

Minutes of the County Commissioners of Worcester County, Maryland

April 3, 2007

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

Following a motion by Commissioner Church, seconded by Commissioner Shockley, with Commissioner Gulyas absent, 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 10-508(a)(1) 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; Kim Moses, Public Information Officer; and Deedee Rouse, Director of Human Resources. Topics discussed and actions taken included: promoting Travis Donaway to Roads Worker V within the Roads Division of Public Works and Theresa Carpenter to License Permit Clerk I within Development Review and Permitting; hiring Teri Denton as a Real Property Research Aide within County Administration; appointing Anne Hastings to the Agricultural Preservation Advisory Board; and performing executive actions.

Commissioner Purnell advised that Commissioner Gulyas would be absent from the meeting as a result of a recent surgery. However, she hoped to be present at the next meeting.

After the closed session, the Commissioners reconvened in open session. Commissioner Purnell called the meeting to order and announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the minutes of their March 20, 2007 meeting, as presented.

The Commissioners presented Teresa Fields, Executive Director of Worcester Youth and Family Counseling, with a proclamation recognizing April as National Child Abuse Awareness Month and encouraging residents to remain aware and involved so that abuse and neglect can be detected early or prevented from occurring.

The Commissioners met with Dr. Jon Andes, Superintendent of Schools; Edward Barber, Assistant Superintendent for Administration; Vince Tolbert, Chief Financial Officer; and Board of Education (BOE) President Garry Mumford, Vice President Bob

Hulburd, and members Douglas Dryden and Donnie Shockley to review and discuss the BOE's FY08 requested budget. Mr. Mumford thanked the Commissioners for their past support of education and asked them to fully fund the FY08 requested budget, which includes a 5% Cost of Living Adjustment (COLA) and a step increase for qualified employees along with a 1% scale adjustment for others and an extra ½ percent for support staff, which includes janitors, custodians and secretaries as well as additional funding for bus contractors. He affirmed the BOE's commitment to using its allotted funds to attract and retain qualified instructors, to maintain small class sizes and to prepare students to become productive members of society. Mr. Mumford outlined the Board of Education's Master Plan Goals as follows: maintain small class sizes; recruit, hire and retain highly qualified teachers and staff so that all students will be taught by highly qualified personnel; provide educational services to support students and staff so that all students will graduate from high school and be prepared for post-secondary education or careers; improve access to instructional technology for students, teachers and staff; provide materials, textbooks and equipment to support strong instructional programs; provide and maintain safe, efficient and clean school buildings, adequate playgrounds and athletic fields so that all students will be educated in learning environments that are safe, drug free and conducive to learning; and provide employees with ongoing training to improve teaching and learning. Dr. Andes also thanked the Commissioners for their support of education within the County and asserted that the Board's FY08 budget reflects the needs of the County's children. He informed the Commissioners that upcoming challenges for the Board of Education are as follows: recruiting, hiring and retaining highly qualified teachers and staff; meeting and exceeding the challenges of No Child Left Behind; addressing the unique needs of special education students; helping students pass the High School Assessments; closing the achievement gap; helping English language learners to transition to English; increasing access to technology; and aging school facilities. Dr. Andes provided a power point presentation outlining basic facts regarding the County's schools, including current enrollment, growth, programs to meet special needs, and school achievements. Dr. Andes stated that Worcester County third grade students placed first in the state in reading and third in mathematics, while all grade levels placed either first, second or third in reading. Dr. Andes summarized the proposed total budget request of \$87,306,346, which includes: \$82,603,281 for General Operating Expenses including Administration, Instructional Support Services, Instructional Salaries, Textbooks and Classroom Supplies, other Instructional Costs, Special Education, Student Personnel Services, Health Services, Student Transportation, Operation of Plant, Maintenance of Plant, Fixed Charges and Capital Planning; \$995,160 for Technology Program, \$548,000 for Capital Outlay; \$525,000 for School Construction; \$2,272,128 for Retirees Medical Insurance and \$362,777 for Retirement Expenses. The Board of Education requests a total County appropriation of \$70,756,519, which is \$6,812,562 more than the current year. He stated that the requested budget includes \$3,130,430 for salary increases for certificated staff; \$811,212 for salary increases for support staff; a \$313,644 increase for bus contractors; increased operating budget expenses of \$471,276 for Instructional Positions; \$337,786 for Instructional Programs; \$1,172,361 for other operating accounts; and \$250,000 for utilities; as well as several other one

time expenditures.

Dr. Andes reviewed requests from proposed program continuation and expansion as well as three new programs, which include the following: an evening alternative program for Pocomoke High School; an elementary foreign language program at Ocean City Elementary School; and a partnership with "Big Brothers and Big Sisters" to create a pilot mentoring program. Commissioner Boggs requested additional information on the following: the "Big Brothers and Big Sisters" program, including any documented successes in other counties; anticipated grant funding and when these grants are scheduled to end; and how salary savings are allocated when retirees are replaced by new hires at lower salaries. Dr. Andes agreed to provide the information. The Commissioners thanked Dr. Andes and the Board of Education for their presentation and agreed to discuss their requests in further detail at their work session on April 25, 2007.

In support of a recent letter from Dr. Andes and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission President Purnell to sign a letter asking the Interagency Committee on School Construction (IAC) to reconsider its recent decision to revise the State contribution to the Pocomoke High School (PHS) Renovation and Addition Project based upon their reclassification of this facility as one which is within the "21 to 25" age category rather than the "40 and older" as it was originally categorized. The IAC based its decision to reclassify the facility on the 1984 addition and partial renovation of PHS, which accounts for only 17% of the total building. However, fully 83% of this building is more than 40 years old, which would be the appropriate category for this facility.

The Commissioners met with representatives from each municipality and Ocean Pines to discuss their grant requests from the County.

The Commissioners met with Ocean City Mayor Rick Meehan. Mayor Meehan thanked the Commissioners for past funding and explained that while this year's requests were similar to last year, a 10% increase was requested for FY07/08. He concluded, stating that the specific requests were outlined in their letter to the County, which includes the following grant requests: \$5,000 increase per ambulance per year in the equipment grant for a total of \$15,000 per ambulance to assist with replacement; \$254,000 for fire company calls to West Ocean City to offset the Town's subsidy of the cost of service; \$300,000 for tourism advertising; \$50,000 for the Convention Center; \$100,000 for the transit link to the West Ocean City Park and Ride; \$85,000 for one-half of the operating deficit for the Ocean City Municipal Airport; \$150,000 for street aid which will be used for overlays and paving of streets in Ocean City; \$100,000 matching grant for the Ocean City Development Corporation; support of a parking garage in downtown Ocean City through tax increment financing; and \$100,000 for Recreation and Parks. The Commissioners thanked Mayor Meehan for meeting with them.

The Commissioners met with Berlin Mayor Thomas Cardinale to discuss the town's grant requests for FY07/08. Mayor Cardinale thanked the Commissioners for their past support and the opportunity to present their requests. He advised that the town was asking for the following assistance: \$25,000 to fund the second year of a

three-year project to retain the services of a Downtown Coordinator (which is shared with Pocomoke); \$137,300 in Program Open Space (POS) funds for park development; and consideration for additional funding to offset costs of \$1,047,000 for street rehabilitation; \$1,500,000 for water system upgrades; and a possible joint venture for wastewater improvements. The Commissioners thanked Mayor Cardinale for meeting with them.

The Commissioners met with Snow Hill Council member Eric Mullins and Town Manager Kelly Brewington to discuss the town's grant requests for FY07/08. Councilman Mullins thanked the Commissioners for their previous assistance through the County Grant Program and informed them that the town is focusing on the removal of stormwater from the wastewater facility, stating that the town is close to reaching its wastewater capacity of 500,000 gallons per day (gpd). He advised that the removal of the stormwater will help to regain some capacity until the new wastewater treatment plant is built. He further advised the Commissioners that the town was seeking assistance this year for the following items: non-categorized grants totaling \$2,341,600, which includes the aforementioned inflow and infiltration project to remove stormwater from the wastewater collection system in the amount of \$2,321,600 and downtown beautification in the amount of \$20,000 for street planters and raised crosswalks; One Time Capital Requests for a bandstand at Byrd Park in the amount of \$186,108; police protection in the amount of \$15,000; and a street grant in the amount of \$18,000. The Commissioners thanked the representatives from Snow Hill for meeting with them.

The Commissioners met with Pocomoke Mayor Michael McDermott, City Council members Rob Clarke and Robert Hawkins, and Town Manager Russell Blake to discuss the city's grant requests for FY07/08. Mayor McDermott thanked the Commissioners, Economic Development Director Jerry Redden, Tourism Director Lisa Challenger, Comprehensive Planning Director Sandy Coyman, and Emergency Services Director Teresa Owens and Chief Administrative Officer Gerald T. Mason for going above and beyond the call of duty to help Pocomoke with several capital projects. He thanked the Commissioners for their past support and stated that he hoped Pocomoke would continue to receive certain pass-through and other funds from the county including a share of the state supplemental police aid grant; the financial corporation tax loss payment; street improvement grants; liquor license fees; 50% of the Pocomoke Dispensary profits; a 15% credit against tipping fees for recycling; non-categorical grant assistance of \$200,000 or more and other miscellaneous revenues. He further requested funding for special projects as follows: \$80,000 to cover 50% of the cost of a new ambulance; \$25,000 for the second year of a three-year project to assist Berlin and Pocomoke to retain the services of the Downtown Main Street Coordinator, Michael Day; \$500,000 for acquisition of two vacant industrial parcels; \$300,000 for the construction of a new fire station and community center building; \$27,500 for the purchase of new quick connect hubs for all fire hydrants; \$400,000 to rehabilitate the former firehouse building on Fifth Street for use as the new location of the police department; \$200,000 for street improvements; \$50,000 to replace existing water lines in the Homewood neighborhood and \$75,000 to complete the installation of water lines at Winter Quarters Drive; \$150,000 to construct a new well; \$250,000 to upgrade controls, valves, etc. at the Main Sewage Pump Station; \$25,000 to install a used

generator at the Williams Street well; \$100,000 for Phase II of the Armory Renovations; \$125,000 to restore the MarVa Theater; funds as available for the Discovery Center project; \$20,000 additional operating expenses for the Pocomoke Fair; \$20,000 for a new tent; and \$50,000 for storm drainage pipes. After some discussion, the Commissioners thanked the representatives from Pocomoke for meeting with them.

The Commissioners met with Dan Stachurski, a member of the Ocean Pines Association (OPA) Board of Directors, and OPA General Manager Thomas J. Olson to discuss the OPA's grant request for FY07/08. Mr. Stachurski thanked the Commissioners for their pass through grants to support the volunteer fire and ambulance company in Ocean Pines. He advised the Commissioners that the OPA provides enhanced service to its 12,000 full-time residents, which accounts for almost 19% of the County's total assessed value. He stated that the OPA's 2007 operating budget for the Police Department is \$1,220,000. He asked the Commissioners to provide them with a grant of at least \$300,000, which is equal to 20% of the OPA's operating costs for police services. The Commissioners thanked the representatives from Ocean Pines for meeting with them.

The Commissioners met with Bob Doory, a principal with Miles and Stockbridge P.C., the County's Bond Counsel, and Finance Officer Harold Higgins to review a proposed bond resolution. Pursuant to the recommendation of Mr. Doory and Mr. Higgins and upon a motion by Commissioner Shockley, the Commissioners unanimously adopted Resolution No. 07-6, County Commissioners of Worcester County, Maryland Consolidated Public Improvements Project and Refunding Bonds, 2007 Series. Mr. Doory explained that the bond was for the construction of the Worcester Career and Technology Center for \$28.1 million and repayment of certain Public Works bonds for a total bond of roughly \$35 to \$36 million.

The Commissioners answered questions from the press, after which they adjourned for lunch with town officials.

After lunch, the Commissioners reconvened in open session.

The Commissioners met with Facilities Project Manager E. Dennis Escher to review the Executive Summary of his Study of North County Service Areas Water and Sewer Infrastructure, Volume I - The Water Systems of Northern Worcester County. Mr. Escher noted that his recommendations were based upon 5, 10 and 20 year implementations. He explained why the government should provide public water as follows: protecting public health and local aquifers, providing safe potable water as well as water during emergencies and improving fire protection. He reviewed current conditions, deficiencies and recommendations for the Ocean Pines, Riddle Farm, West Ocean City, Mystic Harbour, Oyster Harbor, The Landings, Assateague Pointe, and the future Showell Growth and Service Areas, ultimately recommending that each of these systems be interconnected to form a regional network throughout northern Worcester County. In response to a question from Commissioner Boggs, Mr. Escher stated that with respect to connecting Ocean Pines and Riddle Farm, the Water and Sewer

Advisory Council for the Ocean Pines Service Area recommended Option B, which includes connecting the systems via a crossing under Turville Creek between Bay Point Plantation and Riddle Farm at a cost of roughly \$35,000. However, he favored running the line along MD Rt. 589 at \$1 million, since some of that cost could be recovered by hookups. In response to a question from Commissioner Boggs, Mr. Escher stated that it would cost approximately \$10 million to interconnect the water systems. In response to a question from Commissioner Church, Public Works Deputy Director John Ross advised that construction for the new water tower to be located in West Ocean City behind the White Marlin Shopping Center would hopefully begin in spring 2008. Commissioner Shockley stated that the County's immediate need should focus on addressing water storage capacity. Commissioner Purnell supported interconnecting each of the service areas to create one water service area to serve the north end of the county. Following some discussion, the Commissioners thanked Mr. Escher for his report.

Pursuant to the recommendation of Sharon Beyma, Administrative Services Director with the Health Department, and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded the bid for the purchase of 75,000 36-page booklets and 500 posters to be distributed for the 2007 Play It Safe in Ocean City Senior Guide campaign to Oddi Atlantic of Salisbury, Maryland at costs of \$10,555 for the booklets and \$325 for the posters.

Recreation and Parks Director Sharon DeMar Reilly invited the Commissioners to attend the Annual Worcester County Arbor Day Celebration, which will be held at Showell Elementary School on Friday, April 20, 2007 at 10 a.m.

Ms. Reilly informed the Commissioners that the Worcester County Recreation & Parks Department was awarded the Maryland Community PLANT (People Loving and Nurturing Trees) Silver Award for 2006, which marks the seventh year in a row the County has received this designation.

Pursuant to the request of Warden Ira F. Shockley and upon a motion by Commissioner Boggs, the Commissioners unanimously agreed to waive the formal bidding requirements and declared OSSI Public Safety Solutions of High Point, North Carolina the sole source for the purchase of a Jail Inmate Data and Management Software System at cost of \$144,531.21 Assistant Warden Rita Lawson explained that the system was compatible with the Computer Aided Dispatch (CAD) and Record Management System (RMS) recently installed in Emergency Services by OSSI which was awarded the job through a competitive bidding process.

Pursuant to the request of Public Works Deputy Director John Ross and upon a motion by Commissioner Shockley, the Commissioners unanimously agreed to waive the standard bid process and agreed to piggyback on the State bid from Curtis Engine & Equipment, Inc. of Baltimore, Maryland to purchase a generator for use in the Mystic Harbour Sanitary Service Area at a cost of \$17,633.

Pursuant to the recommendation of Mr. Ross and upon a motion by Commissioner Shockley, the Commissioners unanimously agreed to waive the standard bid process and accept the proposal for the emergency replacement of Well Number 3 in the Mystic Harbour Sanitary Service Area from Somerset Well Drilling of Westover, Maryland at a cost of \$82,578. Mr. Ross stated that funding could be derived from system reserves at Mystic Harbour.

Pursuant to the request of Mr. Ross and upon a motion by Commissioner Shockley, the Commissioners unanimously agreed to waive the standard bid process and authorize ordering of three vacuum receiver tanks from Highland Tank and Manufacturing Company of Norristown, PA at a cost of \$14,249.13 per tank for a total of \$42,747.39 for use in the Ocean Pines Sanitary Service Area, one of which will be used immediately to replace a tank which collapsed on March 19, 2007. Mr. Ross stated that Highland Tank was the low bidder the last time the County bid for these tanks and had agreed to hold this price if ordered immediately.

Pursuant to the written recommendation of County Attorney Edward H. Hammond, Jr. and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Purnell to sign the First Amendment and Reinstatement of Lease agreement between Worcester County, Maryland and Diebold Election Systems, Inc. to lease warehouse space at 100 Belt Street in Snow Hill through December 31, 2008.

Pursuant to the recommendation of Mr. Hammond and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission President Purnell to sign the Community Development Block Grant (CDBG) Program Agreement, which permits the County to transfer ownership of the former Aluglass Property located at 201 Belt Street in Snow Hill to Royal Plus, LLC.

Pursuant to the request of Economic Development Director Jerry Redden and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Economic Development to accept a \$68,000 grant from NASA to be applied to the Step Up internship program, which provides internships at NASA Wallops Island for local high school and college students. In response to a question from Commissioner Boggs, Mr. Redden stated that 12 students received internships last year. He stated that the County has already received 40 applications from individuals interested in participating in this year's program and would likely be able to offer 30 internships, including 17 high school students and 10 to 15 college students.

Pursuant to the request of Sean Fahey, Assistant Project Manager with SPN, the County's Construction Manager, and upon a motion by Commissioner Church, the Commissioners unanimously approved bid specifications for landscaping for the Ocean Pines Branch of the Worcester County Library.

Chief Administrative Officer Gerald T. Mason reviewed a request from Assistant Chief Administrative Officer Kelly Shannahan to expand the County Administration Office using space in the Treasurer's Office that became available when the Information Technology (IT) Division of the Treasurer's Office relocated to the third floor of the Government building. Mr. Shannahan stated that the proposal includes converting the IT space into four new offices, three for use by County Administration and one for the Treasurer's Office, at a total estimated cost of \$17,000. Following some discussion and upon a motion by Commissioner Boggs, the Commissioners unanimously approved the request.

Following a motion by Commissioner Shockley, seconded by Commissioner Boggs, with Commissioner Gulyas absent, the Commissioners unanimously voted to meet in closed session at 2:45 p.m. in the Commissioners' Meeting Room to perform executive actions. Also present at the closed session were Gerald T. Mason, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Kim Moses, Public Information Officer; John Ross, Public Works Deputy Director; Ed Tudor, Development Review and Permitting Director; and Rick Wells, Environmental Programs Director. Topics discussed and actions taken included performing executive actions.

The board adjourned to meet again on April 17, 2006.