

Minutes of the County Commissioners of Worcester County, Maryland

July 16, 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 Fiori, 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, and Human Resources Director Stacey Norton and Deputy Director Pat Walls. Topics discussed and actions taken included the following: a personnel update, hiring Keith Hall as a landfill operator I within the Solid Waste Division, Ryan Nellans as the special events and marketing manager within Recreation and Parks, and Teresa Fryer, Autumn Harris, Angela Leonard, and Brendon Scott as correctional officer trainees within the County Jail; promoting Intern Lily Wagner to environmental planner I within Environmental Programs and Parks Superintendent Jacob Stephens to deputy director of Recreation and Parks, and other personnel matters; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments

Following a motion by Commissioner Mitrecic, seconded by Commissioner Fiori, the commissioners unanimously voted to adjourn their closed session at 10:02 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 Eugene Nichols of Elsey United Methodist 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 July 2, 2024 meeting as presented.

The commissioners presented a proclamation to Tourism and Economic Development Director Melanie Pursel recognizing August 3-11, 2024 as Agriculture Week in Worcester County and inviting the public to visit <https://visitmarylandscoast.org> to learn about the lineup of farming events taking place that week. Agriculture Week begins with the Blessing of the Combines on August 3 and culminates with the Great Pocomoke Fair August 8-11 and the Worcester County Fair August 9-11.

Upon a motion by Commissioner Bunting, the commissioners unanimously approved by consent agenda item numbers 2-5 and 7-11 as follows: a letter supporting the grant application from American Legion Post 231 for a \$242,000 American Heritage Preservation Program grant; out-of-state travel for Emergency Management Specialist Maurice VanDemark, II to attend SERTC Training, Alternative Fuels, and Flammable Incident Response and Management in Pueblo, Colorado; the FY25 Maryland Community Criminal Justice Treatment Program contract between the County Jail and the Health Department; FY25 Community Partnership agreement awarding funds of \$964,587 from the Governor's Office of Children to the Local Management Board; scheduling Household Hazardous Waste Day at the Central Landfill on October 26, 2024; reallocating \$25,515 from Assigned Funds to Public Works Equipment for electric upgrades to the Roads Division shop in Snow Hill; bid specifications for the purchase of corrugated metal and plastic pipe for the Roads Division; purchasing a Toro Infield Pro 5040 mower from Turf Equipment and Supply Company for \$29,618.94; and a \$2.97 million settlement to the Maryland Department of the Environment to settle four sanitary sewer overflow violation fines that occurred between April 2022 through September 2023.

Pursuant to the request of Berlin Fire Department President David Fitzgerald and upon a motion by Commissioner Bunting, the commissioners unanimously accepted the donation of a Firehouse Innovations fire and rescue multi-force training door. In response to questions by Commissioner Bertino, Fire Marshal Matt Owens advised that this equipment is currently located at the Worcester County Fire Training Center in Newark and is used to train Worcester Technical High School students in the fire training program.

Pursuant to the request of Superintendent of Schools Louis H. Taylor and upon a motion by Commissioner Mitrecic, the commissioners unanimously authorized the reallocation of \$472,059 of funds from the Snow Hill Middle School/Cedar Chapel Special School roof replacement project and return said funds for use in completing the Pocomoke Elementary School rooftop HVAC project.

In follow up to concerns raised previously by the commissioners regarding the siting of utility scale solar systems on agricultural lands, Maryland Association of Counties (MACo) Director Michael Sanderson and Intergovernmental Relations Director Dominic Butchko provided a brief presentation covering the history of solar in Maryland, noting that in 2014 large companies looking at developing on prime agricultural spots close to highways and energy grids statewide. These companies do not want to work through local county zoning processes and are instead going through the State

He advised that MACo took up solar as a major initiative in 2016, introduced a bill to try to clarify that local governments should have primacy with local zoning for these types of facilities; however, the General Assembly was not interested and in 2019 the opinion of the State courts was that the same law governing big power plants apply to every utility scale solar facility. He then discussed the State's push for clean energy, which includes removing even the few existing local regulatory requirements for solar governing buffers and setbacks.

Mr. Butchko stated that MACo is very aggressively engaged with stakeholders to preserve local autonomy to the maximum extent possible while meeting the State's increasingly aggressive renewable energy goals. He advised that projects over two megawatts are approved

through State processes, while smaller projects are still within the local purview. In response to a question by Commissioner Bertino, Mr. Butchko advised that land roughly the size of three to five football fields is needed to produce one megawatt of energy from solar. He then reviewed the State's renewable energy goals are becoming more aggressive each year, and MACo will continue to lobby on behalf of the counties and keep them informed on the status of legislative initiatives pertaining to solar. Commissioner Mitrecic expressed concern regarding both the solar fields and the battery storage facilities needed to hold the power being generated. Commissioner Elder expressed great concern that industrial solar projects are going to take up huge tracts of farmland. He reiterated that farmlands are meant for growing food, and people need food to eat.

Following some discussion, the commissioners thanked Mr. Sanderson and Mr. Butchko for their efforts to advocate on behalf of the rural counties and for agreeing to keep them informed of solar legislation that could impact Worcester County going forward.

The commissioners conducted a public hearing on Bill 24-06 (Taxation and Revenue Article – Reinvestment and Repair Special Revenue Fund), which was introduced by Commissioners Abbott, Bertino, Bunting, Elder, Fiori, Mitrecic, and Purnell on May 21, 2024. Mr. Young reviewed the bill, which would establish a Reinvestment and Repair Special Revenue Fund for funds received from the State under Section 1-322 of the Alcoholic Beverages and Cannabis Article of the Maryland Code. The fund is intended to fund community-based initiatives intended to benefit low-income communities.

Commissioner Bertino opened the floor to receive public comment.

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

Upon a motion by Commissioner Purnell, the commissioners unanimously adopted Bill 24-06 as presented.

In response to a question by Commissioner Abbott, County Attorney Roscoe Leslie stated that County staff made the use of these funds as broad as possible to mirror the State language. He stated that this is just enabling legislation, with funding recommendations to be proposed during the annual budget process.

The commissioners conducted a public hearing to receive comments on the proposed disposal of surplus vehicles, equipment, and miscellaneous items on the GovDeals auction website.

Commissioner Bertino opened the floor to receive public comment.

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

Upon a motion by Commissioner Abbott, the commissioners unanimously declared the vehicles, equipment, and miscellaneous items to be surplus and authorized staff to begin the process of arranging the online auction of the surplus property.

In follow up to the commissioners' March 19, 2024 meeting, Information Technology Director Brian Jones updated the commissioners on the status of projects to extend broadband to unserved areas, and noted that to date the County has only been required to invest \$96,000 in local revenues to these projects thanks to their success in obtaining state and federal broadband grants. He then explained that just a few years ago roughly 6,400 homes were without broadband; however, that number will be reduced to roughly 1,400 unserved homes upon completion of the projects currently under construction. Commissioner Bertino thanked staff for

their aggressive efforts to secure grant funds for this work, noting that just six years ago the commissioners had been willing to invest up to \$50 million in County funds into broadband projects.

In response to concerns raised by Commissioner Mitrecic, the commissioners directed staff to invite representatives from Talkie and Choptank to an upcoming commissioners' meeting to update them on broadband projects in the County.

Following some discussion and upon a motion by Commissioner Elder, the commissioners unanimously approved a 50/50 split of the \$1 million Difficult to Serve Properties Grant from the Office of Statewide Broadband between Talkie and Choptank to further expand broadband into hard to reach areas of the County.

Pursuant to the request of Procurement Officer Nicholas Rice and Public Works Director Dallas Baker and upon a motion by Commissioner Bunting, the commissioners unanimously approved the purchase of a 2025 Kenworth T880 Tractor Daycab from All Roads Trucks for \$195,567 for use within the Roads Division under the Sourcewell cooperative contract.

Pursuant to the request of Berlin Mayor Zack Tyndall and upon a motion by Commissioner Bunting, the commissioners unanimously agreed to reduce the speed limit on the County-owned portion of Flower Street from 30 mph to 25 mph. Mr. Baker stated that County staff support this change.

Pursuant to the request of Chief Administrative Officer Weston Young and Legislative Analyst Charlene Sharpe and upon a motion by Commissioner Elder, the commissioners unanimously authorized County staff to submit a request to the Maryland Department of Housing and Community Development to forgive the restaurant grant associated with the Dockside Restaurant in Pocomoke City after three different operators failed to meet the job creation goals tied to the awarding of these funds. Mr. Young explained that this grant was awarded to the County in 2008 and passed through to Pocomoke City. This has obligated the County to meet continued reporting requirements for well over a decade. In response to a question by Commissioner Bertino, Commissioner Abbott stated that seeking grant forgiveness is in the best interest of Pocomoke City.

The commissioners answered questions from the press, after which they adjourned to meet again on August 6, 2024.