

Minutes of the County Commissioners of Worcester County, Maryland

January 16, 2007

James L. Purnell, Jr., President
Louise L. Gulyas, Vice President
Judith O. Boggs
Linda C. Busick
James C. Church
Robert L. Cowger, Jr.
Virgil L. Shockley

The Commissioners convened in open session at 10:30 a.m. Commissioner Purnell called the meeting to order and announced their attendance at the swearing-in ceremony at the Board of Education earlier that morning.

The Commissioners reviewed and approved the minutes of their January 2, 2007 meeting, as presented.

The Commissioners presented a commendation to Gregory Purnell, who recently stepped down from serving on the Recreation Advisory Board, and thanked him for his 23 years of service to the County.

Pursuant to the request of Sharon Beyma of the Health Department and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized Commissioner Purnell to sign the Residential Lease Agreement from May 18 to September 11, 2007 for an apartment located at 405 Lark Lane in Ocean City, which will be used to house the HOT Boards Assessment Unit for the Ocean City Youth Health Center during summer 2007.

Pursuant to the request of Patti Jackson, of the Worcester County Board of Elections, and upon a motion by Commissioner Shockley, the Commissioners voted 6-1, with Commissioner Boggs voting in opposition, to approve out-of-state travel for Ms. Jackson and Teresa Riggin to attend a Certified Elections/Registration Administration Renewal Conference in Savannah, Georgia from February 14 - 18, 2007.

The Commissioners met with Finance Officer Harold Higgins to review and discuss the proposed Debt Affordability Policy, which would establish capital financing guidelines for the issuance of public debt. Mr. Higgins reviewed the proposal, which was developed by County staff in response to the recommendations from the County's financial advisor and certain bond rating agencies. In response to a question from Commissioner Shockley, Mr. Higgins stated that the County has an assessable base of \$14,062,830,430, and a dip in assessed home values would result in only minor changes to the County's ability to borrow. However, a catastrophic event, such as a hurricane, could have a much greater affect on the County's ability to borrow. In response to a question from Commissioner Boggs, Mr. Higgins stated that the County's debt

service payment was \$7,141,138 in 2006. He further stated that the debt verses assessed property value of 1% was a very conservative figure. Chief Administrative Officer Gerald T. Mason stated that the policy was based on the Capital Improvement Plan for projects currently in the pipeline, including renovations and additions to Pocomoke and Snow Hill High Schools. Following some discussion and upon a motion by Commissioner Shockley, the Commissioners unanimously adopted Resolution No. 07-1, Establishing a Policy on Debt Capacity.

Economic Development Director Jerry Redden made a request on behalf of Royal Plus, Inc. for occupancy of the former Aluglass building prior to its transfer to them for the purpose of repairing the facility. Following some discussion and upon a motion by Commissioner Boggs, the Commissioners unanimously approved the request subject to an appropriate license agreement prepared by County Attorney Edward H. Hammond, Jr. in which among other things, the County shall be held harmless against any liability. The license shall be subject to the rights of the existing tenants.

Pursuant to the request of Mr. Redden and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized staff to apply for a Maryland Department of Business and Economic Development (DBED) matching grant of \$37,000, with the County's \$18,500 match to be funded from within the existing Economic Development budget. The grant would be used to perform a sole source study for the purpose of developing a strategic plan to bring critical land and infrastructure for the following purposes: fit the County's distinct tourism character; extend the tourist season; appeal to changing tourism demographics; create more year-round jobs; provide infrastructure needed for the Berlin Technology Park; provide seasonal employee/workforce and senior housing; and support the goals and objectives of the Comprehensive Plan. In response to a question from Commissioner Church, Mr. Redden stated that the proposed cost was based on quotes from several companies qualified to perform the study.

Pursuant to the request of Recreation and Parks Director Sharon DeMar Reilly and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved bid specifications for the purchase of a 72" front mounted mower for use within Recreation and Parks.

Pursuant to the request of Ms. Reilly and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved the Request for Proposals (RFP) for engineering, surveying and design services for improvements to the Northern Worcester Athletic Complex in Berlin.

In a related matter, in response to a question by Commissioner Gulyas, Ms. Reilly stated that recreation staff will resolve cleanup issues pertaining to the County park at Cape Isle of Wight.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded the bid for the purchase of Hot Patch Wagon to Maryland Industrial Trucks, Inc. of Linthicum, Maryland in the amount of \$20,925. Mr. Tustin explained that a lower bid from Pavement Technologies of Flemington,

New Jersey in the amount of \$20,525 did not meet the required specifications.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded the low bid for the purchase of an 8-passenger, 2-wheelchair bus for use by the Health Department to Colonial Equipment Company of Frederick, Maryland in the amount of \$41,864.23.

In a related matter and in response to a question from Commissioner Shockley, Mr. Tustin stated that all needed heavy equipment vehicles for use within Public Works had been ordered prior to the 2007 vehicle price increases.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Gulyas, the Commissioners unanimously awarded the low bids for three vehicles for use by the Health Department as follows: one midsize car at a cost of \$15,955.00 and one midsize 4x4 SUV at a cost of \$22,165.00 to Courtesy Chevrolet of Salisbury, Maryland; and one compact car at a cost of \$11,963.00 to Carlton Massey, Inc. of Pocomoke City, Maryland.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded the bid for the construction of a new Animal Control storage building to Pioneer Pole Buildings, Inc. of Schuylkill Haven, PA at a cost of \$17,773.00.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded the low bid for the service of refuse collection from seventeen County buildings to Allied Waste Services of Delmar, Maryland at a monthly cost of \$2,001.28 for a period of two years beginning February 1, 2007.

In a related matter and in response to a question from Commissioner Gulyas, Mr. Tustin stated that Public Works has neither the funds nor the personnel to collect refuse from the County buildings.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously approved bid specifications for pest control services in 29 County facilities for a period of two years beginning with the date the bid is awarded and ending February 1, 2009.

Mr. Tustin updated the Commissioners on the development of plans to rehabilitate old steel tanks, MTU I and II, at the Ocean Pines Wastewater Treatment Plant with Bearing Construction, the contractor for the most recent treatment plant expansion, completing the repairs at a cost of \$991,356. In response to a question from Commissioner Boggs, Mr. Tustin said that the tanks will likely last another 30 years if they are refurbished. In response to a question from Commissioner Cowger, Mr. Tustin stated that the treatment plant has a current capacity of 1.5 million gallons per day (MGD), and plans are underway to expand the plant to 2.5 MGD by summer 2007. He further stated that the plant exceeded its 1.5 MGD capacity on several occasions last summer. Following some discussion and upon a motion by Commissioner Shockley, the Commissioners unanimously directed Mr. Tustin to move forward with the needed tank repairs by preparing a change order to the current plant expansion contract.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved bid specifications for the replacement of both Bunting Road Bridge and Massey Crossing Bridge. Mr. Tustin stated that State aid for bridge funding will cover 80% of replacement costs with the County funding the remaining 20%.

The Commissioners met with Comprehensive Planning Director Sandy Coyman to review the Planning Commission's findings on a Comprehensive Water and Sewerage Plan amendment to expand the Riddle Farm Sewer System and Sewer Planning Area and to request the County Commissioners hold a public hearing and take action on this proposal. The Riddle Farm Sewer Planning Area expansion proposal requests public sewer service from the Riddle Farm sewerage system to serve Wal-Mart/Home Depot south of US Rt. 50 (Tax Map 26, Parcels 303 and 455), and the proposed Ocean Landing II commercial development, adjacent to Wal-Mart/Home Depot (Tax Map 26, Parcels 301, 302, and 305). The portion of the sewer planning expansion area designated Commercial Center by the Worcester County Comprehensive Development Plan will be designated S-1, Immediate Service, while the portion designated as Agriculture will be designated as S-6, No Planned Service. The Riddle Farm Wastewater Treatment Plant (WWTP) will be expanded from 0.2 mgd to a total capacity of 0.28 mgd to accommodate the expansion of the sewer planning area. He noted that the Planning Commission had reviewed the proposal and found it to be consistent with the Comprehensive Plan. Upon a motion by Commissioner Gulyas, the Commissioners agreed to schedule a public hearing on the proposed amendment to the Water and Sewerage Plan for the Riddle Farm Sewer Planning Area expansion proposal on February 6, 2007.

The Commissioners met with Mr. Coyman to review and discuss the Pocumoke River State Park Draft Land Unit Plan along with suggested draft comments from the County regarding the proposed plan. Mr. Coyman outlined each of the proposed comments, explaining that the need to address the problem of failing septic systems at the park is the highest priority. Commissioner Boggs stated that addressing the failing septic systems in the plan is vital. In response to a question from Commissioner Shockley, Environmental Programs Deputy Director Bob Mitchell stated that the State has solicited a Request for Proposals (RFP) to redesign the system, with the method of disposal as yet to be determined. He further stated that the hydraulic system is not failing. However, it does need to be updated. Mr. Coyman stated that the park is scheduled to receive sewer service from the Snow Hill Wastewater Treatment Plant once the plant is expanded. Commissioner Gulyas stated plans for the park should include mandatory recycling. Following some discussion and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved the draft letter with corrections.

The Commissioners answered questions from the press, after which they adjourned to meet in closed session.

Following a motion by Commissioner Shockley, seconded by Commissioner Busick, the Commissioners unanimously voted to meet in closed session at 11:15 a.m. in the

Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 10-508(a)(1), (3), (7) and (8) of the State Government Article of the Annotated Code of Maryland and to perform executive actions. Also present at the closed session were Gerald T. Mason, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Edward H. Hammond, Jr., County Attorney; Kim Moses, Public Information Officer; Jerry Redden, Director of Economic Development; and Teresa Owens, Director of Emergency Services. Topics discussed and actions taken included: reappointed Jim Wilson to the Building Code of Appeals Board, Richard Jendrek and William Bradshaw to the Water and Sewer Advisory Council for the Mystic Harbour Service Area, Thomas W. Davis, Sr. To the Economic Development Advisory Board, Peter Karras to the Commission on Aging, Marge Sebour to the Commission for Women, James Gatling to the Board of Library Trustees, appointing Rob Harris as the Workforce Alliance representative to the Shore Transit Advisory Board; considering acquisition of real property for public purposes; reviewing potential and pending litigation; receiving legal advice from counsel; and performing executive actions.

The board adjourned to meet again on February 6, 2006.