COUNTY COMMISSIONERS OF CAROLINE COUNTY
109 Market Street, Room 106, Denton, Maryland

MINUTES
SEPTEMBER 18, 2012

Present: President Larry C. Porter; Vice President Wilbur Levengood, Jr.; Member Jefferson L. Ghrist; County Administrator Kenneth C. Decker; Chief of Staff Sara Visintainer

Invocation by Reverend Walter Burgess, Christ Episcopal Church of Denton and **Pledge of Allegiance**

President Porter called for **public comment** and Reverend Burgess expressed appreciation to the Commissioners for providing the opportunity for a wide variety of denominations to provide the morning invocation.

Workshop regarding the proposed Amendment to the County Comprehensive Water and Sewer Plan and request for approval of Public Hearing date: Leslie Grunden, Planner, Department of Planning and Codes, stated that the Town of Federalsburg is requesting the amendment to add a proposed project to separate the town's combined stormwater/sewer lines along Railroad Avenue and Park Lane. She stated that the Maryland Department of the Environment will fund the design and construction of new separated lines, provided the project is included in the County's Plan. The Commissioners had no additional comments, and on motion by Mr. Levengood, seconded by Mr. Ghrist, they unanimously authorized the public hearing to be scheduled for October 9, 2012 at 9:00 a.m.

Review of Draft Administrative Policies – Mileage, Cell Phones, Inclement Weather, Meals by Ken Decker, County Administrator. The Commissioners reviewed each and expressed general concurrence. Mr. Levengood requested additional time to review the inclement weather policy. Staff was instructed to place the inclement weather policy on the agenda for further discussion the following week.

Action Agenda:

- The open, closed, administrative, and legislative session minutes of September 11, 2012 were approved by unanimous consent;
- Purchaser order #58464, in the amount of $33265, to Brekford Corporation for police vehicle equipment and upfitting was approved by unanimous consent;
- The Application for Certificate of Title for a vehicle seized by the Drug Task Force was approved by unanimous consent;
- The Lease Agreement for County Property at Ganey's Wharf was approved by unanimous consent;
- The Contract Extensions with ConMed Healthcare Management for Detention Center Medical and Mental Health Services was authorized by unanimous consent;
- The Employment Agreement for a part-time Emergency Medical Services employee was approved by unanimous consent;
- The At-Will Employment Agreement for Cathie Moore, Comptroller, was approved by unanimous consent;
- The Letters of Appointment to the Upper Shore Workforce Investment Board for George Weeks, Federalsburg; Robert Corbin, Denton; and John Strube, Denton, were approved by unanimous consent;
- Resolution #2012-025, Amendment to the Caroline County Personnel Rules and Regulations, Class Specifications was approved by unanimous consent;

- Resolution #2012-026, Adoption of the Caroline County Comprehensive Water and Sewerage Plan Amendment for North County Water and Sewer Project was approved by unanimous consent; and
- Resolution #2012-027, Adoption of Caroline County Comprehensive Solid Waste Management Plan was approved by unanimous consent.

County Attorney's report: Mr. Crofoot stated that the State has amended the provisions for the Minimum Livability Code per the International Property Management Code, which he and staff from the Department of Planning and Codes will review to identify inconsistencies.

County Administrator's report:

- Jonestown is moving forward, and Maryland Environmental Service inspectors, Joe Miller, and I walked the project and the public meeting and pre-construction meeting is being scheduled;
- Some progress has been made in the acquisition of the wide format copier at Planning and Codes;
- The framing plan is in for the kitchen floor at the Detention Center;
- The Director of Public Works and I met with Maryland Environmental Service regarding privatization of the recycling program;
- A thank you to Amy Thetford of Public Works for identifying a monetary value to all fleet vehicles and heavy equipment, resulting in a total of $9 million in County assets.

Commissioners' comments:

- Mr. Levengood stated that he attended the reception for Ann Jacobs, the Executive Director for the Chamber of Commerce, two Cruise-ins in Denton, the Chicken barbecue fundraiser for the Ridgely Volunteer Fire Company, breakfast at the Marydel Volunteer Fire Company, the Ridgely Autumn Festival, and the luncheon with representatives from the Maryland Association of Counties;
- President Porter expressed concern over the inclusion of Brunkhorst Road in the Jonestown Water project, and asked Mr. Decker to schedule a meeting with those residents and representatives from the United States Department of Agriculture, Rural Development to discuss the options available to them; and
- Mr. Ghrist had no additional comments.

President Porter called for **public comment** and there were none. He called for a fifteen minute recess.

At 10:30 a.m., the Commissioners began their **Annual Meeting with the Maryland Department of Transportation and State Highway Administration** – President Porter welcomed Acting Secretary Darrell Mobley, who introduced Doug Simmons, Deputy Administrator, State Highway Administration; Melinda Peters, Administrator, SHA; Terry Wright, District Two Chief Engineer, SHA; Beth Kreider, Director, Maryland Transit Authority, Local Transit Support; SeanAdgerson, Deputy Administrator, Motor Vehicle Administration; Virginia Colon, District Manager – Operations, MVA; and Jessica Lambertson, Highway Safety Program Specialist, Baltimore University of Maryland.

Mr. Mobley reviewed the MDoT funding for FY13-14, stating that 18% of their total budget comes from the Federal government, and they were approved for level funding totaling $580 million for highway funds and $200 million for transit funds. Caroline County projects scheduled for funding with Federal funds are: resurfacing Route 404 from Sennett Road to the Delaware line; resurfacing Main Street in Greensboro from Cedar Lane to MD 313; and sidewalk improvements in the Town of Preston. Mr. Mobley stated that MDoT will continue to work with the Maryland delegation to seek increased transportation funding, and will continue to seek Federal grants to further innovation in high speed rail and port terminal commerce. He asked the Commissioners for their support in asking Congress

to increase Federal transit funds for projects in Maryland and across the Country. Mr. Mobley stated that Governor Martin O'Malley proposed legislation to restore 70% of Highway User funds, which was unsuccessful, and the State's slow growth projections do not generate sufficient revenue to add capital projects at this time. He highlighted improvements in Caroline County over the past year: Maryland 404 was upgraded between Tuckahoe Creek and Maryland 309; $4 million was received and used for purchasing necessary right-of-way; $640,000 was made available for purchasing right-of-way for the DoverBridge replacement; and bridge preservation work on MD 304 Bridgetown Road over Mason Branch and Route 404 over Watts Creek.

President Porter welcomed members of the local Delegation, including **Senator E.J. Pipkin, Senator Richard Colbourne, Delegate Addie Eckardt, Delegate Steve Hershey, and Delegate Jay Jacobs.**

Ms. Peters provided updates on State Highway Administration goals and priorities, noting that fiscal constraints keep safety and system preservation first, followed by increasing pedestrian safety, and improving water quality initiatives through drainage and tree planting efforts. She outlined local projects in progress, including the Route 313 Reliance Road Bridge rehabilitation over the Marshyhope Creek; MD 287 Sandtown Bridge replacement over the Choptank River; and the replacement of MD 328 Bridge over Tuckahoe Creek, with mitigation expected to be completed by next February. Ms. Peters stated that SHA is fully funded for the design and engineering for the Dover Bridge replacement, and purchase of the necessary right-of-way, and expect to be prepared to begin advertising within six months of notification of award of construction funding for the project.

Mr. Wright stated that once the contractor for Wal-Mart completes the signal work on Legion Road, SHA will be prepared to begin installation of a pedestrian activated crosswalk across Route 404, to Fifth Street and until that time, temporary striping along the shoulder of Legion Road will be in place to assist pedestrians. He stated he expects the total project to be completed by spring 2013. Mr. Wright stated that the mild winter allowed funding for the following system preservation projects: $600,000 on MD 306 from Federalsburg to the Delaware line; $330,000 for MD 315 from Federalsburg to MD 318; $209,000 on MD 404 to Ridgely Road; and $200,000 for MD 821 in Marydel.

President Porter called for comment, and **Senator Colburn** asked for clarification of Dover Bridge funding and the reopening of the MD 313 Bridge in Federalsburg.

The Commissioners discussed the importance of **keeping Dover Bridge a priority,** given it is nearly 80 years old, rated functionally obsolete, and serves as a main artery between Southern Caroline and Northern Dorchester Counties andTalbot County, and specifically Easton Memorial Hospital.

A discussion took place regarding the **continued prioritization of the Route 404 dualization project,** and members of the C-TEAM, Citizens for Transportation Emergency Action for Maryland, **Marie Freeman, Ed Richards, and Bill Cooper,** presented a letter to Secretary Mobley and requested additional funding to ensure a timely completion of the project.

President Porter called for **public comment.**

Bill Beall, Mayor of Federalsburg, expressed appreciation for system preservation work in his Town, and requested funding prioritization for the Dover Bridge replacement and repairs for damage caused by bridge detours.

Debbie Rowe, Mayor of Marydel, expressed appreciation for the installation of the flashing signal at the entrance of the Marydel Volunteer Fire Station, and stated that the Dover Bridge is a project in need of the same urgency, for many people who rely on the artery to maintain their livelihood.

Senator E. J. Pipkin stated that the Governor has set priorities that have negatively impacted the County and its agencies, such as revoking nearly one billion dollars in Highway User funds, originally intended for basic road maintenance and a lifeline for Eastern Shore Counties. He stated that Governor O'Malley's urban projects, such as the Red and Purple lines have caused him to dismiss the importance of rural projects such as Dover Bridge and Route 404. Senator Pipkin expressed concern over how little of a shore resident's tax dollars are actually used for transportation maintenance and improvements in their home areas and the use of gas tax funds to support mass transit.

Dennis Porter, Mayor of Denton, stated that the Town supports the County's transportation requests, and asked the SHA to consider completion of the pedestrian crosswalk from Fifth Avenue across Route 404 to Legion Road before the grand opening of the Wal-Mart in October.

The Commissioners had a discussion on **Property Quick Take procedures by State Agencies,** and **Delegate Eckhardt** stated that the process to take someone's land should be used as a last resort only, and suggested implementing steps to protect land owners, such as inserting an active public hearing process, and improving communication with the local government, who may have land suitable for mitigation purposes. Mr. Simmons stated that the Quick Take process is intended to protect property owner's rights and ensure adequate compensation for their properties. He agreed that her suggestions would improve the process with respect to mitigation; however, exercising Eminent Domain to obtain right-of-ways ensures a project can continue to move forward unimpeded. Mr. Ghrist stated that changing the Quick Take laws to expand the parameters of utilizing publicly owned properties would reduce risks for property owners. Mr. Simmons stated that SHA extensively reviews all prospective properties to determine if they could meet the mitigation requirements before exerting Eminent Domain, but agreed to review the process and implement improvements where possible, and to continue to work with Delegate Eckardt to do so.

Ms. Kreider gave an update on the Maryland Transit Authority, stating that ridership in the County is up 9%, presenting challenges to meet the demand. She stated that Caroline, Kent, Talbot and Queen Anne's Counties received flat operational funding of $718,000 for FY2013, and the Delmarva Community Transit program received $479,000 in grants. Regarding the future use of the Denton facility, she stated that she feels confident that a mutually agreeable solution will be found that meets the Federal guidelines.

Sean Adgerson provided a brief update on streamlined services offered by the MVA including internet license renewals, service kiosks, and interactive voice systems, all meant to increase customer service and decrease wait times.

President Porter thanked all those in attendance and called for a lunch recess. The Commissioners agreed to reconvene at 1:45 p.m., at the Courthouse for the scheduled Administrative and Closed sessions.

The Commissioners met in **Administrative Function session** to discuss the provision of legal services for the County.

Closed session: at 2:17 p.m., the Commissioners convened in Open Session and on motion by Mr. Levengood, seconded by Mr. Ghrist, the Commissioners, voted to convene in closed session for the following purpose: **Discussion of the Performance of a Specific Employee;** under the authority of 2009 Maryland Code, State Government 10-508(a)(1); with the Commissioners; Amy Kreiner, Minutes Recorder; and Ken Decker, County Administrator, in attendance.

President's report: President Porter stated that during the Closed session, the Commissioners discussed the performance of a specific employee, and provided direction to Mr. Decker regarding same.

There being no further business, the Commissioners **adjourned** their meeting at 4:00 p.m.

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Amy L. Kreiner
Caroline County Minutes Recorder