

Minutes of the County Commissioners of Worcester County, Maryland

May 14, 2020

Emergency Meeting

Joseph M. Mitrecic, President
Theodore J. Elder, Vice President
Anthony W. Bertino, Jr.
Madison J. Bunting, Jr.
James C. Church
Joshua C. Nordstrom
Diana Purnell

Due to the current COVID-19 pandemic, this meeting took place virtually via Zoom for which the live stream could be viewed at <https://media.swagit.com/zoom/worcestercountymd>.

At 3:00 p.m. Commissioner Mitrecic called the emergency meeting to order to discuss Worcester County's response to Governor Larry Hogan's March 13, 2020 replacement of the Stay-at-Home Order with the Safer-at-Home Public Health Advisory as part of stage one of the Maryland Strong: Roadmap to Recovery, effective May 15 at 5:00 p.m.

The Commissioners received a State of the County report, which provides both a Worcester County and regional overview of COVID-19 cases, followed by direction from County Attorney Roscoe Leslie regarding the effect of local orders on this interpretive guidance. Specifically, this includes the following: political subdivisions can create more, not less, restrictive rules than the governor's order; certain businesses and organizations may reopen and must comply with social distancing guidelines published by the Center for Disease Control and Prevention (CDC), Maryland Department of Health, and any other local restrictions; and certain religious facilities, retail establishments, manufacturing, personal services, and outdoor recreation were permitted to reopen effective May 7.

Mr. Leslie noted that the following executive orders remain unchanged: gatherings over 10 people are prohibited; many businesses are still closed, including restaurants (except for carry out and delivery), gyms, theaters, enclosed malls, bingo, amusement parks, tattoo parlors, and nail salons, as well as other non-essential businesses under federal guidelines. He concluded that the County can reopen public outdoor spaces, with consultation and restrictions by the health officer, and with social distancing and use of face coverings.

With regard to actions taken by the County Commissioners to address the pandemic locally, on March 16, 2020, they adopted Resolution No. 20-3, declaring a local state of emergency in Worcester County. Then on April 1 they adopted Resolution No. 20-6, restricting all non-essential, short-term rentals in West Ocean City, Ocean Pines, and other unincorporated areas in Worcester County until Governor Larry Hogan's stay-at-home order to combat the spread of COVID-19 was lifted.

Commissioner Mitrecic stated that he called the emergency meeting to ask his fellow

Commissioners to rescind Resolution No. 20-6. Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously adopted Resolution No. 20-9 to lift short-term rental restrictions throughout Worcester County and mirror similar language in the Town of Ocean City's resolution which also lifted the temporary restriction on short-term rentals.

Resolution No. 20-3, declaring a local state of emergency in Worcester County, Maryland remains in effect at this time.

In response to concerns raised by Commissioner Elder regarding the effects of the COVID-19 pandemic on mental health, Health Officer Becky Jones advised that a primary directive of the Worcester County Health Department since State orders were implemented to stop the spread of COVID-19 has been to recognize the impact of the pandemic on behavioral health and to implement remote services allowing them to continue to provide vital services to their clients.

President Mitreic suggested that the Commissioners send a letter to the governor requesting that outdoor seating at restaurants be permitted subject to safety protocols. Mr. Leslie confirmed that currently restaurants and bars may provide delivery, carry out and drive-through services; however, outdoor seating is still not a permitted activity under Governor Hogan's executive orders. The Commissioners discussed the continued economic impact of the governor's orders on bars and restaurants. Development Review and Permitting (DRP) Director Ed Tudor stated that free, quick, and easy procedures are being developed by County staff to help bars and restaurants develop temporary outdoor seating once the governors orders are revised. Environmental Programs Director Bob Mitchell stressed that all temporary outdoor seating permits will expire when bars and restaurants are permitted by State law to resume operating under normal circumstances with indoor seating.

In response to questions by Commissioner Bunting, Mr. Tudor stated that County staff will evaluate temporary applications independently to assure that each establishment is able to maintain adequate parking without infringing on other businesses.

Delegate Wayne Hartman applauded the Commissioners for taking steps to safely reopen Worcester County in compliance with State executive orders.

Senator Mary Beth Carozza thanked the Commissioners for conducting this meeting in the immediate aftermath of the governor's lifting of the stay-at-home order and advised that the State has already developed protocols for outdoor seating that the County may tailor to address the needs of local restaurants after the State lifts this restriction.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to send a letter to Governor Hogan requesting that an addition be made to Phase One of the Roadmap to Recovery to authorize bars and restaurants that are able to meet a specific set of criteria to reopen with outdoor seating. They also directed staff to consult with Health Officer Becky Jones on the proposed County guidelines for outdoor seating once permitted to do so.

With the State beginning stage one of the Roadmap to Recovery and subsequent transition of the Stay-at-Home Order into a Safer-at-Home Public Health Advisory, Commissioner Mitreic suggested the Commissioners resume meeting in person starting with

their June 2, 2020 meeting, as their next regular session on May 19 has already been advertised as a virtual meeting.

Upon a motion by Commissioner Elder, the Commissioners voted 6-1, with Commissioner Purnell in opposition, to resume meeting in person at the Worcester County Government Center in Snow Hill beginning on June 2.

The Commissioners answered questions from the press, after which they adjourned at 3:54 p.m. to meet again on May 19, 2020.