

## Minutes of the County Commissioners of Worcester County, Maryland

March 7, 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 Bunting, seconded by Commissioner Purnell, 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 Brandon Kline as a grounds worker, transferring Emergency Communications Specialist Jacob Gross from full-time to part-time, and certain personnel matters with human resources; receiving legal advice from counsel; and performing administrative functions, including discussing FY24 benefits recommendations.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Purnell, the commissioners unanimously voted to adjourn their closed session at 9:59 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 Pastor Sean Davis of Ocean City Baptist Church 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 February 21, 2023 meeting as presented.

The commissioners presented a proclamation recognizing this month as March for Meals Month to Commission on Aging (COA) Executive Director John Dorrough and other COA professionals.

The commissioners presented a proclamation recognizing March as Women's History Month to Commission for Women (CFW) Chair Tamara White and other CFW members.

The commissioners presented a proclamation recognizing March as Professional Social Work Month to Department of Social Services (DSS) Foster Care Supervisors Nancy Haines and

Kari Mason, Life Crisis Executive Director Jamie Manning, and other professional social workers.

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 2-11 as follows: the low bid of \$49,340.66 from Poseidon Plumbing & Home Services to renovate a home in Pocomoke; bid specifications for the sale of the synthetic ice rink, including accessories; bid specifications to purchase a communications service monitor for Emergency Services; a contract from Veolia of \$27,916.28 to purchase nine replacement membrane modules and O-ring seals for the Mystic Harbour Wastewater Treatment Plant; a request for proposals for sound attenuating panels for the Worcester County Government Center; bid specifications for disaster debris management; out-of-state travel for three Public Works personnel to attend the 2023 Hurricane Conference April 3-6, 2023 in New Orleans, Louisiana; one hotel room for Board of Elections staff to participate in the 2023 Maryland Association of Elections Officers Conference May 14-19 in Ocean City; Resolution No. 23-24 updating Board of Zoning Appeals fees associated with sending all adjoiner notifications by both standard first-class mail and certified mail with electronic return receipt; and extending the State Department of Assessment and Taxation Holdover Lease Agreement for an additional six months to continue relocation efforts.

The commissioners met with Superintendent of Schools Lou Taylor to review the findings of the Buckingham Elementary School (BES) feasibility study, developed by the Becker Morgan Group. Also in attendance were Board of Education (BOE) President Todd Ferrante, Vice President Bill Buchanan, and member Elena McComas, BOE Chief Financial Officer Vince Tolbert, Facilities Planner Joe Price, and Chief Operations and Human Relations Officer Dr. Dwayne Abt, and BES Principal Dr. Chris Welch and other BES staff. Mr. Taylor and other BOE staff reviewed the results of the study, which recommends building a new, two-story BES at an estimated cost of \$73.1 million, with a State cost of \$17.2 million and County cost of \$55.9 million, rather than renovating and adding onto the existing BES at an estimated costs of \$82.8 million.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the findings of the feasibility study recommendation to build a new BES and agreed to allocate \$60,000 for design funding to complete the education specifications and conceptual planning phase of the project.

Upon a motion by Commissioner Abbott, the commissioners voted 6-1, with Commissioner Elder voting in opposition, to appoint Commissioners Bunting, Purnell, and Fiori to serve on the BES Conceptual Planning Committee.

The commissioners met with representatives from the towns of Pocomoke, Berlin, Snow Hill, and Ocean City, as well as the Ocean Pines Association (OPA) regarding their FY24 grant requests from the County.

Pocomoke Mayor Elect Todd Nock, EMS Chief Ryan McCready, and Karah Lacey reviewed their request for the County to provide funding totaling \$1,910,069 for FY24, including categorical funding, shared revenues, pass-through grants, and \$49,959 in funding equivalent to 10% of table games revenues from the Casino at Ocean Downs.

Berlin Mayor Zack Tyndall expressed the town's full support for the construction of a new BES, discussed the Rails to Trails project, and presented a revised plan to address speeding on Flower Street rather than constructing the previously proposed roundabout. He then reviewed the town's overall request for the County to provide funding totaling \$2,408,944 for FY24, including categorical funding, shared revenues, and pass-through grants. He also asked the Commissioners to reallocate funds of \$122,000 from the prior roundabout project to fund the two additional EMS positions created last year. He stated that this is a one-time request due to budgetary issues. In response to his comments, Commissioner Bertino stated that it should not be incumbent upon County taxpayers to fix the town's budget deficit issues. He then cautioned the town to have another plan to address budget shortfalls.

Snow Hill Mayor Mike Pruitt and Town Manager Rick Pollitt reviewed a request for County funding totaling \$2,273,776 for FY24, including categorical funding, as well as shared revenues, pass-through grants, \$49,959 in funding equivalent to 10% of table games revenues from the Casino at Ocean Downs, and \$161,495 to help address flooding at Byrd park.

Ocean City Mayor Rick Meehan and Town Manager Terry McGean requested County funding totaling \$9,134,507 for FY24, including categorical funding, shared revenues, and pass-through grants, which include \$80,000 to purchase additional cameras to expand the City Watch Program and \$250,000 in Program Open Space funds to help cover costs to expand and renovate the Skate Park at 3<sup>rd</sup> Street in Ocean City.

OPA President Doug Parks and General Manager John Viola requested County funding totaling \$1,874,704 for FY24, including categorical funding to include funds of \$150,000 for roads and bridges repairs, shared revenues, and pass-through grants. In response to comments by Commissioner Bertino regarding the future of the Ocean Pines Police Department, Mr. Viola advised that the OPA has been in the law enforcement business for 50 years and plans on being in it in the future by offering more competitive salaries and participating in the Law Enforcement Officers' Pension System.

Pursuant to the recommendation of Chief Administrative Officer Weston Young and upon a motion by Commissioner Bunting, the commissioners unanimously agreed to encumber \$5,000 for a pilot project for grant writing services to enable volunteer fire and emergency medical services companies in the County to pursue federal and state funding opportunities.

Pursuant to the request of Human Resources Director Stacey Norton and Public Works Director Dallas Baker and upon a motion by Commissioner Elder, the commissioners unanimously agreed to transfer one vacant office assistant III position in the Recycling Division at (G11/S7) at \$38,750 to a vehicle and equipment mechanic III in the Fleet Management Division at (G14/S1) at \$48,646.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Purnell, the commissioners unanimously accepted the proposal from EA Engineering, Science, and Technology, Inc. for groundwater monitoring and analytical services at the Central Landfill in Newark for calendar years 2023 and 2024 at an annual cost of \$105,478.92 for a total two-year cost of \$210,957.84.

The commissioners met with Mr. Baker to review the draft Consolidated Transportation Program priority letter. Commissioner Elder requested that the letter be revised to include safety improvements to the intersection of U.S. Rt. 50 and MD Rt. 610. Following some discussion and upon a motion by Commissioner Bunting, the commissioners unanimously approved the draft letter as amended.

The commissioners met with Development Review and Permitting Director Jennifer Keener to discuss steps to begin the redistricting process, which is necessary to address population growth and a shift in population across the existing election districts as identified in the 2020 Census. Ms. Keener stated that staff's goal is to maintain the existing boundaries to the extent practicable while using mapping software that will help them to address the following parameters: assuring the districts are of nearly equal population, maintain a majority minority district, and maintain contiguity. Following some discussion and upon a motion by Commissioner Elder, the commissioners unanimously directed staff to map several redistricting options for their review prior to scheduling one or more public hearings to receive public input on plans to redistrict.

Pursuant to the request of Recreation and Parks Director Kelly Rados and upon a motion by Commissioner Mitrecic, the commissioners unanimously authorized Recreation and Parks staff to move forward with plans to rehabilitate the Pocomoke Middle School (PMS) basketball courts at a cost of \$320,000. Ms. Rados reviewed the project and advised that Program Open Space funds can be used to cover 90% of project costs, with staff to offset the 10% match with in-kind services. Mayor Elect Nock confirmed that the town is allocating \$15,000 toward this project. Commissioner Abbott stated that this project has been a collaboration between the County and Pocomoke City officials, that she enjoyed working with everyone on the details, and that she is thrilled that this very special project is becoming a reality. In response to questions by Commissioner Elder, Parks Superintendent Jacob Stephens confirmed that the County will maintain the facilities. He also agreed to develop a memorandum of understanding between the County and Board of Education, which outlines each party's responsibilities, for the commissioners to consider at a future meeting.

Ms. Rados met with the commissioners to propose implementing a one-year pilot program at Shell Mill Landing, which includes implementing Park Mobile, a metered service, to charge out-of-state patrons a flat rate of \$10 a day to park. She reviewed the need for the program as well as details about its implementation. Commissioner Mitrecic objected to implementing a pilot program at only one rather than all of the County boat ramps, as doing so would drive users to other public boat ramps where they could park for free. Commissioner Bunting supported the program, noting that it is a good start and will allow them to track the number of out-of-state users at the facility. Following some discussion and upon a motion by Commissioner Bunting, the commissioners voted 5-2-1, with Commissioners Elder and Mitrecic voting in opposition and Commissioner Purnell abstaining to implement the one-year pilot program at Shell Mill Landing as proposed.

In follow up to discussions from the commissioners' February 7, 2023 meeting, Ms. Rados presented a revised proposal to implement an application process for issuing special use

permits to commercial entities seeking to utilize County boat landings, which include the following criteria: posing no conflict with the general boating public, posing no interference with the needs of recreational boaters, and posing no potential damage to the ramps and facilities. The process would allow commercial users to request the use of County boat ramps for up to five specific dates per calendar year, with each application to include a \$50 non-refundable payment, and all applications to be reviewed for possible approval by the commissioners. In response to concerns raised by Commissioner Mitrecic, Ms. Rados confirmed that the activities of boat dealers and repair shops are defined as commercial uses and would be subject to the new regulations currently being proposed. Commissioner Fiori stated that the proposal should be amended to further define commercial uses and address the following: authorizing boat dealers and boat repairs to continue utilizing the ramps, as they provide a myriad of services to residents without any negative impact to parking at the boat ramps, implementing a bond process for commercial entities that use heavy equipment in and around the boat ramps to assure that any damages to these facilities are repaired at the cost of the user; and recognizing that for-hire guides and charter services are not permitted commercial uses at County boat ramps. Commissioner Bunting concurred.

Following some discussion and upon a motion by Commissioner Abbott, the commissioners voted 4-3, with Commissioners Elder, Mitrecic, and Purnell voting in opposition, for staff to develop recommendations for moving forward based on concerns raised by the commissioners.

At the recommendation of Chief Administrative Officer Weston Young and upon a motion by Commissioner Abbott, the commissioners unanimously agreed to cancel their April 4, 2023 meeting, due to a conflict with several commissioners who will be attending the National Hurricane Conference in New Orleans, Louisiana from April 3-6.

Commissioner Mitrecic advised that there have now been 23 whale deaths and several dolphin deaths in the Mid-Atlantic, making it imperative for the commissioners to continue their letter writing campaign to push for a moratorium on offshore wind development and for a study to identify whether electronic impulses from offshore wind equipment is disorienting and causing these highly-intelligent mammals to become disoriented and to surface prematurely and be struck and killed by vessels.

Commissioner Abbott called on the community to pray for the fire fighters who were injured when responding to a house fire in Pocomoke recently and for the homeowner who lost everything and is now without a place to live. She also extended thanks to Commissioner Fiori for helping her make the basketball project in Pocomoke a reality.

In response to concerns raised by Commissioner Bertino and upon a motion by Commissioner Elder, the commissioners unanimously agreed to send a second letter to the State legislature opposing the amended version of HB119/SB199 Primary and Secondary Education – Comprehensive Health Education Framework, which would require all boards of education to introduce radical, unscientific gender theory and graphic sexual instruction to minors attending taxpayer-funded pre-kindergarten, elementary, and middle schools statewide under the guise of “Health Education.” Commissioner Bertino noted that this bill disregards parental rights, and the

house passed an even more stringent version of the original bill by eliminating even the miniscule opt-out provision for certain sections. Commissioner Abbott stated that these bills not only usurp the rights of all Maryland parents, but also remove control from the Worcester County Board of Education members, who were elected to represent the interests of Worcester County citizens. She urged those in attendance and viewers to also contact their State legislators to oppose these bills. Commissioner Elder concurred, noting that this is an attack on family values. Commissioner Fiori also concurred, stating that the commissioners must do everything in their power to stop this legislation.

The commissioners answered questions from the press, after which they adjourned to meet again on March 21, 2023.