

The Wicomico County Council met in Legislative Session on Tuesday, February 18, 2020 at 10 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

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

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

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

- Legislative Minutes from February 4, 2020
  - Open Work Session Minutes from January 21, 2020 – Progress Update on the Issuance of Building Permits for an Agricultural Storage Tank that will store Dissolved Air Flotation (DAF) Washdown Water from a Rendering Process
  - Open Work Session Minutes from January 21, 2020 – Capital Improvement Program (CIP) FY2021-FY2025
  - Open Work Session Minutes from January 21, 2020 – To Discuss Airport Water Main City/County Agreement
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#### **Public Comments:**

Mrs. Mary Ashanti, President of Wicomico County NAACP, came to the podium and said she wants to preface what she has to say before she says it. She said so many times when they disagree with elected officials it becomes a shouting match or played out in the paper, but that is not her nature. She said she loves everybody and intends to treat everybody with respect. She said yesterday they sent the County Council the following letter on behalf of the NAACP:

*We do not support the proposed marijuana ordinance by State's Attorney Jamie Dykes and Sheriff Mike Lewis for the following reasons: African Americans are arrested for violating marijuana possession laws at nearly four times the rate of whites, yet both ethnicities consume marijuana at roughly the same rate. In each of these incidents, there is a website they can go to in reference to Maryland laws and penalties. It can be said that Maryland already has enough laws on the books in reference to marijuana crime and arrests. The NAACP was instrumental in the use of medical marijuana in Maryland being passed, so we support medical marijuana as stated in the law, but we do not support recreational use of marijuana, and we do not support passing another ordinance to deal with a law that is in force. We believe there are enough laws on the books to deal with people smoking marijuana in public.*

Mrs. Ashanti said there are nuisance laws, and she has talked to many citizens in the County, and they all say there are enough laws on the books to deal with that without putting another law on the books. She said she will not go over the use of alcohol, but they put that in the letter too. She then continued reading the letter:

*Finally, there are enough laws to cover nuisances like smoking marijuana in public. Passing this ordinance will create more problems between law enforcement agencies and people of color.*

Mrs. Ashanti said she has talked to different segments of the community, and they all feel the same way. She said they urge Council to not pass this proposed ordinance.

Ms. Ashley Nay came to the podium and said she does not have any Legislation to bring forth, and she understands this is a Legislative Session, but she does have a public comment to bring forth. She said she is a junior at James M. Bennett, and she currently serves on the Maryland Association of Student Councils. She said she represents the whole Eastern Shore, and she is the sole Delegate from the Eastern Shore in Maryland Student Councils. She said she has been pushing not only their Board of Education but also the County as a whole for a student member of the Board. She said these would include partial voting rights on certain issues with some regards to budgeting, personnel removal, or any other Legislation that may be brought forth. She said partial voting may not require all of these voting rights, but just some. She said, for example, Montgomery County has a student member of the Board, and they are allowed full voting rights with the exception of budgeting. She explained, this allows for a student voice within the Board of Education, and more representation for students as there is a severe lack of student representation here on the Eastern Shore, in Wicomico, and in Salisbury. She said she has approached her Board of Education regarding this, and she has not received an answer, but she has been told her County Council can assist in this process. She then asked if there is any way she can receive Council's help for this, to which Mr. Dodd responded, Council does not engage in conversation back and forth, but they can have a meeting with Ms. Nay. He clarified, he is not guaranteeing there is anything Council can do to assist her because they are a funding mechanism for the Board, but they certainly are here to listen to her. Mr. McCain said they meet with the Board of Education on a regular basis and they will be in front of Council at a meeting in a few weeks, and this is certainly something that can be discussed. Mr. Dodd said they all appreciate Ms. Nay stepping up to the plate and serving in her position within the school system.

Mr. Tom Bell came to the podium and said he lives in Pittsville. He said it was just brought to his attention on Sunday in church that they are planning to have a reading at the Library in Pittsville with a drag queen, which is what they have said this was going to be. He said this was on lots of media types, and he does not know where this is speared from, and, as he said, he has only had the information since Sunday. He said he is hoping Council can shed a little more light on this, but they said they want to have one of those people read to the children in their public schools or in their public Library. He explained, they have a portable Library like a portable school that sits on the corner of the school property in Pittsville on Route 346. He said Parks and Recreation has the softball field behind it, but Wicomico County Board of Education has the gym field and the tennis courts in the area this is sitting in. He said he knows their Council every year gives lots of money to the Board of Education, and most of the time gives them more than they even ask for. He said their Board of Education is very important, and they do not realize how lucky they are in this country to have free education before they are able to move on to paid education, or have good enough grades to receive scholarships. He said he does not think this is fair, and he does not think this is morally right to be able to have them there. He said he also works with several local churches in helping them to get Meals on Wheels set up for elderly people, and he is the director on his church's board in Pittsville, and it hurts him to even think that someone is even going to consider having this exposed to small children in the Pittsville school, and that area that takes care of the Library. He said, in that area there are only third graders through seventh graders, which are very pliable, mendable minds. He said, if they wanted to do something like this and they took it to a nursing home, he can imagine how they would be welcomed at a nursing home with people with a little more

education and time spent knowing what this actually does to their society. He said it is an outcast, and he knows they have to look at things broad and open, but he thinks this for the children of their County is horrible, and he speaks for many in their County. He said he is just starting to get the ball rolling with this because he just found out about it on Sunday, but he has already contacted an attorney and he is going to have a petition done up, and they are going to post it at several places in the Town of Pittsville. He said he is going to meet with the Town Manager on Wednesday because he is at the Town Office on Mondays, Wednesdays, and Fridays. He said he does not believe they will be for it, and he does not believe the fire department will either. He said they all do their best to support the Board of Education. He said, if the Board of Education is behind this, they need this brought to their attention also because they do not need this in front of their children. He said statistics show that children that attend church at a young age with their parents, or not with their parents, up until the age of 10 years old may veer off and go out into the world, but there is a large percentage, 60-some percent, that come back to the church, and come back to the lord. He said, if they have people like this sitting in front of them dressed in their attire that they would wear, he does not know how that would manipulate those children's minds when they are like clay, and they do this when they are young to try to teach them to be good upstanding citizens. Mr. Dodd said, for the record, the Library does not fall under the Board of Education, they have their own Board of Directors, to which Mr. Bell responded, he is aware of that, but their Library sits on Wicomico County School Board property, not on their own property.

Ms. Deirdre Kenny Nay came to the podium and said she is the parent of two juniors at Bennett High School, and she has concerns about student safety. She said she will be brief, but she would recommend going forward that Wicomico County implement random drug testing for teachers in light of recent actions and events in the County. She said, secondly, her other concern is students here deserve the best education, every student deserves that. She said they have too many, and one is too many, teachers who are not certified in the subject of their teaching. She said it is evident with the pupils, they can see it, and they are trying to figure out themselves how to solve problems because the teachers do not know. She said they must have certified teachers. She said she also strongly recommends random drug testing on teachers.

**Council Comments:**

Mr. Cannon said he appreciates the comments that were brought forward by Ms. Ashley Nay. He said he could not have spoken in public when he was a junior, but she did a very good job. He said he believes there was at one time an ex officio member on the Board of Education, but he recognizes she is looking for a little more. He said, as Mr. McCain said, they can certainly bring that up when they meet at their next quarterly meeting with the Board of Education to see if they can move forward on that. He said he also appreciates Ms. Deirdre Kenny Nay's comments on the topics she discussed. He said they hear those concerns frequently, but that was the first time he heard about teacher drug testing, and, again, he thinks she made some good points, and Council will bring those matters up to the Board of Education when they meet with them.

Mr. Cannon said, in reference to Mr. Bell's comments, he appreciates him coming forward, and he is not the only individual in Wicomico County who is concerned about this group of drag queens, which is actually a politically correct phrase. He clarified, he did not know that terminology could be used, but he has been assured that it is okay to say that. He said the request was made, evidentially, by an outside group of the Library that the drag queens be allowed to read at the Library. He said of course this has

raised a lot of concerns, and he has received several emails, and he knows that Mr. Holloway has also received a lot of emails as well. He said over the weekend he talked to Director Ashley Teagle, and she stated it was a discussion that was held among the Board of the Library, and it may have been an issue that was on their agenda, but they decided at this point in time not to do that in Pittsville as she felt this might not be the right thing to do at this time. He explained, they were trying to coordinate efforts with what he believes is Salisbury's representation of Pride Month, and they were trying to see how the Library could coordinate some efforts with the City of Salisbury. He clarified, however it got from Salisbury to Pittsville he is not sure, but that is what had come up, and that had been the request. He said Ms. Teagle stated it was going to be sort of a situation where there would be a separate room where the readings could take place and parents could bring their children there if they wanted to participate, and it was not as if it was going to be something that was in the lobby of the Library that might maybe upset the public in general as it could. He said, however it might be, concerns were expressed to him as well about the impressionable children being exposed to that environment. He clarified, those are just the emails he received, and he is sure Mr. Holloway received as well. He said, as it is for now, it has been cancelled in the Pittsville area, but he thinks if Mr. Bell were to address where it goes from here directly with Director Teagle, she would be glad to engage in that discussion with him. He said she is a very open minded individual, and he thinks she is doing a great job for their Library.

Mrs. Acle thanked Mr. Bell and said she appreciates him coming and sharing the concerns of the citizens in his District. She said it is good to hear what the people are thinking, so she appreciates him doing that. She then thanked Ms. Ashley Nay and Ms. Deirdre Kenny Nay and said, as Mr. Cannon said, in 11<sup>th</sup> grade she would have been terrified to stand up there and speak, so she appreciates it. She said she has received several emails on random drug testing for teachers. She said she was unaware they were not drug tested as she knows prison guards, groundskeepers, and anything on County property are randomly drug tested, so she was surprised to hear that. She said she thinks that is something they can address in their meeting with the Board of Education.

Mrs. Acle said, on Thursday, the Maryland Food Bank will be having their Mobile Market, which is their healthy food alternative for the Food Bank promoting National Nutrition Month coming up in March.

Mr. Holloway said he had a conversation with the Library Director this morning after playing phone tag for a few days, and Ms. Teagle said the drag queen thing is going to go on at the Salisbury Library, so they are going to put it on there, and he told her he was disappointed. He said the citizens can contact the Library or the Board of Directors if they have concerns. He said he has been contacted by numerous people in the past few days about this. He said Ms. Teagle said it was requested by the citizens to have this, so, if there are enough citizens who do not want to have it, maybe if they call and request for it not to happen, it will not.

Mr. Holloway said he has a Town Hall Meeting tonight at the Mt. Hermon Church Community Hall at 7:00 p.m. concerning the closing of Walston Switch Road. He said Mr. Weston Young is going to be there with him, and he thanks him for that. He said there has been a lot of concern in that neighborhood about the closing of Walston Switch Road, and he thinks maybe they can get some of those concerns satisfied tonight, and give the citizens a chance to ask questions and get better information. He said, if there is anything else anybody wants to bring up while the meeting is taking place, they will be welcome to do that also. He said it is at 7:00 p.m. tonight at the Mt. Hermon Church Community Hall.

**Council President Comments:**

Mr. Dodd thanked Mr. Bell for going to the podium. He explained, there are a lot of things Council cannot do, but their podium is always there for citizens to vent and express thoughts and concerns. He then thanked Ms. Ashley Nay and her mother, and said they made some good points. He said, when he was in public safety, they were required to do drug testing, but right now it is typically set up for people who are involved in issues involving public safety or life safety, but that is a good idea. He then thanked Mrs. Ashanti, and he thanked Mr. Cannon for handling the meeting last week.

There being no further business, on motion by Mr. Hastings, seconded by Mr. McCain, and unanimously approved, the Legislative Session was adjourned at approximately 10:25 a.m. to go into Open Work Sessions followed by Closed Work Sessions pursuant to General Provisions Article, Section 3-305 (b)(1)(7)(8) to consult with legal counsel to protect the attorney-client privilege, to discuss personnel at the State's Attorney's Office, and to consult with staff, consultants, or other individuals about pending or potential litigation to protect the County's legal position.

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The Wicomico County Council met in a Closed Work Session on Tuesday, February 18, 2020 at approximately 11:30 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

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

Present for the first Closed Work Session: Laura Hurley, Council Administrator; Bob Taylor, Council Attorney; Lynn Sande, Executive Office Associate; and Levin Hitchens, Internal Auditor.

The purpose of the first 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. McCain, seconded by Mr. Davis, and unanimously approved, the first Closed Work Session was adjourned at approximately 11:40 a.m. The legal authority for the first Closed Work Session is General Provisions Article, Section 3-305(b)(7).

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The Wicomico County Council met in a Closed Work Session on Tuesday, February 18, 2020 at approximately 11:50 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

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

Present for the Second Closed Work Session: Laura Hurley, Council Administrator; Lynn Sande, Executive Office Associate; Levin Hitchens, Internal Auditor; Jamie Dykes, State's Attorney; and Billy McDermott, Deputy State's Attorney.

The purpose of the second Closed Work Session was to consult with staff, consultants, or other individuals about pending or potential litigation to protect the County's legal position, and to discuss personnel at the State's Attorney's Office. No formal action was taken.

There being no further discussion, on motion by Mr. Cannon, seconded by Mr. Holloway and unanimously approved, the second Closed Work Session was adjourned at approximately 12:30 p.m.

The legal authority for the second Closed Work Session is General Provisions Article, Section 3-305(b)(1)(8).



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Larry W. Dodd, President, District 3



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John T. Cannon, Vice President, At-Large



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Ernest F. Davis, District 1



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Nicole Acle, District 2

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Josh Hastings, District 4



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Joe Holloway, District 5



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William R. McCain, At-Large



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Laura Hurley, Council Administrator