The Wicomico County Council met in Legislative Session on Tuesday, January 21, 2020 at 10:00 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

In attendance: Larry Dodd, President; John T. Cannon, Vice President; Ernest F. Davis, Joe Holloway, William R. McCain, Josh Hastings, and Nicole Acle.

Present: Laura Hurley, Council Administrator; Lynn Sande, Executive Office Associate; Levin Hitchens, Internal Auditor; and Robert Taylor, Council Attorney.

On motion by Mr. Hastings and seconded by Mr. McCain, the Consent Agenda consisting of the following items was unanimously approved:

- Legislative Minutes from January 7, 2020
- Special Open Work Session Minutes from January 7, 2020 – Motion to Convene in Closed Session
- Open Work Session Minutes from December 17, 2019 – Water and Sewer Master Plan Amendment
- Open Work Session Minutes from December 17, 2019 – Culver Road Closing Request
- Open Work Session Minutes from December 17, 2019 – Appointment of Deputy Director of Emergency Services
- Open Work Session Minutes from December 17, 2019 – FY20 Budget Amendment Request for Renovation of Bathroom Facilities at the Cedar Hill Marina
- Open Work Session Minutes from December 17, 2019 – Proposed Property Tax Credit for Habitat for Humanity

A proclamation was presented to Big Brothers/Big Sisters in recognition of National Mentoring Month.

Laura Hurley, Council Administrator

Mrs. Hurley said she has a few housekeeping matters to go over; first, the proposed Legislation to prohibit marijuana in public areas is not on the Agenda today. She said their attorney is currently reviewing the draft Bill and researching the matter, so keep an eye on that for a future meeting.

Mrs. Hurley said the other item is, per the County Executive’s request, the Work Session to discuss the audit request on the Newland Park Landfill’s useful life and the closure/post-closure costs will not be held today.

Public Hearing: Resolution No. 06-2020 – to Close a Westerly Portion of Culver Road. Mrs. Hurley said a Public Hearing notice was posted on the County’s website and published in the Daily Times stating that a Public Hearing would be held this morning. Mr. Dodd opened the Public Hearing. There were no public comments. Mr. Dodd closed the Public Hearing. There being no discussion, on motion by Mr. McCain and seconded by Mr. Cannon, Resolution No. 06-2020 was unanimously approved.

Public Hearing: Resolution No. 07-2020 – Approving a Deed of Easement Between Wicomico County, Maryland and Delmarva Power and Light Company for Property Located on the East Side of Walston Switch Road. Mrs. Hurley said a Public Hearing notice was posted on the County’s website and published in the Daily Times stating that a Public Hearing would be held this morning. Mr. Dodd opened the Public Hearing. There were no public comments. Mr. Dodd closed the Public Hearing.
Mr. Holloway said he had a lot of questions when Mr. Baker was before Council, and those questions were answered, so he wants to thank them for looking into it and getting everything squared away.

Mrs. Acle said she would like to take a moment to thank Mr. Fitzgerald, President of the Board of Education, Dr. Hanlin, and her staff for being at the meeting. She said Council appreciates them taking the time to come

There being no further discussion, on motion by Mr. McCain and seconded by Mr. Holloway, Resolution No. 07-2020 was unanimously approved.

**Public Hearing: Capital Improvement Program (CIP) for the County for the Period of July 1, 2020 through June 30, 2025, and the Capital Budget for Fiscal Year 2021:**

Mrs. Hurley said there is a typo on the Agenda that shows Fiscal Year 2020, but it should be Fiscal Year 2021. She said she will read each Department and the totals through Fiscal Year 2025, and there are copies of the CIP Summary Page on the table near the door if anybody wants to follow along.

Mrs. Hurley read each Department starting with General Services - $993,000; Information Technology - $257,250; Sheriff's Office - $10,189,500; Department of Corrections - $913,800; Department of Public Works, Engineering Division - $4,091,450; Board of Education - $13,256,000; Wor-Wic Community College - $6,364,991; Public Library - $7,005,100; Public Health - $897,000; Public Works, Roads Division - $6,400,000; Airport - $33,165,861; Recreation and Parks - $1,591,000; Civic Center - $1,700,000; Public Works, Solid Waste Division - $8,110,000; Tourism - $163,000. She said the total capital project cost through Fiscal Year 2025 is $95,097,952.

Mr. Dodd opened the Public Hearing.

Mrs. Michelle Wright came to the podium and said she feels like this is Déjà vu, but she will go through all the proper procedures. She said she lives in Hebron, Maryland, and she thanks Council for allowing her to share her thoughts and concerns about the Mardela Middle and High School renovation project being pulled from the Capital Improvement Plan. She said she is looking around, and she does not see anybody here from the County Executive's Office, so she is very disappointed in that as well since this is his plan. She said she stands here before Council again still wearing her three hats; first, she is a resident of Wicomico County and lives in the Mardela School District, and is the proud parent of two children who attended and graduated from Mardela High School. She said secondly, she was appointed by the Governor and was honored to serve on the Wicomico County Board of Education as a Board Member, Vice President, and President for six years starting in 2006. She said her third hat is she is currently serving on the Wicomico Education Foundation, which shows her continued support for the educational system, but please know she is not speaking on behalf of that group.

Mrs. Wright said there are many words that come to mind as she thinks about the decision by their County Executive, Mr. Culver, to remove Mardela Middle and High School renovation funding from the CIP for the second year in a row, which Council will be discussing today. She said those words are worried, concerned, disappointed, angry, surprised but optimistic, proactive, strong, high expectations, and forward thinking. She said, on Tuesday, January 7, 2020, she attended a Work Session at the Board of Education to hear the educational specification presentation that was completed by a Committee made up of teachers, students, community reps, Becker Morgan, and Board of Education staff, and she served on that Committee. She said the Committee met twice a month September through December,
and this important part of the process was planned after Mr. Culver added the project back into the CIP after pulling it in the spring of 2019. She said, that same morning, she contacted Mr. Culver’s office in an effort to make sure the CIP was being submitted on time to the County Council, and that Mardela was on schedule with County funding. She said she received a response quickly, which did not, and she repeats, did not state that Mardela had been removed from the CIP. She said, though the CIP was dated December 17, 2019, later that day she received a call from a friend to notify her they had heard Mardela had been pulled. She said, after a couple of days and several phone calls, she was able to confirm that this was true. She said her feelings at that time were disappointment, angry, concerned, and worried, but not surprised because they are dealing with a person who has a proven history of pulling the plug on school projects dating back to 2012. She explained, she wants to make sure everyone understands that projects such as this take five to ten years from start to finish, but they cannot wait five to ten years for their kids to get a school they so desperately need. She clarified, right now, the current CIP does not have any funding for Mardela for the next five years, so they are talking five to ten years after that.

Mrs. Wright said it is stated in the Executive’s cover letter dated December 16, 2019 that the Capital Improvement Plan assists the County in its long-range financial and public work plans. She said it also states that it is this portion which received the closest scrutiny for which funding decisions are made. She said the remaining years serve as a guide and an indicator of what the future capital requirements are likely to be, their costs, and probable sources of funding. She said this document is key for the County, and also for the State because the State looks at this document when allocating the State’s portion before committing monies to school construction. She said, with that being said, she attended Mr. Culver’s CIP hearing in November 2019, and Mardela was in the presentation at that time. She said she left that evening not 100 percent comfortable, but maybe 80 percent hopeful that it was still a priority for Mr. Culver simply because she has witnessed Mr. Culver saying one thing and to have him change his plans at the last minute. She said Mr. Culver has stated in a television interview recently that he could not commit County funds when the State is not able to commit their portion for Mardela. She clarified, he has this backwards, and he is misleading the community. She explained, the State needs to see the County’s commitment first, they need to see that this is a priority for the County in the CIP, and then the State will commit their portion. She said the Board of Education has done their due diligence in communicating with the State, and submitted the approved ed spec to them last week, and the State is fully aware of Mardela being the second priority for the school system after Beaver Run. She said, as of yesterday after she made some phone calls, she was able to confirm by a State Official in Annapolis that the State is standing by, and she will quote, they said “standing by waiting for the next steps to help fund Mardela”. She said also, it is her understanding, and she can be corrected if she is wrong, that right now the way the State is looking at construction funds they are ready to fund 100 percent of construction funds for Mardela with Fiscal Year 2021, and she thinks she is accurate in that statement.

She said also, Governor Hogan has over $730 million dollars in his budget for school construction, and everyone who she has talked to believes the County will get approved. She said this leads her to the words optimistic, proactive, strong, forward thinking, and high expectations. She said she is being proactive in coming to Council today, and she will be finding ways to educate and inform the community on what is the truth. She said she will be getting groups together and letting them hear from the people who understand all steps of the process to get the school renovation completed. She said she is optimistic that Mr. Culver will realize that the west side of the County is important, and that their kids are not pieces on a chess board that can be played. She said their kids cannot wait five to ten years to get a state of the art, fully functioning and safe learning environment. She said they want the latest
technology with working heating and air conditioning. She said it is not acceptable for their kids to attend a school that will be over 65 years old if it ever gets completed. She said their community is strong, they are forward thinkers with high expectations of their elected officials, and they expect their County Executive to listen to his citizens. She said they expect their County Executive to find a balance, and to work with their County Council, Department Heads, and agencies. She said they expect their County Executive to sit at the table and have important and sometimes difficult discussions to find solutions to keep their County functioning, which includes their school system.

Mrs. Wright said, as she was preparing this, she had a lot of questions. She said she wonders if Mr. Culver met with the Board of Education before making this decision; did he notify the Superintendent or School Board President of his plans, and, if yes, when did he do that? She asked, if he is truly concerned about the funding, did he express that to the Board of Education and try to find solutions to those concerns? She asked, did he ask about the status of the Mardela Renovation project? She asked, does he understand that the Mardela community went through a process that provided three options looking at the future of Mardela, and option three was chosen, which kept Mardela Middle and High together? She asked why the CIP did not get uploaded to the County website around December 17, 2019 when it was completed? She asked why the Westside community did not get notified by the County Executive about the project being pulled earlier? She asked why she did not get an honest response on January 7 in her email? She said, although she realizes the County Council is not able to add Mardela back to the CIP, she is asking all of them, but especially those at-large and Mrs. Acle representing their District, to help them get this back on the CIP. She said, since Mr. Culver is not in the room, and is probably watching her on TV 75-feet away, she is asking him to put Mardela back in the CIP.

Ms. Eileen Johnson came to the podium and said she is with Wicomico Push4Education, and they advocate for increased investment in education in their County. She said they are a grassroots group of parents, educators, and concerned citizens, and they have been through this before, so, yes, this does feel like Dèjà vu. She said they just wanted to repeat that they stand with the Mardela community who showed up in full force last spring, and were given Mr. Culver’s word that they would find a way for this funding. She said everyone on the Council spoke and verbally committed to making sure this was a priority. She said she will just remind everyone that everyone here on the Council, from what she understands and what she has read, has run on the promise of making education a priority. She said, after hearing about this just a couple days ago, she made the following statement to members of their group, which she then read:

Lack of communication, information, and transparency continues to be our biggest obstacle. This is what makes people distrust their government, when they promise one thing, give their word that they have their back, and will stand up for what they need, and then discard that promise without communicating about it. I only found out about the cut to the Mardela renovations, which have been needed for decades, from a Facebook alert from a Mardela parent despite the fact that I follow the County Executive’s page, and try to constantly be aware of what is happening. Last spring the Mardela community mobilized and showed up in full force to advocate for their dire needs. We saw a community that cares deeply for one another as they voiced their frustrations at having to make do for decades with an unsafe, inadequate, and deeply uncomfortable learning environment. (Ms. Johnson added, she thinks most of them are not able to be here right now because they are in school.) She continued, they were heard by the County Council and the County Executive, and all the political representatives there gave their word that education remains a top priority, and, indeed, that is what they campaigned on, and all
said they must find a way to make this work. Mr. Culver stood up and gave his word that he would find a way. We do remember Mr. Culver’s claim that because he fully funded the very small amount that the Board of Education had requested, which was $800,000 towards maintenance of effort, less than one-third of one percent of an overall budget $156 million-dollar budget, he said he would have to cut the planned Mardela funding when he gave that $800,000, but we know this could not possibly be true since they are two different budgets, one being capital, and one operating. To our knowledge, he may not move dollars from one funding source to another, so, in this case, moving it from capital to operating. We also know that the County has a record budget surplus, which is to be used for exactly this kind of investment, capital spending, infrastructure, etc. I have heard different figures about what that surplus is, and, again, every representative has a different number, or some just do not know the amount of that surplus, but all agree it is in the tens of millions of dollars. Renovating Mardela so that it has heating and cooling, enough room for its students, and clean air for students and staff to breathe are not luxuries, they are necessities, and they are an investment in our most precious resource. Every one of their Elected Officials claims to stand for education, and it is time for them to work together to get it done. Open up a conversation about the budget surplus, be transparent about what is happening with our County investments, tell us when you cut plans that hundreds of families are counting on to have a safe, comfortable learning environment where they can thrive, and tell us where to be so we can show up and help you all work together to find a way.

Ms. Johnson said they call on the Board of Education, the County Council, and the County Executive to work together to find a way to do this. She said she remembers at a certain point last spring when all the Mardela community showed up, Mr. Culver said it sounds like they just need a whole new school. She said she can understand that feeling because it seems like fixing things here and there when it sounds like the school is in such dire need, but, from what she understands, they have all been through this process for a long time, and, as Mrs. Wright said, there were already three options, and the Mardela community chose to do those improvements versus doing a whole new school. She said she thinks they should trust the experts and the engineers who said what could be done, and the Mardela community who says what they need, and give them what was promised to them. She said they feel strongly that the County Executive should have kept his word on this, and should be there to explain what is going on.

Dr. Donna Hanlin, Superintendent of Wicomico County Schools, came to the podium and thanked Council for the opportunity to provide comments on the County CIP. She said she does not believe Council needs to hear from her again about the needs they have at Mardela, but she would like to share with Council, and in some cases, emphasize some factual information that has already been shared that may be helpful to Council in making decisions on requests from the Board of Education relative to the CIP over the course of the next few months. She said, first, the Mardela renovation and addition project is the result of the feasibility study that included open meetings with the community. She said the feasibility study was completed last year as recommended by the School Building Commission, which has County Executive, County Council, and community member representation.

Dr. Hanlin said, next, while the State has not yet given planning approval for the Mardela Middle and High renovation project, or the Westside Intermediate roof for that matter, which has remained in the CIP, the State is only one-third of the way through its recommendations this year, and this process is ongoing. She said the State will continue to consider the Mardela project as it develops its final list of recommendations, which may not come until June, and the fact that State planning approval was deferred at this step is not unusual.
Dr. Hanlin said her third point, as has been mentioned, is that last Tuesday evening the Board of Education approved the educational specifications for the Mardela project, and the ed spec was then submitted the following day, last Wednesday, to further support the school system’s request for planning approval. She said, next, in order to receive State planning approval and, later, State construction funding, they need additional County funding upfront to complete the design requirements. She clarified, they appreciate that the County has already provided some funding, as has been mentioned this morning, to advance the project in these early stages, and they certainly would not want that funding to have been wasted. She said, without the additional funding from the County to cover steps like the schematic design, the project would be on hold, and they would not be in a position to seek State construction funding. She said, additionally, local fiscal support is critical to obtaining State support for school construction projects. She explained, if the State does not see that a County is allocating funds for a school project, the State will be less likely to give planning approval, and, eventually, State construction funding for the project. She said the Mardela project is going through the same funding and planning approval process that past projects, such as James M. Bennett, Bennett Middle School, West Salisbury, Parkside, and Beaver Run have all gone through. She said it starts with County funding first, and, most recently, both West Salisbury and Beaver Run have received local funding in advance of State planning approval. She said Beaver Run’s first County allocation was in December of 2017 with State planning approval following in May 2018. She said West Salisbury had multiple local allocations in FY14 with State planning approval following in January 2016. She said she recognizes that the County Executive would only like to do one major project at a time; however, she would like to remind everyone that, with 24 schools, that would mean that once Beaver Run is finished it would be another 125 years before they could return to that school for a major renovation.

Dr. Hanlin said, finally, in the past they have had a standing meeting each month with the County Executive’s Office, and her staff have more informal meetings and conversations about capital improvement projects that are continually discussed. She said the WCPS CIP was submitted to the County Executive in September 2019 prior to his public input session and the Executive’s draft CIP coming forward to Council in December. She said she thinks that, from all interactions, Council knows that she wants to work with the County, and the Board wants to work with the County communicating openly and working collaboratively towards solutions. She said, to that end, she would like to offer two possible solutions to continue to move Mardela forward. She said the draft County CIP has an average of $1.2 million dollars on the Beaver Run project for FY22, not what was in their request. She said, on page 35 of their request, which Council received a copy of when it was submitted in September, they requested $4.7 million dollars for FY2022 for Beaver Run; however, in the County Executive’s CIP, he has proposed $5.9 million dollars in FY2022 for that project, again, an average of $1.2 million dollars. She said, additionally, recent closeout of bonds from previous projects results in a little over $4 million dollars. She said they are suggesting that, with the allocation average for Beaver Run, and the use of closeout bonds, their request for $2.5 million dollars for Mardela in FY2022 is indeed possible, and would allow them to go consistently from schematic design through preconstruction or ready to bid. She thanked Council for their consideration and allowing her to share these facts and possible solutions with them. She said, on behalf of the Board of Education and the Mardela Middle and High School community, she thanks Council for their continued support, and they look forward to working collaboratively with them in finding solutions.
There being no further public comments, Mr. Dodd closed the Public Hearing. He said Council will be discussing the CIP after lunch in a Work Session if anyone wishes to attend.

**Audit Presentation by Pigg, Krahl, and Stern:** Ms. Ashely Stern, Mr. Mike Kleger, and Mr. Ryan Taylor came before Council. Mr. Kleger said they have previously delivered and reviewed a draft of these financial statements and reports with management. He said their purpose today is to present the audit results, go through some of the key highlights, and then then try to answer any questions Council may have for them today. He said he would like to begin with the large-bound financial statements to go through what the audit reports say. He said page 1 covers management’s responsibilities for the preparation and presentation of the financial statements, and their responsibilities as auditors to gather evidence and perform audit procedures in order to express an opinion on those statements. He said the second page of the report in the middle paragraph is the actual opinion on those statements, and that is the most important paragraph within this report. He said he is happy to say that their opinion on the County’s financial statements for the year ended June 30, 2019 is unmodified. He clarified, this means the financial statements present fairly the financial position of the County in accordance with generally accepted accounting principles. He said this is also known as a clean audit opinion, and is the highest level of assurance they can provide as auditors.

Mr. Kleger said the second report he wants to mention is at the very back of their financial statements on pages 144 and 145. He said, unlike the audit report, this is not an opinion on internal controls or compliance, but rather a report on findings or deficiencies noted during their audit testing. He said this year they had one significant deficiency in internal controls relating to monthly reconciliations and closing procedures not being consistently performed or timely throughout the year. He said this was due to extensive finance staff turnover during FY19, and the circumstances of those comments are more fully explained on page 146 of the scheduled findings and responses. He said they did not note any compliance matters during the current year’s fiscal audit. He concluded, that is a summary of the two audit reports that are within the financial statements, and, with that, he will turn it over to Ms. Stern to cover some of the financial highlights.

Ms. Stern said she is actually not going to have Council flip through the packets in front of them, but instead there is a color presentation, so they will go through some key highlights. She said Council can feel free to stop her at any point and throw something at her if they have any questions, and she will get them answered at that time since there is a lot of information to go through. She said she will start on page 3 of the presentation packet with some key financial highlights for their government-wide financial statements. She said, just for reference point, the government-wide financial statements can be found starting on page 15 of the large audit packet. She said this basis is done on the full accrual basis and not the budgetary basis, so when they are thinking about some of these numbers, it is not done on a budgetary basis. She said it includes both their governmental and their business type activities, as well as their component units, such as the Board of Education and the Wicomico County Free Library. She said one of the key changes in the government-wide financial statements from FY18 to FY19 is that the Civic Center has been reclassified as a governmental activity as opposed to a business type activity. She said, in the grand scheme of things on the government-wide financial statements, this has not changed anything, it just moved it from one column to the other, but it does change the type of basis that is reported later in the financial statements. Mr. McCain asked if that changes anything from an operational perspective standpoint, to which Ms. Stern responded, it does not change anything from an operational standpoint. She said the Government Accounting Standards indicates they should review
each fund to ensure that its activities are consistent with that fund type as is determined from Accounting Standards. She said they have looked at the Civic Center over many years, and, through its budgetary items, it is consistently budgeting for a County appropriation for operations, but not for capital matters. She said they have been discussing it over the past couple of years, and this year they just made the one change from an accounting standpoint to have it change its classification, but nothing from operations or budgetary standpoints. Mr. Holloway said the word they always used was enterprise fund, and he thinks what that means is, in this situation, at one time the County did not put funds into the Civic Center, and it stood on its own, but now the County is funding it to make improvements and such, to which Ms. Stern responded, correct. Mr. McCain asked, is that more typical for a Department like Parks and Recreation, to which Ms. Stern responded, correct. She said, if they look across the country, of course there will be Civic Centers or Departments that can support themselves, but it is pretty typical to see something like this.

Ms. Stern said she will go over a couple of key financial figures from the government-wide financial statements. She said, in taking a look at their net position, that is a good indicator of the government’s overall health, and over time this can be an indicator of certain financial decisions. She said the unrestricted net position on their government-wide financial statements was just over $36 million dollars, or 25 percent of their total net position. She said other types of net position include their restricted net position, which would be restricted for certain purposes, or their investment in capital assets, so capital assets across the County. Mr. McCain asked what the pure group measure is that they should be comparing this against, to which Ms. Stern responded, the Government Financial Officers Association (GFOA) actually makes a recommendation for the general fund instead of their government-wide, and in just a minute she will actually go over what their peer recommendations are.

Ms. Stern said, overall, their unrestricted net position from 2018 to 2019 increased by $21.47 million, and she knows that sounds like a very large number, but a lot of that has to do with some actuarial fluctuations with their other post-employment benefits, as well as their pension plan, and that can change any day, so it is a snapshot as of June 30 based upon investments, projected retirement dates, and mortality tables done by the actuary of both plans. She said even on the next day of July 1, that number would have changed, and they expect that to fluctuate from year to year. She said, back in 2018, they saw a completely different number.

Ms. Stern said, taking a look at the key financial highlights for their general fund, they spend a lot of time throughout the year budgeting the general fund, so she thinks that is the most important piece to take a look at from the key financial highlights. She said the unassigned fund balance remains strong at about $37 million, and, as she mentioned, the fund balance is a good indicator of health of the general fund. She said the GFOA recommends no less than, and she wants to repeat, no less than 60 days of operating expenditures as their unassigned fund balance; however, the more prudent recommendation comes between 90 and 80 of 180 days of operating expenses held within their unassigned fund balance. She said currently that $37 million she mentioned is right about 101 days of operating expenditures.

Ms. Stern said the general fund revenues increased from 2018 by about $12 million, and this has to do with property tax revenues increasing due to an increase in assessable base, local income tax revenue increasing by just about $5 million, and investment earnings were actually up from 2018 of just over $1 million. She said general fund expenses increased by $282,000, and this increase is a combination of a few things, including an increase in funding to the Board of Education for maintenance of effort, rising
costs of health insurance Countywide, and not just in the general fund. She said there were decreases in various expenses, such as Public Health, as well as a few other positions that were open during the year. She said fund balance after transfers has increased by $4.1 million dollars in the general fund in 2019.

Ms. Stern said, for future reference, the real detail of the budget to actual can be found starting on page 117 of the statements, but a few key figures from their budget to actual figures include budgeted revenues just over $7 million, greater than expected. She said, as she mentioned, that has to do with an increase in their local income tax revenue, which was tough to predict with the new Tax Cuts and Jobs Act last year, and she does not know if Council saw an increase in their State tax, but she sure did in 2018. She said their budgeted expenses were $6.9 million dollars, less than expected, and a lot of that decrease in the budgeted expenses has to do with timing of their capital outlay expenses. She explained, if something occurred or was planned to happen in 2019, but did not get to happen all the way until July 2019, that will be accounted for in FY2020.

Ms. Stern said she has included a few graphs over the next couple of pages because sometimes a graph can speak a thousand words. She said they looked at the trend of general fund revenues over the past five years. She said they can see an increase in their property taxes over the past five years due to the assessable base increases, and increase in their income taxes received for the general fund over the past five years, and increase in other revenues for the County over the past five years.

Ms. Stern said the next graph shows the general fund expenditures by a few types that she pulled out over the past five years to kind of show the fluctuation. She said salaries are up slightly for 2019 as compared to 2018, and other operating expenditures, including capital outlay, have just slightly decreased from 2018 to 2019. She said debt service, which is a function of the bonds that have been taken out, both the principle and interest portion, actually has slightly decreased from 2018 to 2019 due to a bond refunding that occurred a few years ago, as well as Board of Education expenses, and this is just the operating portion, increased from 2018 to 2019.

Ms. Stern said, taking a look at the overall expenditures to be able to see exactly where all the County expenditures for the general fund have occurred, education is just over 36 percent, and then falling behind education are Public Safety, the Detention Center, and various other general government items.

Ms. Stern said the next graph indicates how the general fund balance has moved over the past five years, and, as mentioned, is a really good indicator of the overall health of the general fund. She said she split this into two categories, one which is the undesignated, or unassigned/unrestricted as some refer to it, and then the restricted, as well as invested in capital assets. She said overall, they will see an increase from 2018 to 2019, but it remains pretty stable over the past five years.

Ms. Stern said, taking a look at some key financial highlights for those enterprise funds or business type activities, she pulled out some that she thought were important, but Council can feel free to ask questions about any of the other enterprise funds. She said Solid Waste saw an increase in its net position of just over $68,000, and that is compared to $579,000 in 2018, and is due to the opening of the new cell. She said they have some first-year costs they have to recognize from an accounting standpoint that maybe were not cash outlay costs this year, but overall a strong increase for Solid Waste. She said the Airport saw an increase in revenues from 2018 to 2019 by $220,000. Mr. Holloway asked what approximate percentage that would have been, to which Ms. Stern responded, she does not know off the top of her head. She said expenses increased from 2018 by just over $140,000, and they
had a decrease in their net position of $1.9 million dollars. She clarified, she wants to caution Council on that decrease in net position. She said, with the Airport, and they are going to see this over again, and she thinks they have talked about this in a few previous years, but when a grant comes in for a runway extension, they actually recognize the grant revenue all in that year; however, accounting standards require that they then recognize the depreciation related to that capital asset over the next life of the asset, so they are seeing expenses now for items that brought in revenue years ago. She said, when she says it is a decrease in net position, it is not that the County has lost $1.9 million dollars with the Airport, but it is just that they are recognizing expenses later than when they had the revenue in previous years.

Mr. McCain asked if it is also a result of the County forwarding some of the money on the runway extension with the expectation of getting those grant dollars, so those costs or expenses are in here now even though they do not have the offsetting grants yet, to which Ms. Stern responded, correct. She said the costs that had been forwarded for some runway funding had been capitalized, so they are not actually seeing that expense, but they will when the runway is fully operational and starts to be depreciated. Mr. Holloway asked if Ms. Stern thinks it is time to move the accounting for the Airport like they did for the Civic Center to a government liability because, if they look at the capital improvement budget, it is $37 million dollars for the next five years. He then asked if that is in the works to be done, to which Ms. Stern responded, Governmental Accounting Standards Board (GASB) indicates that they should be looking at the operational expenses when they are determining if they should be an enterprise fund or governmental activity, not just the capital expenditures. She said, of the airports across the country, there are quite a few that are considered governmental activities, and quite a few that are considered business type activities, but they are keeping an eye on it, for lack of a better term, and working with the Airport to kind of monitor what their budgetary thought processes are.

Ms. Stern said she did some five-year trends for the two enterprise funds they just talked about. She said Solid Waste saw a consistent increase in revenues over the past five years, as well as an increase in operating expenses. She said, as she mentioned, FY19 was a little bit of an unusual year just because of the opening of a new cell, and she expects that to level out after the next couple of years. She said, looking at the Airport, she will point out 2016, which was a year they got a lot of grant revenue, so that is why they see an increase in net position like she mentioned where they are experiencing expenses over the next few years. She said, as a note, for 2019 they saw Airport depreciation of just over $4 million, so, if they add that depreciation, there is not actually a loss on the Airport.

Ms. Stern said, now that they have taken a look at the past year, she always likes to look forward to help with their decision making over the next year. She said the two new GASB statements that will be coming out are GASB Statement No. 84 – Fiduciary Activities. She said this really redefines what activities are considered to be fiduciary for the County, and that means the County, basically, holds the funds, but it is not any of the County’s money, so they will be looking at this over the next few years to determine what might need to be reclassified. Mr. McCain asked for an example, to which Ms. Stern responded, the Village Down River in which the County holds the funds, and then as they need to be distributed the County distributes them, but it is not actually County money to use.

Ms. Stern said GASB Statement No. 87 really redefines what leases are, and is currently effective June 30, 2021 with most likely a one-year extension to 2022. She said, in previous years they have had both capital and operating leases, so, if they have rent expense, that might be considered an operating lease. She said GASB 87 actually does away with operating leases, and they would no longer be reported in the financial statements, but reported as certain right of use assets and right of use liabilities as opposed
to just being an expense, so it is a major change on many government financial statements. Mr. Dodd asked if it is still an expense, to which Ms. Stern responded, yes. Mr. Kleger said it will, essentially, be amortized, but it is probably going to be pushed out another year because they keep extending the application period for that.

Ms. Stern said the smaller packet Council has is their required auditor communications, and includes a best practice recommendation letter, which has been reviewed with the County Executive and Executive Staff, as well as a communication to those charged with governance. She said she is happy to answer any questions about either of the auditor communications and/or the financial statements.

Mr. Holloway said, on page 10 of the larger book, the bottom paragraph says general fund purchase order carryforward of $139 million. He then asked, of that $139 million, is there an accounting done of what projects are dead, or what projects are not going to be done, or money that could be put back into the general fund? He said he knows a lot of it is probably for Road projects, but when do they get an accounting of what is not going to be used out of this $139 million, to which Ms. Stern responded, she thinks that sentence might be a little bit misleading. She said the $139 million would be the budgetary appropriation, not the actual carryforward purchase orders. She said, at year end they actually do a pretty extensive test of all carryforward purchase orders to ensure things are not being carried forward that are not going to be done, so they require an explanation, as well as documentation for anything that is carried forward to 2020, like a budgetary appropriation. Mr. Holloway asked if that is in there, to which Ms. Stern responded, they do not include their testing in here, but she has the details if Mr. Holloway would like to go over some of those. Mr. Holloway said the concern is, when the Board was up here, there was money left over, and they always seem to be short on some things they want to get done, so how much of this is just laying out there in limbo and not being able to be used, to which Ms. Stern responded, she believes she has the exact number in the footnotes, and right over $10 million dollars is how much was carried forward, and that is Countywide. Mr. Holloway asked if that is $10 million that is not going to be used for any projects, to which Ms. Stern responded, that would be what is carried forward from 2019 to 2020 that will be used for projects they have done testing on. She said, in previous years, they have made the recommendation for those encumbrances to be examined, but Nick Rice in the Purchasing Department has done a good job at forcing people to close things they are not going to use, so the ones that are left to be carried forward have had testing done.

Mrs. Acle said she has a question on the money that Dr. Hanlin mentioned was left over from other projects, and she is not seeing how much money that was, to which Ms. Stern responded, they would not report that money in the financial statements. She said what she believes Dr. Hanlin was referring to is money that actually has been taken out for bonds from previous years that is sitting in County investment accounts that was intended to be used for prior projects, such as Bennett, so bond funding that was taken out that is still just sitting in County cash accounts, so it is actually included in overall County investments. Mrs. Acle asked if Ms. Stern knows what that number is, to which Ms. Stern responded, she does not. She said she would have to see what Dr. Hanlin was looking at, but they made the recommendation as of June 30 for that to be looked at. She said, as the projects pass by, they expect them to be used in three to five years, so they like to recommend that be looked at, and they have worked over the past couple of months on identifying those numbers. Mrs. Acle asked how many years it goes back that this money has accrued, to which Ms. Stern responded, she is not sure which project Dr. Hanlin was talking about, but she can identify those and send those to Mrs. Acle. Mr. McCain clarified, Dr. Hanlin was specifically just talking about Beaver Run, and she said in the forward year the
budget for that was, basically, overbudgeted in that final year request for Beaver Run. Ms. Stern explained, they would not show that capital budget here. Mr. Taylor pointed out, there is a Charter provision on this in Section 710 of the Charter.

Mr. Cannon said this is a very thorough and good review, and he appreciates the fact that in their comments they recognize that they felt grant accountability was necessary. He then asked, in reference to the comments made on the second page regarding capital assets, could they review that in layman’s terms, to which Ms. Stern responded, there are two comments regarding the capital assets. She said the first is just reconciling the capital assets to accounting records, and the second was identifying capital asset additions. She said, on a governmental fund basis, typically, as capital asset additions come in, they will be an expense, but they still need to be identified if they need to be capitalized in accordance with the County’s Capitalization Policies. She said sometimes it was not being caught throughout the year, especially with Department changeovers, leading to many capital asset additions needing to be added into the accounting records after the year, so they recommend these be identified throughout the year by outside Departments outside of the general fund, and within the Finance Department to ensure they are being caught during the year. She said they see this across many of their governments since they are paying the expenditures and maybe not thinking about what needs to be capitalized because it does not affect the general fund basis, so this can be a recommendation to many of their governments, so they noted this year that this should start to be looked at in 2020. Mr. Cannon asked if that is a situation whereas maybe there is a lack of communication between the different Departments sharing that information with the Finance Department, to which Ms. Stern responded, if a professional service was paid for, for example, that would need to be capitalized down the road rather than expensed, and she thinks this is just identifying that this has to do with a capital asset addition, so the communication should be there. She said she believes they have already purchased a communication tool or stamp so these can be identified and made sure they are being caught throughout the year so as not to have a large burden at year-end with entering these into the capital asset software.

Mr. Cannon said, on page 7 it was stated there were difficulties encountered during the audit. He then asked if Ms. Stern could expand on that a little bit because Council had concerns as well when they realized an accounting firm actually had to be brought into the Finance Department in order to prepare for the audit, and he was just hoping she could expand on that a little bit. Ms. Stern said, this was especially due to staff turnover, unusual staff turnover in the Finance Department, that occurred right after fiscal year-end and bringing in new staff, training new staff, and finding new staff takes time, thus their audit was delayed in getting everything together. She said, as Mr. Cannon mentioned, on that same page they disclose that an outside accounting firm was brought in to assist in some of the reconciliations. She said they actually see that in other governments as well because of staffing difficulties, but it did cause various delays in the audit based upon their planned timing and what they had communicated, so they wanted to make sure they mentioned that as well.

Mr. Holloway said Ms. Stern mentioned staff, but they are also on their fifth Finance Director in five or six years. He then asked if she finds that challenging when they keep changing management like that every year or so, to which Ms. Stern responded, it can be challenging.

Mrs. Acle said she has a question on page 7 of the management recommendations. She said the second paragraph says the County carries $88 million in debt on its portion of the financial statement under primary government related to school assets. She then asked if $88 million is on the high side, to which
Ms. Stern responded, it does seem like a lot of money, but every County is unique in their size and their number of schools, so they kind of compare to what other Counties might hold in debt. She said she believes the percentage is 60-something percent of the total County debt, but the purpose of taking out those debts is to do that funding. Mrs. Acle said it is 60 percent of the County debt. She then asked if they have specific financials on this debt, or itemized of where this debt is going to, such as capital improvements or operating costs, to which Ms. Stern responded, all the debt that is on the County statements of $88 million would be for past school projects or bonds that had been taken out for those type of capital projects, not operating. Mrs. Acle asked if she would have to ask the Board of Education to find out where they are on these capital projects because they do not give Council those, to which Ms. Stern responded, yes. She explained, the Board of Education has their separately issued financial statements done by their auditing firm, and she believes they can be found on their website, which would give a little more detail. Mr. McCain confirmed, it is on their website. Mr. Kleger said a lot of their information is incorporated into this statement because it is considered a component of the County. Mrs. Acle asked if it is a component, to which Mr. Kleger responded, yes, it is. Mr. Holloway said, as Council found out this morning, they have $4 million dollars somewhere, to which Mrs. Acle responded, that just seemed like an awful lot of money. Mr. Holloway said he understands they overbudgeted for Beaver Run, but he was kind of surprised by the $4 million dollars languishing out there. Mr. McCain clarified, the Board of Education does not have the $4 million, the County has it. He said it was not their dollars, but County dollars, to which Mrs. Acle responded, but it is in the Board of Education’s account, not the County’s. Mr. McCain said, no, it is not. Mr. Cannon said he thinks they stated it was an overage that was issued by the Executive Office. Ms. Stern clarified, it is in the County’s investment account, so the County took out a bond years ago for a project, and then the $4 million is still sitting in a County investment account. Mr. Dodd asked if that has to be used up in a certain amount of time, to which Ms. Stern responded, their recommendation was to have the Finance Department go back to bond counsel to ensure how the bond was written because each bond is written differently, and see if it can be reallocated. She said she believes that is already in the process, if it has not already been done, to make sure there would not be any costs associated with a reallocation. She explained, sometimes if a bond is written in a certain way, they do not want to penalize anybody, but also work with the Board of Education and the accountants at the Board of Education to ensure there are not any more expenses coming in because sometimes they can receive a late invoice they are still working on. Mr. Kleger said some of these have been open for some time, and probably should not be. Mrs. Acle asked if they saw this last year also, to which Ms. Stern responded, she believes some of the individual accounts were small, such as $757, for projects that had occurred years ago, but some of them are larger to deal with, such as James M. Bennett. She said there were still expenditures coming in over the last couple of years, but they have not seen as much this year, so they are making that recommendation. Mrs. Acle asked if they saw this last year, to which Ms. Stern responded, a little different amount, but, yes.

Mr. Taylor pointed out, there is another Charter section that deals with that, which is 712 of the Charter. He said these are things that, to some extent, are controlled by Charter language, which would govern.

Mr. Cannon said he was glad to see that the income tax estimates were low, and the results were high, to which Mr. Kleger responded, that is hard to budget every year because it varies significantly year to year. Mr. Cannon asked if the federal tax calculations were that great to benefit the local government where there was a $5 million dollar difference, to which Ms. Stern responded, with the changes in the federal account, mostly the schedule A deductions where they raised the standard deduction and
doubled it, many people were not taking the itemized deductions; thus, on the State of Maryland, they were not taking it as well, so they received more of a federal refund, or lack of not having to pay as much, but, in turn, they actually owed a little bit more to Maryland.

Mr. Cannon said, he will try to make this quick, but sometimes he likes to be able to take the numbers and find out what is really behind the scenes. He said, similarly to what Mr. Holloway said, he also has concerns. He said Council likes the work that all the Departments are doing for them, and he thinks they are doing great work, but there are concerns on his part with the Civic Center that they talked about the status of that as an enterprise fund versus not being an enterprise fund. He said, if they look at the charts of numbers near the end of year presentation for the audit, they find it very disconcerting as far as the Nursing Home and the Airport as well. He said, on page 22, the numbers surprised him with the fact that they are seeing large negative numbers for major, major Departments in this County, and that is a large concern for Council overall. He said he is wondering how that plays out as far as the auditors’ perception, to which Ms. Stern responded, with the Airport funding, that column includes both the Airport capital and the Airport operating. She said she thinks when the auditors take a look at the Airport, they take a look at it as two separate pieces in analyzing if it should be an enterprise fund the same way they analyze the Civic Center. Mr. Cannon said he understands that, and he heard Ms. Stern’s response to Mr. Holloway, and he understands how the auditors have to define it, but when they have major problems in capital, that is a major impact on the business as a whole, to which Ms. Stern responded, it is. She said they are kind of monitoring how they are doing their budget because, if they are budgeting to say they should be making money on an operating standpoint, that is a plan to make money, as GASB sees it. She said every year they have looked at this one, and it is on their radar for a potential change down the road. Mr. Cannon asked, with the Civic Center kind of falling into that same category of being removed from the enterprise fund, what is Ms. Stern’s position on that, to which Ms. Stern responded, for the Civic Center, they had been analyzing that for the past three or four years taking a look at the general fund appropriation to the Civic Center, and, from an operating standpoint, they were budgeting every year to receive that money in order to break even, so they went ahead and implemented that change this year because it was time.

Mr. Cannon said, on page 21, he thought Solid Waste receivables was really high, and their cash was really high. He said he is a novice, so he has to ask these questions because he has no idea what that means, to which Ms. Stern responded, part of the cash for Solid Waste is required. She explained, they are required to keep money sitting aside to cover future post-closure care costs. She said it is a financial assurance, so most of that has to do with needing to keep that aside, but is sitting in County investment accounts earning interest, and not just sitting in a checking account. Mr. Cannon asked if the high receivables were of concern, to which Ms. Stern responded, she does not remember that being an issue, but they have taken a look at the receivables related to that, and she does not remember having any concerns or any issues with her testing from that. Mr. Kleger added, the post-closure costs went up significantly this year with the new cell that was added, so when they are talking about the cash reserves, a lot of that deals with future post-closure costs.

Mr. Cannon said he was wondering about the Wynne Case fund because 2013 is when it starts having to be paid back. He then asked if there is a sufficient amount in that fund, to which Mr. Kleger responded, it is probably over-reserved at this point. He said they did not change that, and it is still the same number as last year, but they think that is probably a large number, so it is going to be less than that.
Mr. Hastings said he was not an accounting major, so forgive him if they have already covered this, but, in reference to the SALT tax, MACO has put out a lot of conversations, and since they have had the changes in federal taxes there has been a Bill at the State level. He then asked if they can provide any guidance on what is happening with that, or how they expect that to impact them, to which Ms. Stern responded, with the State currently in Session now, taking a look at the income taxes, when the federal government finalized their Tax Act, which was after December of last year, a lot of States did not have time to react to the SALT, so that has affected the County in that the County has actually received more money this year in income tax, thus the income tax increase. She said any changes to the Maryland State tax law going forward, if the State allows for more deductions or changes, or whatever they approve, actually could reduce local income tax in the future. Mr. Kleger added, in Maryland, if someone takes the standard deduction on the federal return, they are forced to do that on the State, but in Delaware, for example, they can still itemize on the State return even if they take a standard deduction on federal. He said those kinds of things are going to have to be debated and analyzed State by State.

Mr. Holloway said, on page 21 of the big book, he sees the Nursing Home is $1.3 million. He said he knows they have had problems collecting in the past, and they have even asked some of their State Legislators to step in. He said he also sees the $914,000 on Solid Waste. He then asked if there is an accounting done to see if that is a rolling total, or if things are coming in and going out, or if, for example, half of that has been out there for six months or a year? He asked if that is part of what PKS does, to which Ms. Stern responded, the Nursing Home is actually required to be audited by a separate accounting firm, so they actually issue their own separate audit. She said that $1.3 million is actually a net, and there is an allowance of what they believe would not be collectable, so that is the rolling total of what they believe is collectable as audited by their auditors. She said, for Solid Waste, she can attest that accounts receivable is actually a rolling total. She said she does not have the numbers in front of her on what the days in receivables would be, but, from their testing, that was collectable. Mr. Kleger added, that is a net figure as well, so that is after an allowance. Mr. Holloway asked if, for example $800,000 could be owed for a year or more, and then $100,000 is turning over, to which Mr. Kleger responded, if there is something that is a year old in there, it is already in the allowance amount, so they have already written that down if it is something that is that old.

Mrs. Acle asked, with the Nursing Home and the Board of Education, are they basing their opinion on the financial audits and not on a performance audit, to which Mr. Kleger responded, that is correct. He said those are done by other auditors, and PKS gets a copy of their full report. Mrs. Acle said it seems like those are two ongoing issues, and maybe it is something they need to look into, to which Ms. Stern responded, from their audit standpoint, since each of them are required to have a separate audit, it does not fall under the County’s general government-wide purview, but they receive their auditor reports and look through all of them and report the numbers in their reports for the Board of Education and the Nursing Home. Mrs. Acle asked if they are just financial, to which Ms. Stern responded, yes, they are financial audits. Mr. Kleger added, the Library is also one of the audits done as a separate audit.

Mr. Dodd said Council will be in touch with PKS if they have any more questions. He then thanked them for their presentation, to which Ms. Stern responded, they are always happy to answer questions after the fact. She said Council can email or call them any time.
Presentation by Chris Bitters, General Manager of the Delmarva Shorebirds:

Mr. Bitters came before Council and passed out a booklet, and thanked Council for inviting him to the meeting to recap the 2019 Shorebirds Season. He said he just handed out their annual report, which will be distributed Thursday to their fans at their Hot Stove Banquet at the Civic Center. He said Mike Elias from the Orioles is coming down to speak, and they have about 300 guests coming to the Civic Center for the event. He said that is a good time to kick off baseball season, so he is glad to be here a couple of days in advance of that event. He said his booklet is 36-pages long, so he will not go through it, but, just to peruse it quickly, they are proud of their efforts in the community. He said they continue to look to be good stewards with the stadium and other things they can do. He said they still continue to have their Fly Together Fund through the Community Foundation, which is where they host events that raise money for charitable endeavors. He said those monies go to the Foundation and then they are able to donate those back out to other community groups, and they have already done so. He said one of the County projects he is really excited about is Field 7.5 that is happening at the Parker Complex. He said they will be announcing this Thursday, but he will share today with Council that they have made a $25,000 donation to the Field 7.5 project because the Challenger Little League concept and having a place for those kids and others to go play baseball is important to them. He said, while they would love to fund the whole thing, his pockets are not that deep, but they did contribute $25,000.

Mr. Bitters said they do events at the stadium as well as in the community, such as Brooke’s Toy Closet at PRMC, and Council will see in the booklet that with donations brought by fans, as well as money they have raised, players went shopping along with some other friends of Brooke’s to fill that closet. He said they also do jersey auctions, and he knows Council had Big Brothers/Big Sisters here earlier, and one of their jersey auctions benefits them. He said other jersey auctions have benefited Operation We Care, the Henson Cancer Institute, and numerous others. He said they do somewhere between five or six jersey auctions, and a couple of them they use for their own community funds so they have some funds in there they can use at their disposal. Mr. Bitters said this past holiday season they sponsored the wreath event with Operation We Care as well to lay wreathes right around the holidays, and they were glad to sponsor that as well.

Mr. Bitters said their other programming includes working with Mountaire Farms where they help them box chickens, and they have been doing that for longer than he has been the general manager. He said they also continue to work with PRMC to host the drive-through Flu Clinic at the stadium. He said, outside of the $25,000 donated to the County, they donated another $22,000 to different groups, and that does not include the $60,000 donated from stadium events, such as jersey auctions, or Float for the Fund event, and other events to raise money for charitable endeavors. He said they host Right for the Feast at the stadium, and a lot of what they call social responsibility events at the ballpark.

Mr. Bitters said they continue to do their key programs, and he just delivered bookmarks this morning, but they still continue to work with the school systems throughout Delmarva, and not just here in Wicomico, to host their annual Hit the Books Reading Program, which is where kids can read four books outside of the classroom. He said this week they just delivered somewhere below 50,000 bookmarks to area schools throughout the Peninsula. He said he is from Delmar, so he delivered them to Delmar this morning, and those kids will have their bookmarks heading their way.

Mr. Bitters said their senior program on Wednesdays is their Silver Slugger Program. He said, basically, for about $20 they can get a ticket to every Wednesday game, which works out to be about nine or ten
games a year. He said that is a tremendous senior program, which works out to about $2 a ticket, plus they host a couple of events with the Silver Sluggers in the early part of the season to meet some of the players, and in the second half of the season to meet some players, and they provide some refreshments. He said they have about 1,200 members of the Silver Slugger Program where seniors have an affordable option to come out to a ballgame every Wednesday, and, on top of that, with the $20 they actually get a ballcap provided by the sponsor, so it is a great program for seniors in their community.

Mr. Bitters said that is the community recap, and, again, it has been a great year. He said they continue to be laser focused on how they can continue to give back and be active citizens. He said, for stadium usage, they have Wor-Wic Community College out there every day doing truckdriver training, and they have the Police Departments and the Sheriffs Department utilizing it for different trainings on a regular basis. He said they had the drug and bomb dogs walking through the stadium and practicing, so, again, they try to make sure they are using the stadium on a regular basis. He said, while there may not be public activities going on, just about every day there is some sort of activity happening at the Arthur W. Perdue Stadium besides them working and for the ballgames, especially when they count Wor-Wic. He said for the last couple of years they have also hosted UMES at the stadium and their entire baseball season, so they will be kicking off in 30 days, believe it or not. He said it is cold, but it has been a great community relationship while they are going through some changes and challenges down there to let them be able to utilize Perdue Stadium for their games, and this will be their third year. He said the number of high school games and other events they have hosted are also very, very numerous.

Mr. Bitters said, field wise, this was their best year in team history outside of winning the championship. He said they were named 2019 Minor League Baseball Team of the Year through Minor League Baseball. He said they had 90 wins, which set a franchise record, and set a league record for more than a decade in terms of any other team accomplishing that. He said he was General Manager of the Year, their Manager was Manager of the Year, their Pitching Coach was Coach of the Year, and they had the top pitcher. He said Rodriguez was a high prospect for the Orioles, and he was named top prospect in their league. He said, if Council is familiar with the Orioles, Adley Rutschman was the first overall pick in the entire draft last year because of the performance from the year before. He said they got the first overall pick, so they will have some high picks coming their way. He said the Orioles were generous enough to send Adley Rutschman their way for a few weeks at the end of the year trying to help them with the playoff push. He said, unfortunately, they had an early exit from the playoffs, but a three-game series is not a lot of games. He said, unfortunately, they lost two close games and went home after that, but on the field it was a great year. He said the fans were very excited, and the renovations at the stadium are just about done. He said they put the deck in last year, which is a wildly popular hit amongst fans of all ages. He said this year there are a couple of small projects for the press box windows that are not functional, so they are replacing those for them and other user groups, and there are a couple of other smaller projects in the lobby area with the lobby bathrooms. He said the five years of renovations they received funding for is kind of coming to a close, so those bonds, if there are any, are done.

Mr. Bitters said the other thing he would like to touch on is something Council may have read about in the media, which is a negotiation between the federal government and the State government, but it could affect the local government. He clarified, the Shorebirds are not directly involved in that negotiation. He said, basically, the way Minor League Baseball works is, as an industry, Minor League Baseball has a working agreement with Major League Baseball, which is called the Professional Baseball Agreement (PBA), and really governs the rules of that relationship between the two industries. He said
that agreement gets renewed every so often, and the last major change to that agreement was in 1990, so there has been 30 years of labor peace, which is a term used in professional sports. He said there has been an agreement between Minor League and Major League Baseball for the last 100+ years in some capacity, way, shape, or form. He said 1990 was when the agreement really defined the levels of Minor League Baseball AAA and below, and it defined the Major League teams having one affiliate with each of those levels. He said, for other reasons before that, a team could have just two low A affiliates. He said that agreement with Major League Baseball has an expiration date of 2020 after this baseball season. He said what has been out publicly, which, again, he is not involved with, is that Major League Baseball has put forward a proposal that would eliminate 42 Minor League Teams, but, thankfully, the Shorebirds are not one of them, so they are safe. He said they are playing baseball this year, but if that proposal gets pushed through, there would be an elimination of 42 Minor League Teams to bring them from 160 collective Minor League Teams to 120. He said, clearly, there are a lot of teams, and there are two in the State of Maryland that are on the list of 42, and there are a lot of teams across the country. He said, if they follow politics on the national level, a lot of politicians, presidential candidates, and others have been very vocal about this because some of those folks were mayors of towns that brought a Minor League Team to their hometown, much like Wicomico County did 25 years ago, so there is a lot of pushback about it. Mr. Dodd asked who the two teams are in Maryland, to which Mr. Bitters responded, Hagerstown and Frederick are on the list. He clarified, this list does not necessarily have anything to do with the health of the business part of the team or attendance, or anything like that, but is really about location for travel and trying to reconfigure leagues and facilities. He said he can assure Council that their timing was impeccable as far as the fact they just did these renovations, even though they did not know the future, and he is quite confident will keep them in a good position. He said their facility is well enjoyed, and they have a great playing surface. He said the PBA is not really concerned about the fan amenities as they are more concerned about the player amenity side of it, so they are safe. He said, at the end of the day, Minor League and Major League Baseball are continuing to negotiate, and this thing is a long way from over as they are still in the first inning. He said, obviously, their goal as an industry is to keep all 160 teams that exist today, but there is one State that has four or five teams that would not have any access to professional baseball at the Major or Minor level if this plan got pushed through. He said, from a public standpoint, he would say not to get too excited about what they may read, much like politics. He said, while everybody is trying to write the facts, there are a lot of things that get said, and some of the things being said are not necessarily always accurate. Mr. Dodd asked if the Norfolk Titans are safe, to which Mr. Bitters responded, yes, they are safe. Mr. Dodd said that is good for Baltimore. Mr. Bitters said it is not really an individual Major League Team issue, but more one of the governmental entities of Major and Minor League Baseball. He said he will answer any questions Council may have on this, but they are good for 2020, and for the foreseeable future, but there are teams out there that, if this got pushed through, would potentially have some changes coming.

Mr. Dodd asked if they are going to have a great season like last year, to which Mr. Bitters responded, obviously, 90 wins was historic for any Minor League Franchise, and he would love to guarantee they will be sitting there again. He said he thinks the Orioles have done a really good job of building from the bottom up, and, in the Oriole system last year, Bowie made the playoffs, the Shorebirds made the playoffs, and Aberdeen he thinks was a game away from making the playoffs, and that is who feeds them, the Aberdeen Club, which is like going from first grade to second grade, so the fact that they are very talented should pose very well for Delmarva. He said they should have a good club, and lots of
young, good prospects. He said they really saw the changes with the analytical side of things, and some of the different things their guys are doing at the ballpark that he thinks is really helping as well.

Mr. Cannon said it is always a challenging decision on Council’s part to make decisions on how they are going to invest in different areas of the County, but he thinks with what Mr. Bitters has done with the stadium it is really nice to see they can have confidence in what his recommendations are, what he has done with the funds that were presented, the improvements he has made, and how it has made such a difference to the ballpark and for the community. He said he wants to thank Mr. Bitters for the work he did, to which Mr. Bitters responded, he thanks Mr. Cannon for that, and hopefully they are in the position to be successful moving forward for a long time.

Mr. McCain said he would like to note that the Eastern Shore Baseball Hall of Fame is located in the Stadium, and that has been a great partnership they have had for several years, and he thanks Mr. Bitters for that. He said he can remember 25 years ago when they had the public hearing as to whether they were going to have a Minor League Baseball team in Wicomico County, and he has attended a lot of public hearings, but to this day he still cannot remember that many people attending a public hearing in favor of something. He said the County had the wisdom to invest in the Stadium, and he does not think anyone at that time dreamed it would have this kind of community involvement that, through Mr. Bitters’ leadership, has instilled in the community. He said it is just fabulous the relationship the Shorebirds have had with the local community, and there are just so many different socially responsible tasks they have taken on, and no one envisioned that part of it. He said he just wants to commend Mr. Bitters and congratulate him on being the General Manager of the Year, which is well deserved, and all his other accolades. Mr. Bitters thanked Mr. McCain, and said he appreciates it, and they enjoy being a part of the community, and that is what makes what they do so fun. He said they have to look to ways to give back and engage because, without the community, they do not exist, so they really take pride in trying to make sure they are very active. He again thanked Mr. McCain for the very kind comments.

Mr. Hastings said he still has his 1996 opening season program that he saved, which includes all of the players, and it was a big thing for him when he was 14 back then. He said he loves the new boardwalk, and it was a fantastic season last year. He said it has been a long time since he had a season that good going out to the Shorebirds, and it was just really great, so he thanks Mr. Bitters for that.

Mr. Hastings said he had a conversation with one of his good friends on Sunday who mentioned the issue of the changes, potentially, if the Shorebirds would be eliminated. He said they also both went to the first Good Beer Festival held at the Stadium, and they saw Fernando Guerrero in a boxing match there, and they used to do Relay for Life, so his question is about the future there. He then asked if they are going to continue to see more, such as concerts or boxing matches, or other kind of public uses for the space, to which Mr. Bitters responded, yes, definitely. He said he thinks the renovations took longer than anticipated with how it all worked out. He said every fall, whether it was redoing the field or ripping out the seats, the stadium, to a certain degree, had been unfunctional, so they had to take a step back from those events, but they will continue to do as many community events as possible. He clarified, that field is $700,000, so they have to watch what they do on it, and there is a lot more science to the field than just going to a park with different layers. He said it is a lot more sophisticated than he ever thought he would be smart enough to know what he is talking about, and he does not have the expertise, but they will absolutely do as many events as they can. He said that is why they really focused for the last couple of years on baseball events with UMES games, high school games, and other types of
events like that. He said they partner with the County and look at how they can also assist Tourism with any events they have. He said last year they had baseball youth come to the area, which was a new event, and they hosted the UASSSA at the stadium for opening ceremonies. He said concerts and those types of events are promoter-based events, but they are there and open for business. He clarified, a lot of times they are the facility, not the promoter, and they are not in the boxing business or the concert business, but if somebody in those businesses says they would like to rent the facility, have them operate it, and they will put on an event, he is all ears, but they are not necessarily in that type of business. He said they are always looking at those types of things, but then they have to run their risk-reward analysis and what they can do to mitigate those because a concert can easily be $100,000 to $200,000 in production, and if they lose half of that, it is a little hard to swallow, but they are always looking for non-baseball events, as well as community events they can host.

Mr. Dodd said that was a great presentation, and he has to say that the Delmarva Shorebirds and that stadium are one of the best assets Wicomico County has. He said he is glad to see they had a great season last year, and he is looking forward to a good season coming up.

Resolution No. 08-2020 (SM) — Authorizing AD Myers Uniforms, LLC as a Sole Source Vendor for the Purchase of Uniforms for the Sheriff’s Office, and to Waive the Formal Competitive Bidding Process for the Purchase of said Uniforms. Mrs. Hurley said this Resolution requires five Councilmembers to vote in favor of it in order for it to pass. Captain Tod Richardson, Mr. Chris Taylor with the Sheriff’s Office, and Mr. Nick Rice, Purchasing Agent, came before Council. Mrs. Ace said she wanted to defer to Mr. Rice to see what his thoughts are on this, and if he is comfortable with it, to which Mr. Rice responded, absolutely. He said they came to him with the request, which he then required they submit some information in regards to what and why. He said Mr. Chris Taylor has gone through extensive research on these types of uniforms. He said he believes their previous vendor has now gone out of business, so that is why they are looking to change, and, obviously, police uniforms are very specific. Captain Richardson said they have been with the current vendor for over 20 years, but they were bought out by a larger company who then became increasingly less reliable to deal with, and harder to deal with, and colors and all these things became a major issue for them. Mr. Dodd asked where this vendor is located, to which Mr. Chris Taylor responded, New Jersey. Mr. Dodd asked if that is where they are getting all of their uniforms from, to which Mr. Chris Taylor responded, that is correct. He said this was a custom color that only the previous manufacturer made, and he has been searching for four years just trying to find something to take its place, but there is no other, so they found the closest one. He said it has only been in production for a year, and it is a ten-year contract. There being no further discussion, on motion by Mr. McCain and seconded by Mr. Cannon, Resolution No. 08-2020 (SM) was unanimously approved.

Resolution No. 09-2020 — to Make an Appropriation of Funds to the Sheriff’s Office from Unanticipated Revenue in the Amount of $124,075.21. Captain Tod Richardson came before Council. Mr. Holloway asked what the $25,000 in capital improvements is going to be for, to which Captain Richardson responded, it is for some technical equipment for their Criminal Investigation Division. He said he sent Council an email, and he apologizes it was late, but Friday’s events were overwhelming. Mr. Holloway asked if it will be movable for use of the new office when the new office is built, to which Captain Richardson responded, no, this is for equipment. He clarified, this is capital-other, which is specific capital equipment over a capital cost. There being no further discussion, on motion by Mr. Hastings and seconded by Mr. Davis, Resolution No. 09-2020 was unanimously approved.
Public Comments:

Ms. Lorretta Adkins came to the podium and said she lives on Dagsboro Road in Delmar, Maryland. She said she has lived in Wicomico County over 32 years, was born and raised on farmland in Maryland, and currently owns a farm. She said Lewis and Curt Riley currently farm her land for her. She said the reason she is at the meeting today is about the application of chicken guts applied to the farm fields in Wicomico County, and she speaks on behalf of 23 disgusted tax-paying Wicomico County residents, which she will give to Mr. Dodd. She said she has spoken to Mr. Holloway, a friend and representative from her District who has driven by her home and smelled the horrific smell in the area. She said Mr. Holloway was able to go home and not have to live with this. She said Bob Culver has been quoted in the newspaper as describing the field that he went to as “smelling like hell”; however, Mr. Culver was able to leave and go home, and not have to deal with the smell. She said, in a recent article in the Salisbury Independent from this month, Mr. Culver is quoted saying “We are working to improve our quality of life.” She said they have no quality of life on Dagsboro, Zion, and Brown Roads. She said they cannot go outside and breathe the air, they cannot have a picnic and invite friends over, they cannot tend to their gardens, and they cannot mow the grass. She said they have had to live with these conditions for over seven weeks straight with no escaping the horrible, horrible smell. She said she has even tried to sleep in her concrete floor basement to get away from the smell, and that also did not work. She said, yes, the application of chicken guts is governed by a Maryland regulation; however, because of the personal health and air and water quality issues that are affecting the residents here in Wicomico County, which Council represents, it is Council’s duty and responsibility to forward their complaint in writing to Governor Larry Hogan, and to the Department of Agriculture on Council’s letterhead demanding that the application of chicken guts cease. She said she would also like to receive a copy of the letter Council will send. She then handed the list of 23 neighbors to Mr. Dodd, and said these neighbors, for the most part, live on Dagsboro, Brown and Zion Roads. She said the fields that were dumped with chicken guts are to the northside of her property, to the westside of her property, and to the southside of her property, and she believes that this just needs to stop. She said there is no reason, and, if it were beside any of Council’s house, they would not put up with it. She thanked Council for their time.

Mr. Billy McDermott came to the podium and said he is the Deputy States Attorney here in Wicomico County. He said he joins Council this morning just to give them an update, understanding when they left the last open session, Council requested they meet with the Council attorney, Mr. Taylor, and also to review some of the concerns raised during that hearing. He said they have had an opportunity to do that since their last visit with Council, and they have certainly enjoyed engaging in the democratic process. He said himself and Madame States Attorney Dykes, who joins them this morning as well, have had an opportunity to meet with several members of the community and interested parties, and they have done that both in person as well as over the phone and through email. He said they had not had a chance until this morning to coordinate with Council’s attorney, Mr. Taylor, because of a conflict in schedules, but they were able to speak moments ago out in the hallway. He said Mr. Taylor was able to express some of his concerns, they have since heard those concerns, and Mr. Taylor has asked them to request an Attorney General’s opinion on this particular ordinance. He said, just moments ago, he was able to email the Attorney General’s office to kind of get that ball rolling on that particular process. He said one thing they were able to do, however, was draft a letter submitted to Council yesterday. He said they gave that to Mrs. Hurley, but he also has copies as well if Council would like physical copies this morning. He said, in that letter they will find some of their attempts to address certain concerns, but, in
particular, one of the more interesting meetings they had was with Mr. Darby, who is also present today. He said Mr. Darby is the CEO of Peninsula Alternative Health, one of the marijuana dispensaries located here in Salisbury, and he gave himself, Mrs. Dykes, the Sheriff, and Chief Duncan a tour of his facility. He said, in cooperation with Mr. Darby, they were able to address particularly his concern, and perhaps the larger medical marijuana community’s concern with the definition of consume. He said he thinks the last time they met there was some concern that the definition of consumption would prohibit the application of certain topical medications that certain patients needed to alleviate their medical conditions. He said that was a very good point raised, and it was certainly echoed by Mr. Darby, so they have changed the word “consume”, or at least proposed to change the word “consume” to “smoke”. He said he will, in all candor, address Mr. Taylor’s point, which he raised a moment ago, which is that the State statute uses the word “use”, which is, in particular, what they are going to be seeking an Attorney General’s opinion on. He said, while he has not had an opportunity to speak with Mr. Taylor on that particular point, just from sitting here and thinking about it, he will note other local jurisdictions that have banned smoking cigarettes in public even though smoking cigarettes is a completely legal function, and no one can be charged with a crime when smoking cigarettes. He said, as they kind of work through those issues, they have enjoyed this process, and will continue to answer any concerns Council has, and will complete any tasks Council may want them to do as they move forward.

Ms. Cindy Daughtery came to the podium and said she lives on Porter Mill Road in Hebron in Wicomico County, Maryland. She thanked the County for going through with the moratorium on that tank. She said she knows they are not at the meetings as often as they were at the beginning, but that does not mean they are not following and listening. She said they have taken this time to try to educate themselves more about the product itself, and how the tank came into being. She said she listened to Ms. Adkins and has talked to her, and has talked to her neighbors, and that is part of their education process because they cannot separate the tank from what is going into the tank. She said she has been out in some of the neighborhoods and has talked to people, and listened to some of their horror stories. She said she heard one man talk about when he first smelled it he thought something had died under his deck, and he actually tore off part of his deck to look to see where the smell was coming from. She said she talked to another lady who talked about finding maggots underneath her floor mats and having to put up pest strips, so it is not just the smell, but the flies that are part of the problem in some locations. She said this was never, ever meant to be against the poultry industry, and it was never meant to be against the rendering company because those are all vital. She said Delmarva chickens feed the world, and they provide good employment for this area, so it has not been about that, and it is not against the farming practice itself, or the farming community. She said these people have called, and called, and called the Department of Agriculture, and they have called the Executive Office, the Health Department, and even the EPA. She said she used to wonder when she would go by these fields why they have not done something about it, but they have tried to. She said they have called different people to get a response, and sometimes someone from the Department of Agriculture will actually go to these fields and will look and say this farmer is not in violation of their nutrient plan. She said, if they have a product that does not have much nutrient in it, they can just about put enough of the product on the field to float a boat and not be in violation of their nutrient plan. She said they do not believe this is so much of a farming practice as a way to get rid of waste. She said most of the people she talks to think the farmer needs to put it on and that it is a fertilizer, but it is not a fertilizer, and it does not have very much nutrients in it, so they call it a soil amendment. She asked, how bad is the soil in this County where they have to spread this day and night in the spring, and day and night in the fall? She said she knows this is
beyond Council’s scope, but when Ms. Adkins calls, or when she calls, or one of the other neighbors, it is one person, and what she has heard time and time again is they get bounced around from one Department to another Department. She said they need advocacy, and she thinks Council has done that, but they need someone in a position to do something about it to be an advocate for them instead of just writing a letter and saying they understand their frustration, but here is the number to the Department of Agriculture. She said Council has done that for them, and she appreciates that, but they are not the only people who can do that for them. She said this product can be spread where it is not as much of a nuisance. She said she goes on Log Cabin Road and, along the end, it is spread and it is not that bad. She said, on the other end of it, there are people who are cancelling their doctor appointments because they do not want to go outside just to get from their house to the car. She said they talk about the lights coming into the windows so they cannot sleep at night, and they cannot do anything outside. She said that is on one road where, or one end it is okay, but on the other end it is more of a dumping ground. She said she applauds the representative who came down and looked at it herself, but if a farmer can have an elected official in the cab of their tractor spreading it on a field where it is not that bad, it can be spread that way for everyone whether they are in Chapel Branch, Snethen Church, Rockawalkin, or Dagsboro Road. She said these people need to be able to breathe and not be offended. She said she has heard people talk about the flies being so bad that it is like a biblical plague, it gets in their nose, it gets in their cars, and it gets in their homes. She said, that being said, she knows Council is looking through this moratorium to see how best to make this a safe place to put a tank, and none of them ever said they cannot have a tank, they are just saying they cannot put it right there. She said maybe Council can consider a buffer zone of how far away a tank can be from a community. She then asked a gentleman in the audience how far the proposed tank will be from his house, to which he responded, 400 yards. Ms. Daughtery said there are people even closer than that. She said, even if this tank had to go through and get a special exemption where there had been some advertising that it was going to be there, and the neighbors had some influence as to whether or not it was going to be built there, she can guarantee there would have been enough public outcry that it would not have gotten the permit that it did. She said, if it required a special exemption, that would not say they could not have it, but it would say that they could not have it around people it is going to hurt. She said, if they could determine a buffer zone or even that this thing has to go through a special exemption, and they cannot just get a regular building permit to do it that just proves it is structurally sound, those would be two things they would consider possible solutions. She said, again, it is not against rendering because she cannot imagine what this place would be like if they did not have that, or the chickens, or the farming industry, and it is not meant to pit neighbor against farmer. She said they just did not want it close by where they would have to endure the traffic, the smell, or the flies. She said Ms. Adkins has a garden, and she does not need flies from an open storage tank landing on that and then landing on things she is going to eat. She said she has a garden, her neighbor across the street has a garden, and there is one down the road that has gardens, and it should be a public health concern to have an open 3-million-gallon tank put where people grow food. She said, on Dagsboro Road they do not have a problem with flies so much, but on Chapel Branch they do, and on the end of Porter Mill they sure do, but nobody has discussed that, and part of it is because what goes in the tank is different with every load. She said it is not like a fertilizer where they can say it is going to be 10 percent phosphorous, so much nitrogen, and so much potassium, but it depends on where the source is. She said, if it is coming from Valley Protein, how is that not a waste product instead of agricultural? She said she can go on, and on, and most people who know her do not think of her as emotional or hysterical, and she does not think Mr. Davis would ever have called
her emotional or hysterical because she is pretty low key, but this bothers her. She said this is affecting her life, and she and her neighbors are paying thousands of dollars for an attorney to try to keep what they should never have lost.

**Council Comments:**

Mr. Hastings said, first of all, on the issue with Mardela, he will speak up on that first. He said he is a proud Mardela graduate, and he is wearing his green and gold. He said that is a tight community, and Mr. Robinson in the audience was actually his t-ball coach 35 years ago. He said there are a lot of folks there who for a long time have been talking about when will they get a new school, or when is it going to be upgraded. He said, 20 years ago when he was walking around Mardela there were buckets collecting rainwater, and he is now planning his 20-year high school reunion. He said, one way or another, if there is a way they can continue to advance Mardela Middle and High School, he thinks they should all come together to try to do that because this is a community that deserves it.

Mr. Hastings said, with the issue of the marijuana Legislation, he has gotten a ton of calls and emails, and folks visiting his place of employment to say how much of an issue they think this could be. He said he thinks whether or not it being legal, it could have a lot of other unintended consequences, so he is glad to hear that there has been a little bit of education, and a little bit more of a back and forth discussion. He said he thinks where they are headed as a community and society is probably not where the draft Legislation was written, or what was passed in Fruitland, so he wants to continue to make sure they are finding common ground if that Legislation does move forward.

Mr. Hastings said he went to the Martin Luther King, Jr. banquet last night. He said that was a wonderful event, and it always is every year, and it was great to see almost all the Council members. He said Mr. Davis did a wonderful job speaking on behalf of Council, so he just wanted to say thank you to the organizers and the folks who put that on. He said they have done a great job for 35 years.

Mr. Cannon said he would like to thank Michelle Wright and the residents of Mardela for speaking out about the school system there and what their requests are. He said he understands their frustration, and he can empathize with them as far as, at one point in time, they had a project that was green lighted, and then the next minute it is all of a sudden taken away, which he does not understand. He said they will have discussions in the Work Session later as to why a project that just a year ago looked like it was moving forward now has been completely erased for the next five years. He said he could understand if it had been pushed down a year, or even two years, but to have it completely erased for the next five years, he does not understand that, especially in light of the fact that in that same CIP there is mention of State funding, he believes next year or the year after. He said he thinks everyone at this table knows they cannot just assume there will be State funding, and why would it be in the CIP if they do not have a local commitment? He said that does not make sense, but hopefully they will work through that in the Work Session today. He said he appreciates them taking the time to be there today to express that, and Dr. Hanlin pointing out to Council the money that is available through either cost savings from other schools, or prior CIPs that were overfunded, and letting Council know that is available so they can apply that to another school for another opportunity.

Mr. Cannon said he also attended the Martin Luther King, Jr. banquet with most everyone from Council. He said Mr. Davis did a good job and represented Council well on the stage. He said it was a very good event, as is always the case. He said he also attended Spencer Wiersburg’s funeral, which their hearts go
out to his family and his friends, and all the agencies he was associated with. He said he was an excellent individual and an excellent officer, and it was a very great tribute and honor in his memory. He said, again, their hearts go out to the Wiersburg family.

Mrs. Acle said she wants to first let the citizens who were here to speak on behalf of the DAF moratorium know that they are being heard, Council is listening, and hopefully they will be formulating a plan to move forward.

Mrs. Acle said she had the honor of visiting the Christian Shelter in Salisbury this week. She said it is very interesting what they are doing, and she encourages everyone to get out and see it, and how they are engaging the community.

Mrs. Acle said she received many phone calls and emails from parents and citizens of Mardela regarding their school, and she feels strongly that the Council, the County Executive, the School Board, and Mr. Stauffer will work through this. She said she thinks the CIP is a working document, and they just all need to keep an open mind moving forward.

Mr. McCain said he appreciates those who made comments about Mardela, and he will just say that he 100 percent supports finding a solution to this and getting Mardela in the CIP. He said it can be done, and they can work through this, and hopefully they will make some strides today in that direction.

Mr. McCain said, regarding Ms. Daughtery’s and Ms. Adkins’ comments, they have this moratorium, but Council needs to have their Work Session on this because he thinks it is important to do this as soon as they can. He said, with the State Legislators in Session now, this might be something that has to be done in concert with them, so they do not want to miss out on that opportunity. He said he thinks they need to start discussing where they go from here because this is a problem for their County, and it needs to be addressed, and there certainly needs to be regulatory parameters that surround this. He said they need to move forward.

Mr. McCain said, on a personal note, yesterday was his 30th wedding anniversary, so he was pretty lucky. He said he has a great wife, Theresa, and he is looking forward to 30 more, hopefully.

Mr. Davis said he echoes what was said about Mardela. He said he is the Councilman who is on the Building Commission for the School Board, and it is disheartening when they are sitting there planning for the future, but then they find out that one of the projects is snatched from under them. He said, as mentioned earlier, there is funding out there. He said, like Mr. Culver did before when he snatched it out, he found funding to put it back in the budget, so he thinks there is money out there they need to find to put back in there because that school is in dire need. He said he is not in that District, but he is right up to it, and he has buses that pick up in that District, and that school is in dire need. He said it should be put back in the CIP.

Mr. Holloway said he had the opportunity Saturday to attend the Pittsville Volunteer Fire Department awards banquet, and they had a great turnout. He said the County Executive swore in the new officers, and, as usual, they had a good time and got to meet a lot of good folks on that side of the County.

Mr. Holloway said he kind of wonders sometimes why people do the things they do, but they knew the folks were having issues on the westside with the tank and spreading the DAF, but then this company, for whatever reason, decided to go within about 1.25 miles of the Maryland State Police barracks on
Dagsboro Road with hundreds of homes within a few hundred feet and distribute this. He said he knows it was unusually warm weather for that time of year, but Ms. Adkins called him, so he went over, and he would say that it was really bad. He said the poultry industry probably needs to find a better way to go about doing what they are doing with this, but probably is not the right word, they need to find a better way when people cannot go outside their house. He said they have all dealt with chicken manure, and he thinks everybody realizes that is part of the process. He said for a number of years he always said chicken manure smelled like money, and proved that industry was strong, but this is not chicken manure, it is a different product, and they need to find a better way to take care of this issue. He said, for them to go over there and do that, he thinks was just asking for trouble. He said they are having an Open Work Session after lunch regarding the DAF tank if anybody is interested in being there for that.

Mr. Holloway said he went to Officer Wiersburg’s funeral, and there is an outpouring of love and support for that family. He said he does not think he has been to a service in a long time where there were that many people.

Mr. Holloway said, as far as the school goes, he was looking over the CIP this morning, and they had some answers from Dr. Hanlin about some money available. He said he sees in the CIP that the Airport is getting ready to spend $30-some million dollars in the next five years, which sounds pretty aggressive. He said he supports the Airport as far as it being an economic driver of the County, but probably there should be some pacing done, and supporting some of the other projects that maybe need to be done sooner. He thinks Council working with the County Executive maybe can get this put back in the budget.

**Council President Comments:**

Mr. Dodd wished Mr. McCain a happy anniversary, and said he hopes he sees 30 more years, and that seems like a lifetime. He said he had a very busy week, so he is not going to mention everything. He said he attended the Tri-County Council Water and Sewer Committee meeting last week, and they have a lot of work to do on that because most everyone knows that Wicomico County has water and sewer issues, so that is a regional work in progress. He said Wednesday night he also attended the Tri-County Council Executive Board meeting. He then thanked Mr. Hastings for attending that meeting, and said the rest of the Councilmembers are more than welcome to attend. He said, earlier that day, he and Mrs. Hurley attended MACO all day long, and that seems like a long day to then go to the Tri-County Council meeting. He said he also attended the joint Chamber function with Peter Franchot at the Somerset County CTE building, which is a beautiful building. He said they have a nice building that is going to last a lifetime. He said he also attended the banquet at Pittsville, and they gave Jason Miller a 20-years of service recognition. He said it was a great opportunity to see these volunteers who put all this time in for many years because they do it for free. He then thanked Mr. Davis for representing Wicomico County last night at the 35th anniversary of the Martin Luther King celebration. He said there were a lot of people there.

Mr. Dodd said he wants to thank everybody who comes to the podium and speaks out, and he appreciates the fact that they recognize there are a lot of things Council cannot do as a Body, but they will advocate for them, and he thanks them very much for those ideas and voicing their opinion. He said that venue is always there for them to be heard, and he thanks them for coming up.

There being no further business, on motion by Mr. Holloway, seconded by Mr. Hastings, and unanimously approved, the Legislative Session was adjourned to go into Open Work Sessions followed
by a Closed Work Session pursuant to General Provisions Article, Section 3-305(b)(7) to consult with legal counsel to protect the attorney-client privilege.

The Wicomico County Council met in a Closed Work Session on Tuesday, January 21, 2020 at approximately 2:45 p.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

In attendance: Larry Dodd, Council President; John Cannon, Vice President; William R. McCain, Ernest Davis, Joe Holloway, Josh Hastings, and Nicole Acle.

Present for the Closed Work Session: Laura Hurley, Council Administrator; Robert Taylor, Council Attorney; and Lynn Sande, Executive Office Associate.

The purpose of the Closed Work Session was to consult with legal counsel to protect the attorney-client privilege. No formal action was taken.

There being no further discussion, on motion by Mr. Holloway, seconded by Mr. Hastings, and unanimously approved, the Closed Work Session was adjourned at approximately 3:00 p.m. The legal authority for the Closed Work Session is General Provisions Article, Section 3-305(b)(7).

Larry W. Dodd, President, District 3

John F. Cannon, Vice President, At-Large

Ernest F. Davis, District 1

Nicole Acle, District 2

Josh Hastings, District 4

Joe Holloway, District 5

William R. McCain, At-Large

Laura Hurley, Council Administrator