

The Wicomico County Council met in Legislative Session on Tuesday, April 2, 2019 at 6:00 p.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

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

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

On motion by Mr. Dodd and seconded by Mr. McCain, the Legislative Minutes from March 19, 2019 were unanimously approved.

On motion by Mr. Dodd and seconded by Mr. McCain, the Open Work Session Minutes from March 5, 2019 – Discussion of Poplar Hill Treatment Facility, were unanimously approved.

On motion by Mr. Dodd and seconded by Mr. McCain, the Open Work Session Minutes from March 5, 2019 – Discussion on the Salisbury-Ocean City: Wicomico Regional Airport, were unanimously approved.

On motion by Mr. Dodd and seconded by Mr. McCain, the Open Work Session Minutes from March 5, 2019 – Fiscal Years 2020-2024 Capital Improvement Program (CIP) – Sheriff's Office, were unanimously approved.

On motion by Mr. Dodd and seconded by Mr. McCain, the Open Work Session Minutes from March 5, 2019 – City of Fruitland Water and Sewer Plan Amendment Request, were unanimously approved.

A proclamation was presented to the Child Advocacy Center in recognition of National Child Abuse Awareness Month.

A proclamation was presented to the Fruitland Little League 9-11 Division for being the Maryland State Champions in 2018.

Laura Hurley, Council Administrator

Mrs. Hurley reported, there is one change to tonight's Agenda. She said the Assistant Director of Administration has requested for the Work Session on the proposed operations for the Poplar Hill Treatment Facility to be removed from the Agenda. She said they were informed that the service provider has withdrawn their proposal, and the County Executive will not be proceeding with this project at this time.

Mrs. Hurley said she would also like to mention that the Salisbury Independent published an article this past week about the proposed Poplar Hill Recovery Center, which stated that a Public Hearing would be held on April 16, 2019, but that was a misprint. She clarified, the County Council will not be holding a Public Hearing on that project on April 16, 2019.

Public Hearing: Resolution No. 60-2019 – Amending the Wicomico County Water and Sewer Plan to Provide for the Withdrawal of Water from the Manokin Aquifer by Well No. 5 to serve the City of Fruitland and to increase the Average Production (MGD), Max Peak Flow (MGD), and Storage Capacity (MGD). Mrs. Hurley said a public notice was posted on the County's website, and published in the Daily Times indicating that a Public Hearing would be held this evening at 6:00 p.m., and a Work Session was held on this request on March 5, 2019. Mr. Cannon opened the Public Hearing. There were no public

comments. Mr. Cannon closed the Public Hearing. There being no discussion, on motion by Mr. Dodd and seconded by Mr. McCain, Resolution No. 60-2019 was unanimously approved.

Presentation by Grace Murdock, Salisbury Kindness Ambassador

Ms. Grace Murdock came before Council, thanked them for having her, and said she is delighted to be there. She said she wants her presentation to be as memorable as possible, so she will be showing her logo every chance she gets because that is what she wants them to remember. She said Wicomico Grows Kindness came about through the voting of people on Facebook. She clarified, she posted four ideas for people to choose for her campaign of kindness to be named, and they chose Wicomico Grows Kindness, and it has stuck very well. She said she wants Council to notice that in the center of the word "Grows," there is a sunflower, which is in recognition of her friend Martin Hutchinson, and Camden Community Gardens. She said, as she is the secretary of kindness, he happens to be the secretary of community gardens, so that is in honor of his support for her.

Ms. Murdock reported, she is before Council simply to bring them up to date, but she apologizes for not being before them sooner as she has been in this campaign since it started in 2012, and she wants them to know how well it is working, and what is going on. She referred to her slide presentation, and said this shows documentation of how well Wicomico is growing kindness. She said she knows they are into statistics and they like data, so she wants them to make a count of every smile they see on her slides tonight because everybody is engaged in each one of these slides, and this is just the tip of the iceberg of the kindness that is occurring in the County, and in the City. She said in February the Jaycees were involved in Random Acts of Kindness Week, as was the Mayor, as seen in the upper right hand corner, with a former student of hers, Chris Demone, and they were serving coffee at Rise Up Coffee. She then referred to Mandel Copeland in the bottom left of the slide with his 50,000 Souls, and Operation We Care, which she thinks everybody in this room knows that is Jeff Merritt's project to send boxes to the troops. She said, in the lower right hand corner is Beth Sheller with her because they won a contest, and brought the documentary of Mr. Rogers to the theater. She said Regal Cinema showed it free for friends they could muster on very short notice of winning that prize, and, if Council has not seen the "Won't You Be My Neighbor" documentary, she highly recommends it for them and their families. She said there are Cub Scouts in the picture, the Community Garden, and the Kindness Rocks Garden, which is on the Downtown Plaza, which goes through phases of being stocked, borrowed and restocked. She said she will happily tell Council that kindness is thriving in their County. She referred to her next slide, and said she will not read the whole thing, but she wants to point out certain things. She said pain, stress, anxiety, and depression are all diminished through acts of kindness. She said, as soon as one starts practicing kindness, they will notice more kindness, but, if they do not intentionally look for or perform kind acts, it can go right by them. She said there are even chemicals released in the brain that help blood pressure go down when one experiences kind acts, their pleasure centers are heightened, and they get on a helper's high, which she is gladly addicted to. She said she just cannot do enough for other people, and she hopes it is inspiring, and people catch it. She said acts of kindness also increase self-worth, and builds relationships, which may be the last on the list, but relationships are what are very important in their community, their schools, and every working partner, so they need to build positive relationships.

Ms. Murdock said this project started with a little bracelet after the Sandy Hook tragedy with the loss of school children. She said she started making some money, and she wondered what in the world she would do with it, so she decided she would donate her sales. She said she started with buddy benches on elementary school playgrounds, and the process of kindness in the community built from there because she realized a little bit of money could do great things. She said she went to the Mayor of Salisbury, Jake Day, and he gave her the very first "yes" in 2016 to do the Dance for Kindness on North

Division Street just outside this building, and for three consecutive years they have gathered more than 500 people at each Dance for Kindness. She said it did not cost them anything because their registration was paid for through the sales of her bracelets, and donations from businesses in the community. She explained, the Dance for Kindness is a worldwide flash mob dance done on the same day every year, November 13th, which is the Sunday before World Kindness day. She said the person who is in charge of the dance is Orly Wahba, and her nonprofit, Life Vest Inside, started this dance, and Salisbury has been on a worldwide montage three years running. She said, if they blink, they might miss it, but over 50 countries, and 120 cities participate. She then showed the posters from the three years, and pictures of the dancers. She said UMES even came out and supported the event. She said it is just a wonderful community unity opportunity, and they have many of those opportunities in their County.

Ms. Murdock said the money kept coming in little by little from the sale of her bracelets, which are at a few retailers, and she realized she could bring people to the schools to provide their message and make a great impact for the students. She referred to the upper left hand slide, and said that is Bob Votruba, and the Police Department is a great fan of his with his One Million Acts of Kindness Bus. She said he will be here in May, and he will also be returning, hopefully, for the National Folk Festival. She said he does not cost anything and operates purely on donations. She said she hopes they all got to see the bus when he was here but, if not, stay tuned for May. Referring to her next slide, she said she did not pay the Governor to be in the slide with her, but she was at a farm show, and he happened to come by, so she handed him her Wicomico Grows Kindness card, which says "may kindness find you every day" on the back. She said he handed it to his aide and said hold onto this one, but they will have to stay tuned because the Governor did more for her. Referring to her slide, she said Leon Logothetis, who is originally from England, came and spoke at two schools. She said he has a Netflix show called Kindness Diaries, which she highly recommends if they would like to know more about how kindness can be performed anywhere in the world. She said the next picture shows Orly, who does the Dance for Kindness, presenting her book, "Kindness Boomerang," to the Chief of Police, Barb Duncan. She said the little girl in the plaid shirt is Savannah Brooks, who is the first National Kindness Speech winner. She said she is a 6th grader, has made a Kindness Club in two schools, which have had a positive impact on both of her schools, and she is a dynamo of kindness. She referred to a slide, and said Megan Murphy just came from Cape Cod, who founded the Kindness Rocks project, and she singlehandedly reenergized everyone to paint rocks. She said they are inspirational rocks that people find, and their Kindness Rock Garden is based on her project. She said, in the center, they will see Eli Modlin from Salisbury University with Michael Lloyd white, a representative from World Kindness, and she will speak about that shortly.

Ms. Murdock said she came to making her Wicomico Grows Kindness a nonprofit simply because money was coming in, and money was going out. She said she was umbrellaed the first year she was doing this, but it made sense for her to have her own nonprofit since this is the title she would like to go forward with while they continue this project in the County. She said the schools are on board, and, if they look at the montage of photos, they will see great big smiles, and Dr. Donna Hanlin is with her all the way. She said Council may hear there are problems in the schools, or there might be some ruckus, or maybe some unrest, but she can tell them that great things are happening for kindness. She said there are door decorations, there are kindness clubs, and there is Clippers Choose Love at Bennett, so it is there, but they just need to embellish and extend it. She referred to a picture with a line of children spelling out kindness, and said that is a reading spot developed at Westside Intermediate. She referred to Bob Votruba in the picture, and said he goes to schools all of the time with his dog Bogart. She referred to a little boy wearing a shirt saying "Be real, be happy, be kind," and said she loves that shirt.

Ms. Murdock referred to her next slide showing who supports the Dance for Kindness every year, and said La Quinta is on the list as they have provided comped rooms for people visiting the community,

which saves the speaker and Wicomico Grows Kindness some funding. She said Pepsi provides drinks every year, and she is very grateful to the Greater Salisbury Committee. She said even the Tony Tank Redmen Tribe are big supporters, as well as the Elks, and Avery Hall Insurance, so Council can see the businesses that are already on board and know about kindness, and support them. She said the City of Salisbury provides all the sound for the dance, and others are getting on board.

Ms. Murdock said, in 2017 they started the process to become a World Kindness USA City. She said it was a two-year process, and this is going to happen as they are expecting it in the fall of 2019. She referred to a picture of Michael Lloyd White with Mayor Day, and said this was the night the City Council unanimously signed a Resolution to embed kindness in the work of the City. She said it is a great statement that they would put that in their minutes because the whole point of World Kindness USA is that, when the Mayor is gone, and when people change, it will still be in the minutes that kindness will be utilized in decision making. She said the bottom picture shows Senator Jim Mathias delivering a citation to honor Salisbury for seeking this designation, and this is going to make a huge impact. She showed a slide of a planning meeting at Rise Up Coffee. She said Dr. Joe Gore, her former dentist, provided signs, so that is why she is saying they have people in pockets everywhere who will promote and support kindness. She showed a picture of Martin and Savannah at Acorn Market where Michael Lloyd White spoke about the World Kindness mission, and said it is definitely coming. She said on the long sign at the bottom of the screen it says "pending" in very tiny letters, but she will be erasing that and put "official" once they complete two more kindness performance indicators.

Ms. Murdock said this mission is important because they want to unify this community. She said they have a lot of towns in Wicomico County, so she did not call it Salisbury Grows Kindness because she wanted to unify everyone so everyone is welcome, everyone will benefit from kindness, and it will define their County as a kind place, and she is convinced it will help bring people here. She said, when Berlin was given the title of "Coolest Small Town," people came because it was given that title, so she wants "USA Kindness City" on Salisbury's title, and that will involve Wicomico County. She said, anytime someone practices kindness, it always raises a person's morale, will increase retention of employees, and provides a great modeling service for their younger people in the community.

Ms. Murdock said she really does not have anything to ask that is going to cost them anything, and she knows Council is thrilled about that, but she just wants them to support this. She said she would love for them to pick up a magnet as they leave tonight, and her card, and she will be glad to come and speak to businesses. She said her passion is probably over the moon, and she gets that, but she lives in a kindness bubble because she loves it there, and she knows how to bring people in with her. She said she feels that anytime someone practices kindness, it is going to improve their living conditions in the place they inhabit. She said she would like for Council to remember that kindness is always an option, and, when they are doing the business of the County, she asks that they might always think about that statement. She said she also wants Council to help her celebrate kindness, and what takes place in their community, which is going to be all about social media, and posting on the Wicomico Grows Kindness Facebook page. She said she is about to launch a campaign that will get this further into the community, and all businesses, all schools, the hospital, and everybody is going to be involved in embedding kindness more deeply into everything they do, and she knows that it can only help what they already have in place because many of the companies are already doing it. She said she would like for Council to continue to support Salisbury and their quest for the designation as a USA Kindness City, the first in the Nation, she might add, and it will play very well for real estate, for schools, and for businesses to come here.

Ms. Murdock said it is so important that they practice kindness, and she will tell them about the latest thing Wicomico Grows Kindness supported. She said Grace Lamboni at Pinehurst Elementary School

held Jump Rope for Heart for 25 years, but for some reason the connect between the Heart Association and jumping rope broke down, so she called her and asked if she had any money because she needed t-shirts for the kids, and she said, absolutely. She said, on their t-shirts it says "Jumping for Kindness." She said they have gone to four schools, and Ms. Lamboni offers it as a reward for these students.

Ms. Murdock thanked Council for their time, and said she is glad to answer any questions, and she hopes they are ready to be on board with this campaign.

Mr. Hastings thanked Ms. Murdock for her work, though he has said that to her a thousand times over, and he could say it a thousand times more. He said, just seeing the pictures, he knows half of the people in those pictures, and he thanks her for her work. He then asked if there is anything they can do as a County, such as a Resolution, to which Mr. McCain responded, he was about to comment that he thinks they should adopt a Resolution saying Wicomico County is a Kindness Community, and her previous slide would give them the core to that Resolution. He then asked if they need to do that in the form of a motion, to which Mr. Cannon responded, Mrs. Hurley can certainly put that together for them. Mrs. Hurley clarified, they do not have a Resolution prepared tonight, but they can draft one, and have Ms. Murdock come back when it is considered. Mr. Cannon said he thinks there are a lot of things they can do because Wicomico County definitely needs to get behind Ms. Murdock. He said he thinks they are behind the eight ball on this, so they need to get behind her, and he thinks there is a lot Wicomico County can do for her, and, with the seven people at the table, they will see if they can make that happen without a doubt. Ms. Murdock thanked Mr. Cannon.

Mr. Cannon said one time he went to an ATM and one of those rocks was placed there, and it was really surprising, but it was really neat to think somebody took the time to do that. He said it is like a secret message being sent out, to which Ms. Murdock responded, it is inspirational, and it could be just the right message at the right time to change somebody's day or life. Mr. Cannon said he always opens doors no matter what if someone is near him, but now, simply because this was brought to his attention some time back, he definitely will hold that door for anybody who is within 50 yards if they are coming in that direction. Ms. Murdock said that is wonderful, but now she needs him to post that on the Wicomico Grows Kindness Facebook page because everything is landing there. She said she reposts everything, but people in the County can post on that page so they are getting accustomed to what is happening that is positive in the County, and it will be on that page.

Presentation by Coastal Association of Realtors, MD, Inc.

Mr. Austin Whitehead of Whitehead Real Estate Executives, and Ms. Sarah Rayne, Government and Public Affairs Director, came before Council. Mr. Whitehead said he is a realtor in Wicomico County with Whitehead Real Estate Executives, a family-owned company, and the owner of Whitehead Rental Management. He said he is also on the Board of Directors for the Coastal Association of Realtors, and co-chair for the Government Affairs Committee. He said they are at the meeting today to give Council a quick recap of Wicomico County's real estate market, and how it did last year in comparison to the last four years, as well as before the great recession in 2007. He clarified, this is just in regards to sales that were made through realtors and through the multiple listing service, so it will not include anything that was via private sale. He said it is also only residential sales, so no commercial sales.

Mr. Whitehead referred to his slide presentation, and said he will start first with the Tri-County area of Somerset, Wicomico, and Worcester so Council can get a view of everything that is happening on the Lower Eastern Shore. He said they will see on the chart that units sold are up from last year by about 50 units. He said one thing he does not believe most people know is that units sold are actually higher now than in 2007, so he thinks that is very impressive as far as units sold. He said, when it comes to total

sales volume for the Tri-County area, they have increased from \$873 million to about \$905 million from 2017 to 2018, and what is also very interesting is that they now have a total sales volume that is higher than 2007, but average sale prices are still lower. He said, in 2018 for the Tri-County area, average sale price was \$235,466, which is down from 2007, but because of the increased number of units sold, they have a total sales volume that is now higher for the Tri-County area.

Mr. Whitehead said the next slide talks specifically about Wicomico County, and active listings are up for 2018. He said they had a small drop in 2017, but they now have more active listings. He said, in addition, units sold is up, and this is also higher than in 2007, and, actually, in the last three years they have had a higher number of units sold than in 2007. He said volume sold and average sale price are increasing with the average sale price last year being \$165,000 compared to the previous year of \$161,000, but volume sold is still a little below where they were in 2007. He said, while units sold is up, average sale price has still not increased enough to meet that mark. He said a lot of the different lending financial programs that were allowed back in 2007 were cause for a lot of the price increases with easier lending ability.

Mr. Whitehead said the next slide talks about Salisbury, which, again, is very similar to what is being seen in Wicomico County. He said homes sold in units is up, and the volume sold is also up, but is still a little bit less than in 2007. He said there was \$141 million in volume sold for 2018 compared to \$123 million in 2017. He said average sale price is also up, and they are, actually, at \$167,000 for 2018 compared to \$163,000 in 2017.

Mr. Whitehead said the next slide talks about Fruitland, and one impressive thing about the City of Fruitland is they have now broken over 100 homes sold in a year. He said they sold 110 in 2018, and they have not done that in the last four years, or in 2007. Mr. Dodd asked if that is in the municipality, or the surrounding area, to which Mr. Whitehead responded, the City limits, so anything outside the municipality would have been included in Wicomico. He said they had an increase in average sale price from \$140,000 to \$149,000, and their volume sold increased by \$3 million from \$13 million in 2017 to \$16 million in 2018.

Mr. Whitehead said the last slide is for the Maryland Realtors, which is their State Association. He said units sold Statewide is down, while the Lower Shore is having higher numbers of units sold, so, when compared to the rest of the State, they are selling at a higher percentage than last year. He said average prices throughout the State are up, which they are seeing here, and is a good thing.

Mr. Whitehead said, as far as what they can expect for 2019, obviously, everything is just an expectation based on what they are seeing. He said they are hoping for continued growth, and do not see any signs that would lead to not having continued growth. He said lending is still tight, though he has seen a little bit of loosening in some areas, but it is still much stricter than what they saw in 2007. He said another good thing is that there was the biggest one week drop for rates, and now a 30-year mortgage rate is down to about 4 percent. He said last year it was getting up into the 5 percent range, and, for people who were receiving any sort of grant money, they were getting into the higher 5 percent range. He said Freddie Mac predicts 30-year mortgage rates to increase to 4.6 percent by the end of the year, and then to 4.9 by 2020. He said, if anyone is looking to buy or refinance, right now the rates are pretty good.

Mr. Whitehead said unemployment is very low, so they hope that continues consumer confidence, and allows them to be able to make home purchases by having steady jobs. He said they are hoping to keep local tax rates at current levels, and are not looking to see too much increase in tax rates. He said they look to encourage development, smart growth, and continue to encourage homeownership on the Eastern Shore. He said, with Council's help, they look to continue to do that for their clients.

Mr. Holloway said a few weeks ago there was a meeting at the Civic Center with the Health Department and the Maryland Department of Environment (MDE) concerning septic systems in homes that are being sold, and there was a lot of confusion. He then asked if Mr. Whitehead has seen any improvement in that since that meeting, to which Mr. Whitehead responded, there is talk of trying to do things, but he knows they are still working to perfect issues that are happening in the County. He said he has not seen as great of a resolution as had been proposed to them, and he knows this from personal experience. He explained, his father is running into an issue with running a drain line into his home. He said it is cleared land with three sewage reserve areas on flat three acres, and he applied four months ago, but he is still running into certain issues. Mr. Holloway said they had promised it would be within a week, to which Mr. Whitehead responded, he had a backhoe out there, but it is taking some time. He said he thinks they are trying, but he does not know what is happening on the backend. He said he thinks there is a lot of talk of fixing processes on the backend, so he does not know how it will change once those are resolved, but, from what he is hearing from other agents and individuals in the industry, they are still having a little bit of trouble. Mr. Holloway said, without getting too much into the weeds of what is going on with that, he heard an advertisement today from a realtor that when somebody was getting ready to sell their home, they should do a home inspection before they list it, but it is his understanding that lenders are the ones who request the home inspection, and usually they require the person they appoint to do it, and those people have different ideas on what is right and what is wrong. He then asked if that is advantageous for folks to do that, to which Mr. Whitehead responded, the bank will require an appraisal, and not necessarily a home inspection, and most people do not know that the home inspection is not required for most loans, and is not asked for, so, if they do not do it, the bank is not going to ask for it. He said, if they tell their lender they found problems on the home inspection, that is when they will start to pull it. He said the appraisal is required from the bank to make sure the home is in move-in ready condition compared to their program with the amount of money they are putting down, as well as that the home is worth what they are paying for it. Mr. McCain said he can comment on this, and the lender has to be the one who orders the appraisal, but not the home inspection, to which Mr. Whitehead responded, that is correct, but he is encouraging his clients to have home inspections and septic inspections for many reasons. He said there are some unforeseen issues, especially with septic. He said, it may have been used for some time and never had any problems, but then when they go to do the inspection to test the septic and they run it through a normal amount, or the use that it should take, it is not taking what it should. He clarified, if they only have two people living in a house, they are not going to see it ever back up versus when they test it to its full capability, and then they start to see the failures. Mr. Holloway said they were talking about banks, and he has a friend who the FHA demanded have a home inspection, to which Mr. Whitehead responded, it depends on the program. Mr. McCain said FHA does require it, but conventional does not. Mr. Holloway clarified, so some do require it, to which Mr. Whitehead responded, depending on grant programs they have, they will require a home inspection, but the money put down changes a lot of things.

Mr. Dodd said the real estate market is very important to the citizens of Wicomico County, and it is important to the growth of this County, and he commends them for keeping Council abreast and keeping them informed. He said they do a great job keeping the Tri-County Governments informed.

Ms. Rayne said she has something to add in reference to septic. She said, as an Association, they are taking the education piece a step further, and in a couple of weeks they are having a class on Wicomico septic procedures for realtors. She said they are certainly doing everything they can to make sure the market continues to thrive, and their members have the information they need in order to help people buy and sell homes. Mr. Whitehead added, with the septic inspection, he is letting people know to do them in advance. He clarified, if they are on a timeline and they call a septic contractor telling them they have two weeks to do the work, they are going to charge a lot more. He said, if they can get to the issue

before it is an issue, they can shop around and get bids versus if they have a two-week time crunch before settlement where everything is going to be a lot more expensive. Mr. Holloway said one thing that was conflicted at the meeting the other night was that they had been told the Health Department does not give any instructions on how the septic should work, but a home inspector stood up at that meeting and made the comment that they do not have a clear definition of what is right and what is wrong. He said this man asked for direction that night, and there did not seem to be any direction on what would pass and what would not, to which Mr. Whitehead responded, he thinks the contractors are putting it in based more on opinion, and not based on what the books say. He said, unfortunately, not every property is the same either, so he does not know specifically what that situation was.

Mr. Hastings said there was a Bill going through the General Assembly to try to come up with a better definition of areas of public health concern, or areas typically affected by failing septic systems in large areas. He said he has continued to hear that, in many ways, Wicomico has a bit of a time bomb in the sense that they built so many houses 30 years ago, and now a lot of these homes that are on septic are coming to the end of their life. He then asked if there is any way to have more funds, write grants, or get USDA funds in the door to be able to help. He said he really wants to help, but he does not know what to do. Ms. Rayne said there was another Bill that did not make it, unfortunately, that would have added some funds to the Bay Restoration, which would have been no or low-cost loans, not more grant money, but would have been incredibly helpful. She said it did not make it out of Committee, probably because of the price tag on it, which she thinks was \$10 million.

Mr. Cannon said, when this came to a head a month or two ago, he gives a great deal of credit to the Coastal Association of Relators because, as an organization, they bound together with a lot of the parties who were really affected by the delays, etc. He said it was an MDE meeting, but there were at least 200 to 300 people who showed up to really vent about how upset they were. He said, whether they were developers, installers, or realtors, it was a large community of people who were extremely upset about the processes, the delays, etc. He said, that having been an MDE meeting, he thinks what they might do is try to move forward again to see if they want to hold another meeting, which he was assuming they were going to do and would have done by now, to which Ms. Rayne responded, that is what they said, but they have not heard anything. Mr. Cannon said what they will do is contact MDE to see where they are with this, and see if they can help orchestrate another meeting for the community as a whole so they can see where they have progressed from the last time they met with them, and see if they have addressed the concerns that were expressed that night because there were a lot of concerns expressed that night, without question. He said, again, it is a lot of credit to their organization for coordinating that effort. He said he thinks that would be simple enough to do, to which Mr. Whitehead responded, he thinks they were supposed to do one anyway. Mr. Cannon said it has been awhile, so he thinks they have given them enough time to try to work through most of the issues they were discussing that night.

Submission of Appointment to the Commission on Aging: Mrs. Hurley said, in accordance with Charter Section 315, the County Executive is to submit appointments to Boards and Commissions to Council for confirmation at a Legislative Session. She said the Director of Administration has formally submitted the name of Jason Sammons to the Wicomico County Commission on Aging. She said the Commission on Aging assists the elderly with health, social, economic, recreation, and environmental problems.

Resolution No. 61-2019 – Confirming the Appointment of Jason Sammons to the Wicomico County Commission on Aging. There being no discussion, on motion by Mr. Dodd and seconded by Mr. McCain, Resolution No. 61-2019 was unanimously approved.

Mrs. Hurley said the next three Resolutions pertain to Enterprise Zone Applications. She said, in order for a business to qualify for enterprise zone benefits, it must meet one of the two specific statutory requirements, which are that the business must either make an investment in the capital improvements of more than \$50,000, or hire new employees since it has been located in the enterprise zone.

Resolution No. 62-2019 – Declaring that SBY Development Group, LLC is Eligible to Receive Enterprise Zone Benefits for Property at 213 W. Main Street, Salisbury, MD. Mrs. Hurley said this business qualifies for the Enterprise Zone Benefits because of its investment of more than \$50,000 in the property located in the zone. There being no discussion, on motion by Mr. McCain and seconded by Mr. Hastings, Resolution No. 62-2019 was unanimously approved.

Resolution No. 63-2019 – Declaring that BKR Holdings, LLC is Eligible to Receive Enterprise Zone Benefits for Property at 235 W. Main Street, Salisbury, MD. Mrs. Hurley said this business qualifies for the Enterprise Zone Benefits because of its investment of more than \$50,000 at their property located in the zone. There being no discussion, on motion by Mr. Dodd and seconded by Mr. McCain, Resolution No. 63-2019 was unanimously approved.

Resolution No. 64-2019 – Declaring that 212 East Main Street, LLC is Eligible to Receive Enterprise Zone Benefits for Property at 207 E. Market Street, Salisbury, MD. Mrs. Hurley said this business qualifies for the Enterprise Zone Benefits because of its investment of more than \$50,000 at their property located in the zone. There being no discussion, on motion by Mr. Dodd and seconded by Mr. McCain, Resolution No. 64-2019 was unanimously approved.

Resolution No. 65-2019 (SM) – Authorizing Sentinel Robotic Solutions, LLC as a Sole Source Vendor for Equipment Known as DeDrone RF-300, and to Waive the Formal Competitive Bidding Process for the Purchase of the Equipment During Fiscal Year 2019. Mrs. Hurley said this Resolution requires a supermajority vote in order for it to pass. Mrs. Dawn Veatch, Airport Manager, and Mr. Nick Rice, Purchasing Agent, came before Council. Mr. Holloway said he knows this Resolution is to approve a no-bid contract, but he has some questions about this. He then asked if this drone company or drone detector is endorsed by the Federal Aviation Administration (FAA). Mrs. Veatch asked what he means by endorsed, to which Mr. Holloway clarified, is it approved to be used at the Airport by the FAA. Mrs. Veatch responded, yes sir. Mr. Holloway asked if there is documentation on that because he has never seen any, to which Mrs. Veatch responded, she can get it for him, but she did not bring it with her. Mr. Holloway said he has some letters from the FAA that, basically, say they are not advising they be used, to which Mrs. Veatch responded, they are advising them in the operation for which they are using them. She said they need detection equipment to keep their aircraft in visual contact for beyond line of sight. She said the FAA documents she believes Mr. Holloway is looking at are not referring to DeDrone 300 type technology, but are referring to the DeDrone 100. She clarified, she does not know what letter he is looking at. Mr. Holloway said this was done last year, and he could not find anything more recent, to which Mrs. Veatch responded, that is correct because they are not putting any guidance out at this time since they are not moving forward yet. Mr. Holloway said the letters say it could jeopardize Federal funding, to which Mrs. Veatch responded, not to her knowledge because she would not be doing it if it jeopardized her Federal funding. Mr. Holloway said he looked at their website, and they do not say anything about working at airports, and all they talk about is protecting airspace at events, etc. Mrs. Veatch said this equipment is already installed down at Wallops Island, and is used there, and that is why they want to use the same technology that is already programmed, and the equipment used in a

majority of the drones that will be coming up here that are being tested, and those same transponders will be put on any other drone that is put here. She clarified, the FAA is fully aware of what she is doing, and she has coordinated everything with them from the Airport District Office, through Flight Standards, and through the Office of Unmanned Aircraft. Mr. Holloway asked to table this Resolution until that information is provided. He said he would like to see all of the information, to which Mrs. Veatch responded, there is not any information, so how does she produce it when it does not exist? Mr. Holloway said Mrs. Veatch had previously said she would produce it. Mr. Cannon informed Mrs. Veatch he is accepting the motion to table the Resolution as the majority of Council, and they can schedule this for the next meeting. He thanked her for coming to the meeting. Mrs. Veatch asked when she will find out what she is supposed to provide. Mr. McCain asked if they can make it clear to Mrs. Veatch exactly what she is supposed to provide, to which Mr. Cannon responded, she will know before the next Council meeting. He said he is at a bit of a loss because the motion to table really was not in relation to the sole source vendor, which is a concern, but he does not have the authority to not recognize the table, so he has to move forward with the table, and it is up to Council to recognize whether it is germane or not. He said they have a four to three vote that says they are tabling this, so it has to be tabled, and they will bring it back in two weeks, if that suits. He said, in the meantime, Mr. Holloway can talk to Mrs. Veatch about what his concerns are, but this is a sole source vendor discussion, and they have to recognize that. He then asked if this compromises the purchase, to which Mr. Rice responded, they are not able to make the purchase until Council approves the sole source purchase. There being no further discussion, on motion by Mr. Holloway and seconded by Mr. Dodd, Resolution No. 65-2019 was tabled. Mr. Cannon, Mr. McCain, and Mr. Hastings opposed.

Resolution No. 66-2019 – To Make a Supplemental Appropriation from Contingency to the Salisbury-Ocean City: Wicomico Regional Airport in the amount of \$46,770. Mrs. Hurley said the electrical system in the Old Terminal Building was recently inspected, which revealed repairs that need to be made immediately to the two main circuit breakers for safety and fire hazard concerns. Mrs. Dawn Veatch, Airport Manager, and Mr. Pate Matthews, General Services Supervisor, came before Council. Mrs. Veatch said this is the Old Terminal Building that has the name Henson on the front. She said downstairs in the basement there are three main circuit breakers, and Mr. Matthews has more information and details, and he can tell Council the electrical lingo that goes with it, but it is very unsafe, and is falling off the wall. She said there are 2 x 4's underneath it holding the panels on the wall, there is water behind the wall, and it is a very unsafe condition. She said this has been going on since November, and they have been trying to get it repaired, and finally they received a bid from a reputable company to come in, but Mr. Matthews has been helping her with this as well.

Mr. Dodd said he has been involved in fire and safety inspections for many years, and he looked at all of the pictures and is just wondering how they got in that condition because, if they are doing an annual inspection, that should not have passed, to which Mrs. Veatch responded, they come every year. She said they were just out there, and that is a question she has, and she is going to have a discussion with them as soon as they get it fixed because this was not on their inspection, but they were there.

Mr. Kilmer said he does not have a question about the mechanics of this because it looks pretty horrible, and, obviously, it needs to be fixed. He said he wishes Mr. Strausburg or Mr. Young were present at the meeting because his question is more about the overall money issue. He said, in the budget, Council gave around \$200,000 to the Airport from the general fund money, so he is wondering why this is coming out of contingency. He said it is not so much that he doubts it needs to be done because he

thinks they all know it needs to be done, but his question is more about why this is not coming from the general operations of the Airport, but coming from contingency. He said he does not know if Mrs. Veatch can answer that, to which Mrs. Veatch responded, she can answer that, and it is because she has no money. She clarified, basically, she is down to \$3,000 a week for the rest of the year. She said she has had unexpected expenses this year because of aging, and things like this happening. She said every time she turns around there are \$20,000 to \$50,000 fixes, and this one is a \$47,000 fix. She said the ARFF truck went down at Christmas time, and that one cost her \$15,000. She said she had to buy tires for it because they were dry rotted, and that was another \$20,000. She said they got a loaner ARFF truck that BWI provided them so they did not have to shut the Airport down, and then when they brought them one that was being decommissioned, she had to table it until next year because it is almost \$30,000 to finish putting it back in service, so she only spent \$15,000 on it this year because she did not have the rest of the money. She said, in addition, she does not know how many times she has had stuff in the roofs break, she has had structural failures at Piedmont with their roofing, and everything out there is old, everything out there breaks, and everything costs a lot of money. She said the first year she was with the County she did not formulate her budget, but last year was the first year she formulated her budget, and she tried very hard to include the things they thought they would need, but they sorely underestimated that. She said she does not know if Council has seen her budget yet, but it was more than 4 times as much as this year because of these kinds of things that have not been addressed over the years, and continue to pop up on her radar, and she does not have funding to pay for it. Mr. Kilmer said this is April, and the fiscal year is in July. He then asked if there will be more requests coming from contingency that she knows about, to which Mrs. Veatch responded, not that she knows of. She said she has cancelled everything she can cancel for the rest of the year, except for her speed dating, and it is a very critical year for one of the airlines she has been working with, so she will still go to that conference; however, she has cancelled everything, and pushed everything she can to the next fiscal year. She said she has already had her budget cut down from what she put in through the process they normally go through, so she is trying her best to repair things. She said this is the kind of stuff that when she first got here she said this Airport has not been taken care of, and they need to get in and fix the infrastructure. She said she just had the runway lights go out the other day, and she had the emergency grant last year to come out and paint the runway because it had not been painted in so many years, and they failed their FAA inspection two years in a row. She said they were told to either get it painted now, or they would not continue to operate, so she had to go to the Maryland Aviation Administration (MAA) to get emergency funding. She said another piece of that was her money that they matched, which was not programmed or budgeted, so that was another \$80,000 that came out of her operating budget along with all of the other ones she mentioned. She said she does not have her list in front of her, but she certainly could send Council the list. Mr. Dodd said these problems did not happen overnight, so she should not think Council is pointing the finger at her, and he applauds her for addressing this because it has to be done, to which Mrs. Veatch responded, absolutely it does. Mr. Kilmer said it just always gives him heartburn to take stuff out of contingency, to which Mrs. Veatch responded, she understands. She said at least they did not have a big snow year this year, or she would be in big trouble right now. Mr. Dodd said it gives him heartburn to pay for something that should not have been like that, to which Mrs. Veatch responded, it should not have been like this.

Mr. Matthews said he will add that, once they get this fixed, they still have more work to do on the structure. He said they are going to have to excavate the foundation and waterproof it because it has probably been leaking for 20 to 25 years. He said he will tell Council that he has been in his position for

about a year and a half, and it is everywhere, and not just the Airport, but every building in the County where they have something they have to address that is serious, and they are going to have to do it. He said they have put so much off for so long, and that was mentioned the last time he was before Council, but now it is catching up with them. Mr. Holloway said they see the same thing with Roads, and other infrastructure in the County. Mr. Dodd said they will just have to do the best they can, to which Mr. Matthews responded, he agrees. He said, with most of the stuff, they will be fortunate enough that they can step it out a year or two and make it an easier pill to take, but they are going to have some problems to address with every facility, but this is most important right now. Mrs. Veatch said, if Council does not know, Piedmont moved their maintenance control dispatch and crew scheduling to this building, and they just spent almost a million dollars upstairs with renovations, as well as new technologies that they moved in there, and now they have this electrical mess underneath. She said they, actually, wired their generator for their 24/7 operation into this box, and she does not even know how her staff did not come and let her know it was this bad, but, once she found out, she grabbed Mr. Matthews. Mr. Dodd asked if he read correctly that it said repairing an electric box that was abandoned, to which Mr. Matthews responded, there are several things down there that are abandoned and need to be cleaned up. Mr. Dodd asked if that is all they are doing is cleaning up, and not replacing, to which Mr. Matthews responded, they are replacing a 600-amp panel, and a 400-amp panel, but, other than that, the rest of it is just cleaning it up and making it safe. There being no further discussion, on motion by Mr. Hastings and seconded by Mr. Davis, Resolution No. 66-2019 was unanimously approved.

Public Comments:

There were no public comments.

Council Comments:

Mr. Dodd thanked everybody who came to the meeting, and said it was a good turnout in the beginning. He said there are a lot of events coming up this weekend, and he hopes everyone gets to attend. He said the Little Leagues have their opening day two Saturdays from now, and the Fruitland Easter Parade is coming up this Saturday, but he does not know if the weather is going to hold out or not. He said some of them are going to tour the Mission of Mercy at the Civic Center, which is scheduled for April 5th and 6th, and is a big event in the County where they help a lot of people, and that is some kindness there. He said Mr. Hermon Plow Days is also on Saturday, so this is going to be a big weekend, and he hopes to see everybody out, and he hopes the weather holds out for them.

Mr. Hastings congratulated the Fruitland Little League, and said it was really great to see them at the meeting. He also thanked Ms. Murdock for her kindness movement. He said today the Wi High art students went to Willards Elementary. He said the high school students actually designed their own coloring books, printed them, and then took them to Willards Elementary in order to build kindness, and build relationships with the kids there. He said it was a really great event, and he can say how great it was because it was his twin sister, who is a teacher there. He said, if Council has not seen it on-line, it is on Facebook. He congratulated Wi High and Willards Elementary, and all of the folks there.

Mr. McCain said, since Council met last, they had the budget presentation by the County Executive at his Public Hearing, and it was very well attended. He thanked Mr. Culver for the presentation, and said he can honestly say he has been attending budget hearings for probably over 30 years, and that was the most positive atmosphere he has seen. He said it was the first time he has actually seen people clapping

and cheering at a budget hearing, but that was primarily the result of the fact that the Board of Education's request was fully funded in the Executive's proposed budget, and it got a roaring cheer from the audience. He said it was great to see a positive atmosphere in the County, and it was a pleasant experience to be a part of.

Mr. McCain said he also wants to note that this past week was the Teacher of the Year banquet for Wicomico County, and Ms. Shane Morton from Delmar Elementary is the 2019 Teacher of the Year, and very well deserved. He said there were a whole lot of winners in the audience that night, and it is a great event that is put on, and it was sponsored this year by the Wicomico Education Foundation. He said he just wanted to congratulate Ms. Morton on being the new Teacher of the Year.

Mr. Dodd asked Mr. McCain to elaborate on the new award, to which Mr. McCain responded, there was another award that he and his wife, actually, instituted called the Rising Star Award, which is for a new teacher in Wicomico County. He said he calls it the rookie of the year, but their new teachers do not get a lot of recognition, and it is tough being a new teacher. He said he and his wife have always been involved in education, and most people know his wife is an educator, and a former Teacher of the Year, but they just wanted to do something for the new teachers. He said this was the first year, and they had 16 nominees, and they recognized the four semifinalists at the Teacher of the Year banquet. He said Ms. Debra Reynolds was the winner of the Rising Star Award. Mr. Cannon said that is great, and they will be giving proclamations to the four finalists for Teacher of the Year, so, if Mr. McCain can give Mrs. Hurley that information, they will also prepare a proclamation for the Rising Star, to which Mr. McCain responded, that would be great.

Council President Comments:

There were no Council President comments.

There being no further business, on motion by Mr. Dodd, seconded by Mr. Kilmer, and unanimously approved, the Legislative Session was adjourned to go into Open Work Sessions followed by Closed Work Sessions pursuant to the General Provisions Article, Section 3-105(b)(1)(7) to discuss a personnel matter regarding the employment of an interim director, and to consult with legal counsel.

The Wicomico County Council met in a Closed Work Session on Tuesday, April 2, 2019 at approximately 8:45 p.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

In attendance: John T. Cannon, Council President; Larry Dodd, Vice President; Marc Kilmer, Joe Holloway, Ernie Davis, William R. McCain, and Josh Hastings.

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

The purpose of the Closed Work Session was to discuss a personnel matter regarding the employment of an interim director. No formal action was taken.

On motion by Mr. Dodd, seconded by Mr. Kilmer, and unanimously approved, the Closed Work Session was adjourned at approximately 9:00 p.m. The legal authority for the Closed Work Session is General Provisions Article, Section 3-305(b)(1).

The Wicomico County Council met in a Closed Work Session on Tuesday, April 2, 2019 at approximately 9:00 p.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

In attendance: John T. Cannon, Council President; Larry Dodd, Vice President; Marc Kilmer, Joe Holloway, Ernie Davis, William R. McCain, and Josh Hastings.

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 determine a legal position on Charter provisions. No formal action was taken.

On motion by Mr. Dodd, seconded by Mr. Kilmer, and unanimously approved, the Closed Work Session was adjourned at approximately 9:15 p.m. The legal authority for the Closed Work Session is General Provisions Article, Section 3-305(b)(7).



John T. Cannon, President



Larry W. Dodd, Vice President, District 3



Ernest F. Davis, District 1



Marc Kilmer, District 2



Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator