Council for Senior Citizens Services to fill the unexpired term of the late Bertha Dockins and then to serve an additional three year term.

TELEPHONE POLL CONFIRMATION

The Council confirmed its decision in the interim between meetings, by means of a poll, approved the request of Tom Moore, Public Works Director, to submit FY18 Waterway Improvement Fund Grant applications to the Department of Natural Resources for the following projects: 1) \$250,000 for the Elliott Island Jetty Replacement; 2) \$250,000 for the dredging of Tar Bay; and 3) \$99,000 for general marine facility maintenance.

REQUEST FOR EMS SUPPORT FOR CHESAPEAKE CHALLENGE 2016

The Council agreed that the Emergency Medical Services Division can provide the following public safety services for the Chesapeake Challenge 2016 event to be held on September 10, 2016 at an hourly rate for one staffed basic life support ambulance. The Council acknowledged that if these services cannot be provided the sponsor of the event will be advised to contact a private vendor.

TERMINATION OF LICENSE AGREEMENT-SNACK BAR SERVICES-EASTERN SHORE INNOVATION CENTER

The Council agreed to terminate the Eastern Shore Innovation Center License Agreement with Patrick's Northeast Kitchens (Suite #39) at the vendor's request.

TAX SALE PROPERTY OFFERS

The Council accepted the following offers to purchase County owned property acquired by tax sale: 1) \$1,250 from Hill-Kimmell Contracting for 509 Gay Street, Cambridge; 2) \$100 from Latasha Hudson for Skeet Club Road, Hurlock; 3) \$100 from Rip Cornish for 613 Robbins Street, Cambridge; 4) \$225 from John M. Marz for Centennial Road; 5) \$100 from Rip Cornish for 812 Fairmount; and, 6) \$100 from Rip Cornish for 812-814 Fairmount, Cambridge.

LETTER OF SUPPORT

The Council agreed to send a letter of support to the U.S. Army Corps of Engineers for the expansion of Cambridge Shipyard Facility, Inc., also known as Yacht Maintenance Company, which may result in a slight infringement of the turning basin into the

Cambridge Creek. Councilman Travers advised that the expansion includes the installation of a lift and will result in increased job opportunities. He noted that the project will occur over a three year time frame after approval has been obtained. Councilman Bradshaw said this company has been working with the Richardson Museum regarding marine trades.

PUBLIC COMMENTS

Ken Heesh, thanked the Council for his appointment to the 2017-2026 Solid Waste Management Plan Advisory Workgroup and questioned whether any plans have been made for this group. Councilman Travers said other appointments need be made.

In response to a question from Mr. Heesh, Mr. Goldman referenced Council's approval of the vertical expansion of the landfill until relief can be obtained from the Zero Waste Executive Order. He said positive feedback has been received, however, the Order has not been rescinded. He advised that staff and the Council are actively involved in conversations to obtain relief.

Mr. Goldman confirmed Mr. Heesh's understanding that Geosyntech Consultants staff are working on the Phase 2 report for the vertical expansion of the landfill. Mr. Moore noted that staff is also working with Maryland Department of Environment on coordination. He said additional information will be obtained from the Landfill Manager and will be available at the Council's September 20, 2016 meeting.

COUNCIL'S COMMENTS/ADJOURNMENT

Councilman Nichols stated an accident occurred near his home over the weekend. He said he assisted some of the injured and was impressed with the emergency responders. He asked Mr. Goldman to advise those present that they did an outstanding job. He said every one of them were very courteous, including the volunteer fire company members who were on scene. He thanked Councilman Travers for responding to the call.

Councilman Satterfield commended law enforcement, emergency responders and roads staff for the work they perform with limited resources. He stressed the importance of supporting veterans.

Councilman Price said his thoughts and prayers are with the family of Bertha Dockins, who recently passed. He noted that she and her family were recently recognized by Peter Franchot, Controller, State of Maryland, for store they owned and operated since 1952.

Councilman Price commended public safety workers who remained vigilant during the recent threat of a hurricane/tropical storm Hermine. He thanked Steve Garvin, Emergency Planner, for providing updates during this weather event.

Councilman Bradshaw noted that there are still concerns regarding Maryland Department of Transportation enforcement relating to agriculture product transportation that need to

be addressed. He said a couple of farmers have advised him that they are considering leasing land in Delaware as well as one individual who said they have found a packing shed operation to purchase in that State. He extended his sympathy to the Simmons family for their loss. Councilman Bradshaw thanked his family for supporting him as he serves as Council member.

Councilman Travers advised that the groundbreaking ceremony for the new North Dorchester High School will be held on Thursday, September 29, 2016 at 10 a.m. He noted that the Guaranteed Maximum Price Amendment to the construction contract for this school was signed on August 29, 2016. He said it is anticipated that the school will open in 2019.

Councilman Travers referenced an earlier meeting the Council had with University of Maryland Shore Regional Health representatives at which it was agreed upon that a subgroup was to be formed consisting of two members from the County Council, two members of the City of Cambridge Council, the County Manager, the City Manager, Shore Health representatives and Senator Adelaide Eckardt. The Council selected Councilmen Satterfield and Travers as representatives.

CLOSED SESSION SUMMARY

The County Council of Dorchester County convened in an Closed Session at 4:30 p.m. on September 6, 2016 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; and pursuant to §3-305(b)(4) to consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

Motion made, seconded and carried to conduct a closed session pursuant to the above. All members of the Council voted in the affirmative to conduct the closed session for the purposes stated above and to discuss the topics listed below.

Action taken at the closed session: 1) discussed personnel matters relating to a County department; 2) discussed personnel matters relating to Airport; 3) approved the request of Emergency Services Director to hire an individual to fill a vacant Paramedic position and to add individuals to the on-call list by a 4 to 0 vote; 4) deferred the request of the Public Works Director to restructure and reclassify a position in the Engineering Division; 5) discussed legal proceedings relating to a tax sale property; 6) discussed offers to purchase County property acquired via tax sale-agreed to consider in open session; 7) discussed a matter relating to a tax sale property; 8) received an update from University of Maryland Shore Regional Health regarding a proposal to locate, expand or remain in the State; 9)

discussed with legal counsel a license agreement for services-agreed to consider in open session.

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.

OTHER

Councilman Travers announced that the next County Council meeting will be held on September 20, 2016 and the Council reserves the right to meet in closed session prior to regular session.

With no further business to discuss, the Council adjourned.

ATTEST:

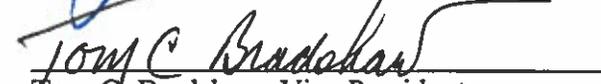


Jeremy Goldman
County Manager

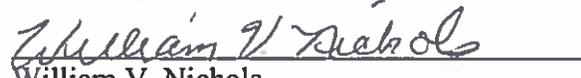
DORCHESTER COUNTY COUNCIL:



Ricky C. Travers, President



Tom C. Bradshaw, Vice President



William V. Nichols



Rick M. Price



Don B. Satterfield

Approved the 20th day of September, 2016.