

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

March 5, 2024

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 Elder, 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 Deputy Director Pat Walls. Topics discussed and actions taken included the following: hiring Shanell Taylor and Sean Yellin as correctional officer trainees within the County Jail; transferring Office Assistant V Dena Bowden from Recreation and Parks to the County Jail; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bunting, seconded by Commissioner Elder, 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 Reverend George Tasker Abundant Life Apostolic Church of Pocomoke 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 20, 2024 meeting as presented.

The commissioners presented a years-of-service commendation to Youth Services Specialist Susan Todd who is retiring following 29 years of service to the Library.

The commissioners presented a proclamation recognizing this month as Women's History Month to Commission for Women (CFW) Chair Coleen Colson and other CFW members.

The commissioners presented a proclamation recognizing March as Professional Social Work Month to Department of Social Services Director Roberta Baldwin and other social

services professionals from DSS, the Worcester County Health Department, and Life Crisis.

Upon a motion by Commissioner Fiori, the commissioners unanimously approved by consent agenda item numbers 2-9 as follows: the Board of Education's proposed FY25 nonrecurring cost exclusions; out-of-state travel for one individual within Information Technology to attend the Tyler Connect conference May 18-23, 2024 in Indianapolis, Indiana; sending a letter of no interest regarding certain parcels owned by the Maryland Department of Transportation identified as surplus property; a no-cost extension for the Greys Creek Nature Park Living Shoreline restoration project; bid specifications for maintenance of the Newark effluent spray irrigation site and design services for the St. Martins by the Bay water project; a new lease for the postage machine and the folder/insertor; and a proposal from EA Engineering, Science, and Technology of \$197,410 for groundwater and landfill gas monitoring and reporting for the closed landfill facilities in Pocomoke, Berlin, and Snow Hill.

The commissioners met with representatives from the towns of Pocomoke, Berlin, Snow Hill, and Ocean City, as well as the Ocean Pines Association (OPA) to review their FY25 grant requests from the County.

Pocomoke Mayor Todd Nock provided the commissioners with the town's five-year capital plan. He then requested County grant funding totaling \$1,914,531 for FY25. This includes an Unrestricted Grant of \$540,750.00; EMS and Fire Grant of \$81,900.00; and a Restricted Infrastructure Grant of \$48,317.00 for minor electric and HVAC upgrades to the Log Cabin.

Berlin Mayor Zack Tyndal requested an increase in the Unrestricted Grant of \$500,000, which represents a 7.5% increase; \$10,000 to assist with quarterly promotional videos for the downtown business district; and \$16,000 for road striping on Seahawk Road and improvements to sidewalks leading to the schools. He advised that the town would like to partner with the County to obtain Program Open Space funding for a recreation project located on both town and county lands.

Snow Hill Mayor Mike Pruitt requested an Unrestricted Grant of \$500,000, Payment in Lieu of Taxes of \$250,000, a grant of \$48,317, which is the equivalent of 10% of table game revenues; and \$163,742 for upgrades to Byrd Park.

Ocean City Mayor Rick Meehan requested County funding totaling \$10,353,710 for FY25, which includes \$823,794 to cover the actual cost of providing ambulance service to West Ocean City.

Ocean Pines Association President Rick Farr requested County funding totaling \$2,110,407 for FY25 and will be requesting an additional \$175,000 for the Ocean Pines Police Department to implement a LEOPS program to attract and retain highly qualified law enforcement officers.

The commissioners conducted a public hearing on Bill 24-01 (Zoning – Multi-family Dwelling Units in the C-2 General Commercial District), which was introduced by Commissioners Elder, Mitrecic, and Purnell on January 16, 2024. Development Review and Permitting Director Jennifer Keener reviewed the draft bill, which would add a special exception use in the C-2 General Commercial District to allow multi-family dwelling units to be detached from the principal commercial structure. Ms. Keener advised that the proposed bill language

mirrors what was recently approved by the Worcester County Commissioners in the C-3 Highway Commercial District, with the inclusion of a minimum of 15% open space based upon the net lot area of the residential use and a minimum of 65% of the parcel to be developed in commercial structures. She confirmed that the Planning Commission granted the text amendment a favorable recommendation. In response to a question by Commissioner Bunting, Ms. Keener stated that the C-3 district was created in 2009 for intense uses, like the big box stores and affects only seven to nine parcels along the service road in Berlin. She confirmed that there are far more parcels zoned C-2 district and the uses therein are much broader, as this zoning was created primarily to serve general commercial for small-scale neighborhood, like retail stores and restaurants.

Commissioner Bertino opened the floor to receive public comments.

Attorney Kristina Watkowski, representing Park Place owner Todd Ferrante, who is seeking to develop an adjoining C-3 property, urged the commissioners to adopt Bill 24-01 to give commercial property owners more flexibility when developing their parcels. She stated that, with a special exception, the C-3 district could be used to meet the urgent need for affordable, year-round housing right now. Commissioner Fiori questioned how allowing individual residential structures in the C-3 district would lower rental costs for tenants. Ms. Watkowski clarified that this would provide additional needed housing, but that it would not necessarily change the affordability.

Former Board of Zoning Appeals member Glenn Irwin supported the proposed bill, noting that smaller scale rentals are needed, and he urged the commissioners to adopt Bill 24-01.

Joe Wilson, broker owner of Coastal Life Realty in Ocean City, stated that a lot of rental housing has been converted for use as AirBNB rentals, so there is a great demand for year-round rental housing. Therefore, he urged the commissioners to adopt Bill 24-01.

There being no further public comment, Commissioner Bertino closed the floor.

A motion by Commissioner Mitrecic to adopt Bill 24-01 and accept the Findings of Fact failed 3-4, with Commissioners Elder, Mitrecic, and Purnell voting in favor and Commissioners Abbott, Bertin, Bunting, and Fiori voting in opposition.

The commissioners conducted a public hearing on Bill 24-02 (County Government – County Ethics Law), which was introduced by Commissioners Bertino, Bunting, Abbott, Elder, Fiori, Mitrecic, and Purnell on January 16, 2024. County Attorney Roscoe Leslie stated that this bill includes minor amendments that are required to comply with State law.

Commissioner Bertino opened the floor to receive public comment.

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

Upon a motion by Commissioner Mitrecic, the commissioners unanimously adopted Bill 24-2.

Pursuant to the request of Board of Elections President Terron Pinder and upon a motion by Commissioner Mitrecic, the commissioners unanimously authorized the Board of Elections to use the first-floor board room in the government center from October 23 – 31, 2024 as a backup early voting location. In response to a question by Commissioner Abbott, Board of Elections members agreed to provide the commissioners with the minimum population needed to provide a second early voting location in the County.

The commissioners met with Public Works Director Dallas Baker to review the proposed 2024 Consolidated Transportation Program (CTP) priority letter. Following some discussion and upon a motion by Commissioner Elder, the commissioners unanimously approved the draft letter as amended to include a project to address ponding on U.S. Rt. 113 and Johnson Road and to clean and paint the bridge in Pocomoke.

In response to a question by Commissioner Fiori, Mr. Baker advised that the State Highway Administration is completing a study to address the need for a traffic signal at the intersection of MD Rt. 611 and Assateague Road. He noted that a roundabout at that location does not appear to be feasible, as the road is used heavily by large travel trailers.

Pursuant to the recommendation of Ms. Keener and upon a motion by Commissioner Purnell, the commissioners unanimously adopted Resolution No. 24-1 establishing local amendments to the Maryland Building Performance Standards for Worcester County, Maryland.

Pursuant to the request of Mr. Young and upon a motion by Commissioner Fiori, the Commissioners unanimously agreed to send a letter supporting HB 1221 Battery Storage and Solar Arrays Safety Training Grant Program and Fund.

The commissioners reviewed and discussed various board appointments. Upon a nomination by Commissioner Mitrecic, the commissioners unanimously agreed to reappoint Amy Rothermel to the Local Management Board.

In response to questions from Commissioner Bertino regarding a recent Board of Education discussion concerning Other Post Employment Benefits, Mr. Young clarified that OPEB is not a reserve fund. Rather, it pays for retiree benefits. Once funded to a certain level the dividends and interest will pay for the annual cost of retiree benefits and reduce the overall long-term liability, which will help the County maintain its credit rating.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to send a letter opposing HB 1296 Electricity – Offshore Wind Projects – Alterations, which would provide subsidies to offshore windfarm developers. Commissioner Mitrecic stated that this bill would burden ratepayers and taxpayers, who would be responsible for funding the project.

In response to concerns raised by Commissioner Bunting, Environmental Programs Director Bob Mitchell stated that County staff are preparing comments for the public hearing on March 25 at Wor-Wic Community College on an application from US Wind to construct a 625-foot by 32-foot concrete pier in West Ocean City.

Commissioner Bertino addressed recent public discussions regarding crime statistics and referrals in Worcester County Public Schools and advised that behind the numbers are individual students, teachers, and parents who were in some way violated. He stated that a problem exists, and he urged the Board of Education, Sheriff's Office, and State's Attorney's Office to work together to assure each school provides a safe environment for teachers and students.

The commissioners answered questions from the press, after which they adjourned to meet again on March 19, 2024.