

The Wicomico County Council met in Legislative Session on Tuesday, June 18, 2019 at 10:00 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

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

Present: Laura Hurley, Council Administrator, Robert Taylor, Council Attorney, and Lynn Sande, Executive Office Associate.

On motion by Mr. Hastings and seconded by Mr. McCain, the Legislative Minutes from June 4, 2019 were unanimously approved.

On motion by Mr. Hastings and seconded by Mr. McCain, the Closed Work Session Minutes from May 21, 2019 – Consult with Legal Counsel, were unanimously approved.

On motion by Mr. Hastings and seconded by Mr. McCain, the Open Work Session Minutes from May 7, 2019 – Discussion on Confirmation of Department Heads by Council in Accordance with Charter Sections 315 and 413, were unanimously approved.

On motion by Mr. McCain and seconded by Mr. Hastings, the Open Work Session Minutes from May 7, 2019 – Proposed Amendment to Reallocate \$947,066 in the Fiscal Years 2019-2023 CIP from Various SBY Regional Airport Projects to the UAS Hangar Project, were unanimously approved.

Proclamations were presented to the Mardela Baseball Team for being the Bayside South Champions; Destination Imagination Teams for being State and Global winners; and Brian Duperval for being the Maryland 3A State Champion in shot put.

Bob Taylor, Council Attorney

Public Hearing: Legislative Bill 2019-05: An Act to amend the Wicomico County Classification and Pay Plan by Adding Positions in the Sheriff's Office. Mr. Taylor said the positions are two deputy first class positions and one corporal position. He said, at the last meeting, there was a sense that Council might want to consider this Emergency Legislation, so he and Mrs. Hurley prepared an Emergency Bill for that purpose, and it would have to be an amendment to what is currently introduced.

Mr. Cannon opened the Public Hearing, and clarified, this is not only to approve the three positions, but, as Mr. Taylor suggested, Council could be looking to amend this to make it Emergency Legislation today.

Ms. Jessica Murphy came to the podium and said she is a First Sargent with the Wicomico County Sheriff's Office, and has lived in Wicomico County for the past 25 years. She said she has been with the Sheriff's Office for 21 years, and is the President of the Fraternal Order of Police in Wicomico County. She said she would like to first thank Council for considering this as Emergency Legislation. She said she thinks it is really important, and they always appreciate Council's continued support of Law Enforcement in this County. She said, through the years, they know they have done so, and she has stayed 21 years because of that reason, and for how Council has treated all of them. She said she was asked to speak on behalf of the Sheriff because he is not here, but she apologizes for not being as eloquent as he is, and she will keep it very brief. She said, since the Sheriff has been in office, she believes they have added a couple of positions, but they were to the schools, and they have never really added any new positions to road patrol. She said she just did a quick study of it, and there is no set formula for manpower staffing for police departments because there are so many variables involved, such as how many people are in the County, what the demographic population is like, and what the crime rates are like, so there is really

nothing that is standard. She said she ran a National average study just to get some quick numbers, and the National average for Sheriff's Departments with a per capita between 50,000 and 100,000 is 103, and Wicomico sits at 90 right now, so she thinks there is more than justification for adding these positions. She said, with that being said, they all know there is a state of emergency as Governor Hogan has declared a state of emergency for the opioid crisis. She said, although Wicomico County is doing an excellent job at handling that, and she is a member of the COAT team, they still need those officers in support of handling this crisis, and she thinks that is really important, and, of course, it is important enough to the Governor. She said, if there are any questions Council has, she is here to answer them.

President Ashanti of the Wicomico NAACP came to the podium and said she spoke when the Sheriff was there talking about their needs, and she rises on behalf of the NAACP to support these three positions.

There were no other public comments. Mr. Cannon closed the Public Hearing.

Mr. Cannon said Mrs. Hurley has provided Council with the documentation if they want to consider the amendment, but they need a motion and a second on the floor in order to begin that process. Mr. Holloway made the motion to amend Legislative Bill 2019-05 for Emergency Legislation, and Mr. Davis seconded the motion. Mr. Hastings read the amendment as follows:

Whereas, to effectively administer County personnel, the Wicomico County Classification and Pay Plan has standardized titles and common job language; and

Whereas, the Wicomico County Sheriff has advised that the illegal distribution of opioid and other dangerous drugs and compounds in the county constitutes an emergency affecting the public health, safety and welfare of county residents in a manner that is both sudden and unexpected and recommends the immediate addition of three positions to provide the county with additional law enforcement capability to more effectively respond to this emergency;

Now, Therefore, in reliance upon the advice and recommendation of the Sheriff, by the required vote of at least five members of the county council to enact this legislation as an emergency measure;

SECTION I. *be it enacted and ordained by the County Council of Wicomico County, Maryland, in legislative session, that the Wicomico County Classification and Pay Plan is amended as follows as an emergency measure affecting the health, safety and welfare in a matter which has suddenly and unexpectedly arisen which requires immediate action in the public interest:*

The following positions are added to the Wicomico County Sheriff's Office:

A. *2 Deputy First Class positions.*

B. *1 Corporal position.*

Section II. It is hereby declared for the purpose of section 311.g of the charter that the emergency described by the Sheriff, as stated above, exists.

Section III. Be it Further Enacted, that this Bill will not be codified in the Wicomico County Code.

Section IV. Be it further enacted that this Bill will be known as Bill No. 2019-05 of Wicomico County, Maryland, and will become effective immediately after its final passage. If a timely Petition FOR REFERENDUM is filed, the Bill shall remain in force, but shall stand repealed thirty (30) days after rejection by a majority of the qualified voters of the County voting in a referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland, this 18th day of June 2019.

There being no further discussion, on motion by Mr. Holloway, seconded by Mr. Hastings, and by roll call vote, Mr. McCain, aye; Mr. Davis, aye; Mr. Holloway, aye; Mr. Hastings, aye; and Mr. Cannon, aye, Legislative Bill 2019-05 was unanimously approved as amended.

Laura Hurley, Council Administrator

Resolution No. 95-2019 – Declaring Support for a Kinder World. Mr. Michael Lloyd-White, Chief Executive Officer of World Kindness USA and immediate past Chair Secretary General to the Peak Global Body World Kindness Movement, came to the podium and thanked Council for expediting this Resolution. He said, as they know, this comes on the back of the City of Salisbury’s campaign for a kinder world, and brings him to this City for the third official time in less than 12 months. He said the City just completed their vetting to submit its international listing as a World Kindness City, which will be presented in Switzerland in October. He said part of the criteria, Kindness Performer Indicators, are quite complex, but one of them is the influence and impact the City has on all sectors of the community, including engaging surrounding districts, or, in this case, the County. He said it is about walking the talk. He clarified, this is not a proclamation, and, to be really clear, why this is significant, and why he has come so far, as they can tell by his accent, is it comes at a time when reaching unanimous agreement on anything, particularly in the political landscape, let alone the virtual landscape, is a struggle because people are bringing virtual baseball bats to every conversation. He said the City has gone through this rigorous process, and part of that vetting was to ask first responders, health care providers, and educators if they are on board with this, if they are aware of what they are doing, and how they rate the City’s engagement in this process, and he is pleased to tell Council, the information received from the community on their endeavors is 10 out of 10. He said that includes the relationships within the City, the relationship between the City’s Council, staff, and the community, and, as such, they are putting out a public kindness index survey to find out where they are at. He clarified, this does not mean they are the kindest City or the kindest County, but means they are prepared to walk the talk, and prepared to draw a line in the sand to suggest and say with pride that the campaign of fear and hate comes to a halt when it reaches their border because that is the challenge they have. He said kindness is not about flowers, sugar and spice, and everything nice, but about the courage to be kind, the courage to stand up and do what is right rather than what is popular, the courage to leave one’s comfort zone, and doing something one does not want to do. He said whether it is on a school ground sticking up for a kid they may not like, whether it is in a board room, or in the corridors of Government, they need to have the kinder option as their default in all their decision making processes. He said, for Council to put this on the Agenda so quickly within less than 12 months of the City following suit, he is astounded, and he would like to particularly thank Mr. Cannon. He said they had a short brief conversation, which came on the back of Ms. Grace Foxwell Murdock’s amazing work, but she is just one woman. He said one of the clearest points he can make is this has to be sustainable, and cannot rest on the shoulders of one person. He said that is why there is a Kindness Commission setting up in each of the Cities and communities that are involved. He said he hopes that this Resolution passes as being the first County in the United States of America to get on board with this, and that is something they should take some pride in.

Mr. McCain said he has seen Mr. Lloyd-White in Salisbury, and it is great he is spending so much time there. He said this is a great mission, and he thinks there are bigger things to come. Mr. Lloyd-White said this is going to be the epicenter for USA for Kindness, and the idea is to get some momentum to get this through the Senate and Congress, and see a cosponsored motion at the United Nations, but it is starting

here, and each of them have a role to play. He then suggested, when they go back to wherever they have come from today, put kindness on their agenda, raise a motion, and ask how they can get involved.

There being no further discussion, on motion by Mr. McCain and seconded by Mr. Holloway, Resolution No. 95-2019 was unanimously approved.

Discussion with the Wicomico County Board of Education: Dr. Donna Hanlin, Superintendent of Schools, Mr. Don Fitzgerald, President of the Wicomico County Board of Education, and Mr. Micah Stauffer, Director of Secondary Education/incoming Chief Finance and Operations Director, came before Council. Dr. Hanlin introduced Board Members in the audience, Vice President Gene Malone, Michael Murray, Alan Brown, Anne Suthowski, John Palmer, and Tonya Laird-Lewis, and said they have a full Board today. Mr. Cannon said Council appreciates the Board and staff taking the time to be there, and he also sees a lot of the Board Members at a lot of events in the community too, which is nice to see.

Dr. Hanlin handed out her Agenda, and thanked Council for recognizing their students and staff who work so hard every day, specifically today their athletes and Destination Imagination winners. She said they really appreciate the recognition. She also thanked Council for their support through the budget process for the funding to support Imagine 2022. She said it means an incredible amount to all of them as they work to move the school system forward.

Dr. Hanlin said the first item on her Agenda is to welcome Ms. Laird-Lewis to the Board. She said Ms. Laird-Lewis was just sworn in about an hour ago, and they look forward to working with her.

Dr. Hanlin said the other two items on the Agenda are items Council requested. She said they prepared a brief update for Council on both of their capital projects, so she will ask Mr. Stauffer to give Council a brief update, and then they can respond to any questions Council may have.

Mr. Stauffer said, starting with the Beaver Run update, obviously, it is a new replacement school project, and construction documents that include all of the specifications for the new school are currently being finalized. He said those documents will be presented to the School Building Commission on August 21, then presented for approval to the Board of Education in early September, and finally submitted to the IAC at the State in mid-September. He said the Department of General Services will give them approval to go ahead and proceed with the bidding process at that point in time. He said the trade contracts will go out for bid in mid fall so they can try to avoid any potential escalation in costs, and once the bids are in around the middle of November, they will evaluate in detail the cash flow based upon the funding, and determine the guaranteed maximum price at that point. He said, if funding is adequate, they would proceed at that point with contracts and construction for Beaver Run in early spring of 2020 with a completion date of June 2022. He said the move into the school would occur in July and August of 2022, and students would start in the new school in the fall of 2022. He said, if funding is not adequate when they start the bidding process in the fall of this year, they would evaluate with the School Building Commission what they have at that point from the State funding side to see if they can start with construction as slated in the spring of 2020, or if they would need to delay Beaver Run at that point.

Mr. Cannon said Council would like to see this moved forward because he knows Beaver Run has been in need for quite some time, and they are so close to getting all of their schools right where they need to be, so he would like to keep that momentum going. He then asked what the process is with the State right now on that, and are they just waiting for the County to take the measures, to which Mr. Stauffer responded, as far as the construction documents, they are preparing those, and will be submitting those to IAC, so that is right along the timeline there. He said then they will give the County approval to start with the bidding process at the end of the summer. He said, at that point, they will probably just need to take a step back and look at their funding projections for the rest of the year. He said, once the School

Building Commission feels comfortable with where they are, they would go ahead with the bidding process, which is the first two months in the fall.

Mr. Holloway said he had a breakfast meeting this morning with two gentlemen who went to Beaver Run when it was first opened, and they said they figured it was time for it to be replaced. He then asked if they have had any conversations with the Executive's Office about this project lately, to which Dr. Hanlin responded, yes. She said she received a phone call from Mr. Young indicating that there may be some concern with going to the bond market, but they hope those matters are going to be resolved, and that they can all move forward. Mr. Holloway asked if that was the last information she has had, to which Dr. Hanlin responded, that is correct. Mr. Cannon said he thinks it would benefit the County as a whole, and not just the Board of Education, to do everything within their powers to make sure this happens without creating too many concerns, and just focusing on moving forward, and getting it done.

Mr. Stauffer said the Mardela project is a renovation and addition project. He said Mardela has been identified in the Wicomico County Public School Master Plan as the next major project, and that was due to the condition of the school, reoccurring failing systems in the school, student enrollment, the existing portables, which are nine that exist outside of the overall primary school building, and also the academic and program needs for the school. He said, in the spring of 2018, a little over a year ago, a meeting was held between Wicomico County Public Schools and the Mardela community. He said information was gathered in April and May of 2018 with a community meeting occurring on May 30, 2018, and that began the feasibility study process. He said the feasibility study concluded with a presentation of its findings in January 2019 to the community. He said Becker Morgan completed the study in February, and presented that to the School Building Commission in late February, and at the Board of Education Work Session in March. He said the Board of Education, based upon the School Building Commission's recommendation, approved option three. He explained, there were four options outlined in the feasibility study, and option three is a renovation and addition project. He said option three meets the educational and operational goals within the study, and that was important to the community as well as the educational program. He said it addresses the security concerns, and accommodates all functions under one roof, so it brings the portables, essentially, inside the main building. He said it was determined to be the most cost effective and efficient way while improving everything that needed to be done at Mardela, and keeping it on the same site because that was also an important part of the feasibility study. He said option three includes parking and site upgrades, complete building and system upgrades, middle and high school separation, building circulation improvements, renovations to existing classrooms, the music wing and gym areas, an addition to the administrative areas and front entrance, and also the addition of a two-story building for the media center and needed classroom space, which brings the current portable outside classrooms inside, and the additional academic support spaces that are needed as well. He said there are also full ADA upgrades throughout the entire school. He said a full education specification study will be completed this school year, and then Mardela is in the queue for State planning approval in the FY20-21 school year.

Mr. Fitzgerald said the Resolution earlier in the meeting was for a kinder world, and he has been struggling with what he read in the Independent last week about the Beaver Run issue, which is in his district, Mr. Holloway's, Mr. Murray's, and Ms. Laird-Lewis'. He said he has a problem when they put kids in the middle of grownup issues, and his wife tells him all the time to take the higher road, so, with world kindness on the Agenda, he is challenging Council to take the higher road. He said he is telling them this today because he is going to be out of the loop for the next four months. He said they are taking his voice box out, so this will probably be the last time they hear him, but he will be around, and these students are his kids, so he is challenging them to do the best for this community and the future.

Mr. McCain thanked them all for coming to the meeting, and said they wish Mr. Fitzgerald the best, and Council will do the right thing.

Mr. Cannon said they have a strong Board of Education, strong leadership with the Superintendent and her staff, and he thinks so many good things have been happening, and they want to see that continue. He said they are very thankful, which is a term they could use very loosely, on the funding, but, actually, there is no need for any thanks on that because they are just trying to all do the same thing. He said he always has reservations when people thank the Government for a grant because it is their money anyway, so it is well deserved. He said he would like to thank Dr. Hanlin because she created the vision, she created the goals, and she showed not only the County Council and the Executive, but the entire County, exactly what can be done if they focus on that, and he thinks that is where they are headed.

Resolution No. 76-2019 – To Certify the Drainage Tax Roll to the Director of Finance as Requested by the Board of Managers of the Public Drainage Associations. Mrs. Hurley said this Resolution was introduced on May 21, but tabled as there was some uncertainty whether or not Council had to formally approve the tax levies for the Public Drainage Associations. She said they had their attorney look into this matter, and he advised that Council should go ahead and proceed with adopting the tax levies. She said she can read the tax levies into the record for each district, or Council can just adopt the Resolution as written, to which Mr. Cannon responded, he thinks they can adopt it as is. There being no discussion, on motion by Mr. Holloway and seconded by Mr. McCain, Resolution No. 76-2019 was unanimously approved.

Mr. Cannon recognized Delegate Carl Anderton in the audience.

Public Comments:

Delegate Carl Anderton came to the podium and said he lives in Delmar, and is blessed to be a member of Wicomico's highest delegation in the General Assembly. He said he just wants to give them an update on the MAC situation with Meals on Wheels, and all of the different things being said about budget cuts. He said, as they know, in 2016 there was a new funding formula established based on per person so that the areas with larger senior populations could get the funding they need versus excess funding for areas with a smaller senior population. He said that number will change every year as they grow older, and the funding pendulum will swing back. He said, for the past four years, MAC was given additional funds to help adjust to the new funding formula so that the reduction in monies would not be felt immediately, and it would give them four years to adjust their budget. He said that appears to have not happened, so they have been working with the Budget Secretary, David Brinkley, and the administration on trying to find ways to help now soften this transition, and hoping MAC will adjust their budget as they all do in their individual homes when their income fluctuates, and that they can find some geographical disparity monies, hopefully, because they cover a large area of four Counties. He said he wants to applaud the County Executive for stepping up and wanting to help supplement some of this funding, but he thinks that should be split four ways between the four Counties instead of just Wicomico County bearing it alone. He said they have some time, according to MAC about five months, before this becomes an issue, so he asked for some time to work through the State to see if they can come up with some creative ways to continue allowing MAC to fund at their current rate as they learn to adjust because the ultimate goal is to make sure that no one is short changed when it comes to Meals on Wheels, and he thinks that should never be an issue, so they need to just double down and ensure that.

He said he wants to thank Council because, during the Legislative Session, they had a good session for Wicomico County again. He said he knows the Sunday Deer Hunting Bill that was passed was not what they wanted, but it took three years to get what they got. He said, for him to have a chief opponent for the past three years high-five him as a supporter on the Bill this year, he is going to take that as a win,

and then they can go back next year and ask for more because that is kind of how that works. He said it was an interesting session. He said, with Beaver Run in queue, he understands there may be a little bit of an issue there, but they cannot lose that spot, especially with Mardela coming up behind it. He said he is blessed to have Beaver Run in the district he serves in, so that is very important to him, as all of them, so they need to do whatever needs to be done, and put little games and stuff aside, if that is what it is. He said, if it is not, then they can just hold hands and jump together, and get it done. He said, again, they have major spending coming up in the Kirwan Commission. He said the first piece of that came through this year, so that is where he thinks Council Members and the Executive Branch need to be looking forward long range to additional education dollars needing to be found because that is going to be handed down from the State over the next decade, and he thinks that funding for their schools and for their kids should be a priority. He said it has been, and it is going to be even more so.

Mr. Cannon thanked Delegate Anderton, and said they speak often, and he always makes sure he is very accessible. He said he appreciates that, and he knows Council probably appreciates that as well.

Council Comments:

There were no Council comments.

Council President Comments:

There were no Council President comments.

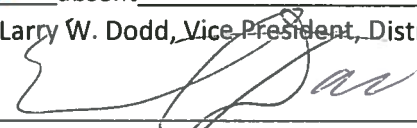
There being no further business, on motion by Mr. Davis, seconded by Mr. McCain, and unanimously approved, the Legislative Session was adjourned to go into Open Work Sessions.




John T. Cannon, President

absent

Larry W. Dodd, Vice President, District 3



Ernest F. Davis, District 1



Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator