

Minutes of the County Commissioners of Worcester County, Maryland

August 1, 2023

Anthony W. Bertino, Jr., president
Madison J. Bunting, Jr., vice president
Caryn G. Abbott
Theodore J. Elder
Eric J. Fiori
Joseph M. Mitrecic
Diana Purnell

Following a motion by Commissioner Elder, seconded by Commissioner Bunting, the commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Weston Young, Deputy Chief Administrative Officer Candace Savage, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, and Human Resources Deputy Director Pat Walls. Topics discussed and actions taken included the following: hiring Jaiden Hardy as a maintenance worker I within the Maintenance Division and Tammy Cropper as a transfer station attendant within the Solid Waste Division; promoting Brian Bradford from landfill crew leader to landfill operation foreman within the Solid Waste Division; receiving legal advice from counsel; and performing administrative functions, including considering board appointments.

Following a motion by Commissioner Bunting, seconded by Commissioner Abbott, the commissioners unanimously voted to adjourn their closed session at 9:42 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Bertino called the meeting to order, and following a morning prayer by Reverend Zachary L. Brown of Bates and Trinity United Methodist Churches and pledge of allegiance, announced the topics discussed during the morning closed session.

The commissioners reviewed and approved the open and closed session minutes of their July 18, 2023 meeting as presented.

The commissioners presented a proclamation recognizing August as National Child Support Awareness Month to Department of Social Services (DSS) Director Roberta Baldwin and other DSS staff members.

The commissioners presented commendations to the following Worcester Technical High School (WTHS) students who placed within the top 10 during the annual SkillsUSA National Leadership and Skills Conference on June 24-28, 2023: Matthew Beck took third place in the Principles of Engineering-Technology category; Cecilia Diehlmann and Catrina Donmoyer took

third place in the Mobile Robotics Technology middle school category; Aaliyah Drummond took third place in the Pin Design middle school category; Asher Nichols and Nidhish Gupta took seventh place in the Robotics: Urban Search & Rescue middle school category; Catherine Miller, Brendon Dunne, and Patrick Haines took seventh place in the Occupational Health and Safety – Single category; Ashley Carcamo-Diaz took ninth place in the Health Occupations Professional Portfolio category; and Christofer Villarreal took tenth place in the Computer Programming category.

Upon a motion by Commissioner Abbott, the commissioners unanimously approved by consent agenda item numbers 2-8 as follows: a letter supporting the Germantown School Community Heritage Center grant application; award letters for Waterway Improvement Grants of \$200,000 for Public Landing and \$75,000 for George Island Landing; scheduling Household Hazardous Waste Day for October 28, 2023 at the Central Landfill; the sole source purchase of a spare Flygt submersible sewage pump for West Ocean City Pump Station No. 4 for \$29,475 from Sherwood Logan; West OC Pump Station Equipment Request; scheduling a public hearing for Rezoning Case No. 440, seeking to rezone approximately 8.905 acres of land on the northwest side of Jarvis Road, identified on Tax Map 9 as Parcel 359, Lot 1, from A-1 Agricultural District to A-2 Agricultural District; and a contract with Value Carpet One to replace the carpet in the Health Department in Snow Hill for \$239,430.78.

Pursuant to the request of Sheriff Matthew Crisafulli and upon a motion by Commissioner Abbott, the commissioners unanimously approved the following promotions within the Sheriff's Office at a total implementation cost of \$41,375 utilizing existing FY24 funding: one sergeant to lieutenant at a cost increase of \$7,949, one corporal to sergeant at a cost increase of \$15,205, one deputy first class to corporal at a cost increase of \$12,508, and converting one deputy position from part-time to full-time at a cost increase of \$5,713.

The commissioners reviewed a letter from Attorney Mark Cropper requesting a special use permit be granted to allow his client, Marc Spagnola, to operate his charter fishing business, Dusk to Dawn Fishing Charters, from the South Point boat ramp. Following some discussion and upon a motion by Commissioner Abbott, the commissioners voted 6-0-1, with Commissioner Fiori abstaining, to grant Mr. Spagnola the requested special use permit to launch one vessel at a time at the County's South Point Boat Ramp, with parking not to exceed two spaces, until the commissioners make a regulatory decision regarding commercial uses at County boat ramps.

The commissioners met with Public Works Director Dallas Baker to review the results of a speed study on Marshall Creek Road, which was conducted from July 11-18, 2023 at the request of an area resident to address speeding vehicles. Upon a motion by Commissioner Mitrecic, the commissioners concurred with staff's recommendation to reduce the speed limit from 50 mph to 30 mph and to post speed limit signs of 30 mph on this unposted road.

Pursuant to the recommendation of Mr. Baker and upon a motion by Commissioner Bunting, the commissioners unanimously approved a Permanent Easement Agreement granting Chesapeake Utilities Corporation a permanent, five-by-five-foot utility easement and a temporary construction easement at 13450 Madison Avenue in Ocean City.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Mitrecic, the commissioners voted 6-1, with Commissioner Bunting voting in opposition, to authorize staff to begin negotiations with Ocean Downs Casino to take over their private domestic water supply wells, convert them to public wells, and bring them into the Riddle Farm Sanitary Service Area (SSA) to begin designing an emergency bypass sewer force main across the Ocean Downs property to serve the Riddle Farm Wastewater Treatment Plant (WWTP). Mr. Baker reviewed the background for this request. He then explained that this project could provide 1,200 new water equivalent dwelling units (EDU) and generate \$7,587,600 in EDU revenues. He advised that, even after waiving the \$1,081,233 cost of 171 water EDUs to Ocean Downs, the County will still make a profit of \$6.1 million. In response to a question by Commissioner Mitrecic, Mr. Baker advised that the aquifer serving Ocean Downs is shallower with less iron than the deeper aquifer serving the Riddle Farm, so the treatment costs will be much lower. In response to comments by Commissioner Bunting, Chief Administrative Officer Weston Young stated that Ocean Downs will be responsible for paying the quarterly water bills, as only the one-time EDU cost is being waived.

The commissioners conducted a public hearing to consider petitions to sell agricultural easements to the Maryland Agricultural Land Preservation Foundation (MALPF) in FY24 on eight properties in Worcester County at no cost to the County. Environmental Programs Director Bob Mitchell stated that the applications have been reviewed by both the Worcester County Agricultural Land Preservation Advisory Board, which recommended submitting all of the top ranked applications to MALPF for appraisal, with the exception of the property identified on Tax Map 90 as Parcel 6 and owned by the Hahn family due to a property boundary dispute that was not identified on the application. Commissioner Bunting stated that he was very pleased the County was able to include smaller sites for consideration in the MALPF program.

Commissioner Bertino opened the floor to receive public comment.

There being no public comment, Commissioner Bertino closed the public hearing.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to submit properties one through three and five through eight of the ranked applications to MALPF for appraisal and further consideration for purchase of agricultural easements.

The commissioners conducted a public hearing to consider leasing approximately four by five feet of floor space in the front lobby of the government center to the State Employees Credit Union (SECU) of Maryland for the purpose of providing an Automated Teller Machine for a period of five years, with an option for a two-year extension. Human Resources Director Stacey Norton stated that 132 County employees have accounts with SECU, and her office has received numerous requests to install a SECU ATM. She stated that the ATM may be used to withdraw funds only and will not be able to accept deposits, and the soonest the unit can be delivered and installed is calendar year 2024.

Commissioner Bertino opened the floor to receive public comment.

There being no public comment, Commissioner Bertino closed the public hearing.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the proposed lease.

Pursuant to the recommendation of Procurement Officer Nicholas Rice and Emergency Services Deputy Director James Hamilton and upon a motion by Commissioner Mitrecic, the commissioners unanimously awarded the primary Disaster Debris Management contract to Ceres Environmental Services, Inc. and the secondary award to DRC Emergency Services. Mr. Rice stated that by securing two separate contracts the County is ensuring public safety and security in the event of natural or man-made disasters. In response to a question by Commissioner Mitrecic, Mr. Rice stated that the Town of Ocean City is interested in piggybacking off the County's negotiations with the vendors. Commissioner Bertino recognized Commissioner Purnell who has championed efforts to secure disaster debris services for the County for several years.

Pursuant to the recommendation of Mr. Rice and upon a motion by Commissioner Abbott, the commissioners unanimously awarded the highest scoring proposal for the Trail and Greenways Master Plan to Mead & Hunt, Inc. at a contract cost of \$100,000.

Mr. Rice and Library Director Jennifer Ranck met with the commissioners to request approval to proceed with the detailed design for a new Pocomoke Branch Library. Ms. Ranck reviewed the proposed plans to construct a 12,500-square-foot building at a cost of \$9,431,488, which includes \$520,000 for architectural and engineering design services and \$1,175,439 for contingency and escalation. Project funding includes a 50/50 State and County match. Carole Rose, president of the Library Foundation, stated that the foundation is prepared to raise funds to help offset some of the project costs.

Commissioner Bunting stated that anticipated project costs are still well above the commissioner-approved County match of up to \$4.2 million, and staff has only reduced the scope of the project by 500 square feet. He reiterated that the proposed square footage for the project is too large, as it is based on too wide a population map, and total project costs, with contingency and escalation, should not exceed \$8.6 million. Chief Administrative Officer Weston Young stated that project design plans are only at 10% and there will be options to bring those costs down when they are further into the design phase. He also explained that the project budget includes additional costs to demolish the existing library. He pointed out that the original budget to construct a new library at the Armory site did not include demolition funding, as the town would have covered those costs. Commissioner Fiori stated that they are all in agreement that the library needs to be replaced; however, he pointed out that the commissioners previously directed staff to reduce the square footage costs, so fundamental reductions are needed before proceeding further. He requested staff provide the commissioners with a cost analysis of the design and the larger items that are driving up the cost per square foot. Commissioner Mitrecic stated his support for the proposed size of the new library, but stated that construction costs of \$691 per square foot is ridiculous given that building costs have gone down over the past six months. In response to questions by Commissioner Bertino, Commissioner Mitrecic stated that a library facility is not an overly complex structure, so they should be able to reduce costs to \$600 per square foot.

Following some discussion and upon a motion by Commissioner Bunting, the commissioners unanimously directed staff to present the commissioners with revised bid documents for a new library at a cost not to exceed \$8.6 million, either by reducing the costs to \$600 per square foot, by reducing the square footage of the proposed structure, or by

implementing a combination of the two.

The commissioners answered questions from the press, after which they adjourned to meet again on August 15, 2023.