

Minutes of the County Commissioners of Worcester County, Maryland

December 3, 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 Fiori, seconded by Commissioner Abbott, 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: hiring Wayne Cathell as a roads worker II within the Roads Division, Cody Filipic and William Satchell as plant operator trainees within the Water and Wastewater Division, Ashley Lemus, Mark Noto, Kenneth Parsons, and Tyler Udzielak as communications specialist trainees within Emergency Services, and James Brown as assistant chief of electronic services in Emergency Services; 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 10:00 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 Dale Brown of the Community Church at Ocean Pines and pledge of allegiance, announced the topics discussed during the November 19, 2024 afternoon closed session and their December 3 morning closed session.

The commissioners elected officers for the coming year through December 2, 2025. Upon a nomination by Commissioner Mitrecic, the commissioners voted 6-1, with Commissioner Bunting voting in opposition, to elect Commissioner Elder as president of the Board of County Commissioners.

Upon a nomination by Commissioner Mitrecic, the commissioners voted 6-1, with Commissioner Bunting voting in opposition, to elect Commissioner Fiori as vice president of the Board of County Commissioners.

The commissioners reviewed and approved the open and closed session minutes of their

November 19, 2024 meeting as presented. Minutes as is.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved by consent agenda item numbers 1-6 as follows: waiving tipping fees for citizens dropping off Christmas trees at the Central Landfill from December 26, 2024 through January 31, 2025; purchasing water meter repair parts from Core & Main for \$186,837; awarding the low bid to purchase and install five new overhead doors at the Central Landfill to Hickman Overhead Door for \$98,780; purchasing a brine maker and truck fill station from Intercon Truck for \$117,040.20; purchasing and installing shade structures for bleachers at Showell Park from Local Parks and Playground Infrastructure for \$47,215; and awarding the best proposal for a housing study to Matrix Design Group, Inc. for \$49,900.

Pursuant to the request of Superintendent of Schools Louis H. Taylor and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to allocate \$77,738 from the Stephen Decatur Middle School renovation and addition construction fund to replace deteriorating light poles at that school.

Pursuant to the request of Chief Administrative Officer Weston Young and upon a motion by Commissioner Bertino, the commissioners unanimously authorized Commissioner President Ted Elder to sign the annual Memorandum of Understanding between Worcester County Public Schools and the commissioners for the School Resource Deputy Program.

The commissioners met with Maryland Coastal Bays Program (MCBP) Executive Director Kevin Smith letter to reconsider issuing a letter supporting the MCBP's application for a Department of Natural Resources (DNR) Whole Watershed Fund grant for up to \$1 million annually for five years to restore water quality and shallow water habitat in the Newport Bay. The commissioners discussed this request on November 19, at which time a majority of the commissioners stated that they would not vote to support the letter until the MCBP Board and policy members agree to support the County and Ocean City's opposition to offshore wind turbines. The commissioners also reviewed a letter from MCBP President Steve Taylor Mr. Smith written in response to their request in which he advised that the board would remain neutral in this matter. Following much discussion and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to deny the request to send a letter supporting MCBP's grant application.

The commissioners conducted a public hearing to receive comments on proposed amendments to the FY25 water and wastewater rates for the following Sanitary Service Areas (SSA): Assateague Point, Edgewater Acres, Landings, Lighthouse Sound, Mystic Harbour, Newark, and Riddle Farm. Enterprise Fund Controller Quinn Dittrich discussed operating and maintenance issues and revenue shortfalls within each of the SSAs, as well as the current and proposed rates. Chief Administrative Officer Weston Young noted that the rate increases outlined are based on a request from the commissioners to identify the break-even point to cover cumulative costs resulting from a number of ongoing issues involving aging and failing infrastructure as well as ongoing operation and maintenance costs within each of the SSAs. Commissioner Fiori stated that he was not in favor of increasing rates and would instead seek to

improve the plants. Commissioner Bertino agreed, noting that the commissioners have already approved the transfer of \$9.5 million to cover the shortages in these particular service areas.

Commissioner Elder opened the floor to receive public comment.

Susan Age of Newark advised that her community already pays the highest rates in the County and cannot afford a 20% increase.

Ron Sloan of the Riddle Farm asked what had happened to require such an increase. Commissioner Bertino explained that this was a result of inconsistent and poor financial oversight, that the commissioners and County Administration had just become aware of the situation over the past several months, and that they were working to address this matter as well as issues involving aging plants. Commissioner Fiori noted that he would be working with the Water and Sewer Advisory Committee on these matters and invited residents to contact him to remain informed on water and wastewater issues.

James Barbely of Newark reviewed issues within the SSA as well as brown water concerns. He asked the commissioners to repair the infrastructure and retain the existing rates. He concluded that all affected ratepayers should have been notified by letter of these proposed rate increases.

Richard Engleman of the Landings stated that the ratepayers should not be required to shoulder these high rate increases because the plant is not working properly. He urged the commissioners to repair the infrastructure and create incentives for conserving water.

Jerry Bulwin of Riddle Farm stated that the proposed rate hike would hurt homeowners because they could not afford the increases and would not be able to sell their homes. He stated that hardworking people do not deserve to be penalized because of a \$2 million error.

Rich Carlson of Riddle Farm thanked the commissioners for agreeing to keep the public involved going forward. He stated that he and his neighbors cannot afford a 20% rate increase.

Kevin Kinsey of Berlin also asked how this happened, how the commissioners could justify such an increase, and stated that the proposed increases are unaffordable. He thanked the commissioners who are opposed to the increases.

Joan Scott of Newark urged the commissioners to implement best practices for purchasing, repairing, and merging the SSAs to keep cost even and low.

Charles Crawford of the Landings concurred with prior speakers and asked the commissioners to fix the broken systems.

Barbara Fry of Riddle Farm thanked the commissioners for their commitment not to raise rates, noting that she thought she was coming to a meeting where the rate increases were already a done deal.

Beverly Meadows of the Landings stated that her water and sewer rates have increased each year for the last three years and would appreciate their help in stabilizing the rates. She also stated that the quarterly bills should accurately reflect the SSAs in which area residents live.

A West Ocean City resident asked the commissioners to seek an ocean outfall permit to reduce wastewater costs. Commissioner Bertino advised that the commissioners have discussed this and related issues that are ongoing. Commissioner Young advised that the County has had preliminary discussions with the Maryland Department of the Environment who do not appear willing to issue the County a permit.

Erin Lovegrove of the Landings expressed numerous water and sewer concerns, noted that he learned about the increase from neighbors on Facebook and stated that no one can afford the proposed increases. He thanked the commissioners for taking their concerns seriously.

Billy Stocks of the Landings asked why the SSA rates fluctuate so drastically. He stated that the proposed rate increases are ridiculous, and urged the commissioners not to raise the rates.

Robert Fallon of the Riddle Farm questioned issues regarding the failing wastewater treatment plant and urged the commissioners not to pass on rate increases for problems that the commissioners had inherited from developers.

There being no further public comment, Commissioner Elder closed the public hearing.

Commissioner Mitrecic stated that he was not interested in raising water and sewer rates, but that in some instances the commissioners will have to re-evaluate them come budget time. He noted that the County would have more buying power by combining the service areas, which is something the commissioners and County staff have been working toward. Following much discussion, the commissioners agreed to conduct a work session to address water and wastewater issues and the concerns raised by the public regarding proposed rate increases.

In response to a question by Mr. Barbely, Commissioner Elder agreed to work with County staff about the possibility of establishing a water and sewer committee for the Newark SSA.

Pursuant to the recommendation of Public Works Director in response to a request from the Bayside Landings Parking Committee and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to restrict parking to one side of the road within their community.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Bertino, the commissioners unanimously awarded professional services for the rehabilitation of the Riddle Farm water tower to George, Miles, & Buhr for \$34,800.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the commissioners unanimously agreed to reappoint James Spicknall to the Building Code Appeals Board and Judith Giffin to the Ethics Board.

Upon a nomination by Commissioner Purnell, the commissioners unanimously agreed to reappoint Jeff Smith to the Library Board.

Upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to appoint Diana Harris to the Commission for Women.

Upon a nomination by Commissioner Mitrecic, the commissioners unanimously agreed to reappoint Mayor Rick Meehan to the Local Development Council for the Ocean Downs Casino, Mary Knight to the Planning Commission, Granville Jones to the Solid Waste Advisory Board, and Kimberly List to the Commission for Women.

Upon a nomination by Commissioner Abbott, the Commissioners unanimously agreed to reappoint Mark Frostrom to the Local Management Board and Ashley Frostrom to the Library Board.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to appoint Madie Groves and Dani Shirk to the Worcester County Youth Council.

Pursuant to a request from the Maryland Retailers Alliance (MRA) and upon a motion by

Commissioner Bertino, the commissioners unanimously agreed to send a letter supporting legislation to reduce theft rates in Maryland by allowing law enforcement and prosecution teams to better target career criminals and organized theft rings and to prosecute felony charges.

Commissioner Elder read a statement advising that at the September 17, 2024 meeting, the commissioners heard an item related to the repurposing of a grant that was inadvertently not included in that meeting's agenda as required by Section 3-302 of the Maryland Open Meetings Act. Although the item was omitted from the agenda, the materials for the item had been included in the publicly available packet materials for that meeting. The full Open Meetings Compliance Board's opinion on this matter can be found on the Attorney General's website.

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