

Minutes of the County Commissioners of Worcester County, Maryland

February 21, 2023

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 Abbott, seconded by Commissioner Purnell, 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 Emergency Services Director Billy Birch. Topics discussed and actions taken included the following: receiving a personnel update, hiring Beth Trehey as a room and food tax specialist within the Treasurer's Office; hiring Jeffrey Turner as a housing inspector/plan reviewer and promoting Paul Renshaw to zoning inspector I within Development Review and Permitting; postponing a discussion on transferring one vacant office assistant III position in the Recycling Division to a vehicle and equipment mechanic III within Fleet Management, and certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including: an update on Emergency Services operations; receiving an FY23 monthly financial update, and discussing potential board appointments.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Purnell, the commissioners unanimously voted to adjourn their closed session at 10:13 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 Zachary Brown of the Snow Hill-Newark United Methodist Church Circuit 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 7, 2023 meeting as presented.

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 1-7 as follows: the waiver and low bids of \$34,544.50 and \$30,237.82 from Posiedon Plumbing and Home Services to rehabilitate a single-family home in Pocomoke; the waiver and low bids of \$32,398.27 and \$33,370 from Posiedon Plumbing and Home Services to rehabilitate a home in Berlin; Local Management Board FY24 program

proposals from Worcester Youth and Family Counseling Services for Worcester Connect, Maryland Coalition for Families for Family Peer Support Services, and Worcester County Health Department for Healthy Worcester Families; out-of-state travel for two commissioners and two staff members to attend the 2023 National Hurricane Conference; 2023 employee appreciation events, including Jolly Roger Day August 6 and an employee picnic at an August date to be determined; scheduling a public hearing on the request to establish a residential planned community floating zone for the Refuge at Windmill Creek; and the 25% local cost share of approximately \$19,987 as an authorized over-expenditure for the gypsy moth aerial suppression project to be conducted in Worcester County.

Retiring Ocean City Development Corporation (OCDC) Executive Director Glenn Irwin and OCDC Board of Directors President Kevin Gibbs updated the commissioners about the OCDC's revitalization efforts, which included the following: Facade Program, which includes having renovated 270 buildings to date, eight projects underway, \$8.5 million in private-sector investment, and 6:1 leveraging of private to public funds; Green Building Initiatives Program, with 98 projects completed and five underway, and \$1.6 million in private sector investment; Business Assistance Program; other OCDC grant programs; Public Art Program; Special Events; and Upcoming OCDC Items.

The commissioners recognized Mr. Irwin's lasting contributions to the town and County and wished him a healthy and happy retirement.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bunting, the commissioners unanimously authorized Commission President Chip Bertino to sign a letter to the Maryland State Highway Administration requesting a full traffic signal be installed at the intersection of U.S. Rt. 13 and MD Rt. 366 in Pocomoke to improve safety. Commissioner Abbott thanked her fellow commissioners for their support of this request, noting that there have been multiple accidents and fatalities at this intersection, including two accidents in the past two months.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Elder, the commissioners unanimously approved the transfer of \$20,000 from Road Maintenance Contractual Services to Build and Site Expenses General Maintenance Repairs for building repairs to the Roads Division shop in Pocomoke.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the purchase of a Flygt brand Sherwood-Logan & Associates, the County's sole source for Flygt brand pumps for the Water and Wastewater Division.

Pursuant to the recommendation of Public Works Deputy Director Chris Clasing and upon a motion by Commissioner Bunting, the commissioners unanimously approved the Triple Crown Turnover Documents for phase I and accepting the utilities into the County's Ocean Pines Service Area system.

The commissioners revisited a discussion from their February 7, 2023 meeting

concerning options to donate or sell the synthetic ice rink previously used by Recreation and Parks. Procurement Officer Nick Rice reviewed the available options, including listing the rink for sale on govdeals.com, issuing bid specifications for the purchase of the rink; or offering a closed bid for local participation only. Commissioner Mitrecic stated that the rink was purchased with taxpayer funds and, therefore, should be available for use by County taxpayers. In response to a question by Commissioner Abbott, Parks Superintendent Jacob Stephens confirmed that an individual from a different jurisdiction expressed interest in purchasing the rink. Commissioner Bunting stated that because the rink was purchased with taxpayer dollars, the commissioners should sell it to recoup some of those costs.

A motion by Commissioner Mitrecic to accept narrative proposals from Worcester County entities, with the commissioners to evaluate and donate the rink to the bidder who proposed the best public use, failed 3-4, with Commissioners Elder, Mitrecic, and Purnell voting in favor and Commissioners Abbott, Bertino, Bunting, and Fiori voting in opposition.

A subsequent motion by Commissioner Abbott to solicit bid proposals for both in and out of County entities to purchase the rink passed 4-3, with Commissioners Abbott, Bertino, Bunting, and Fiori voting in favor and Commissioners Elder, Mitrecic, and Purnell voting in opposition.

At the request of the commissioners, Development Review and Permitting Director Jennifer Keener provided an update on the adjoiner notification process for the Board of Zoning Appeals (BZA) and estimated costs to utilize the various certified mail options, to include First Class Postage (metered rate – the current process) at \$0.60 per envelope or approximately \$249 annually, Certified Mail (electronic delivery confirmation) at \$4.65 per envelope or approximately \$2,350.40 annually, or Certified Mail (green card return receipt) at \$8.10 per envelope or approximately \$3,369.60.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to change the adjoiner notification process from First Class Postage to Certified Mail (electronic delivery confirmation).

Pursuant to the request of Ms. Keener and upon a motion by Commissioner Bunting, the commissioners unanimously approved the application for a Lead Hazard Reduction Grant of \$1 million from the Department of Housing and Urban Development.

The commissioners pulled item 14 – a discussion on Senate Bill 378 Public Health – Vaccinations – Minor Consent, as the bill has been pulled from the Maryland General Assembly.

Pursuant to a request from Stockton Volunteer Fire Company (SVFC) Chief Tim Jerscheid and upon a motion by Commissioner Elder, the commissioners unanimously authorized Commission President Bertino to sign a letter requesting that the Maryland Department of Transportation dedicate a portion of MD Rt. 12 in the Stockton area to late SVFC Fire Chief Neil Payne.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Elder, the commissioners unanimously agreed to appoint Phyllis Wimbrow to the Planning Commission.

Upon nominations by Commissioner Fiori, the commissioners unanimously agreed to appoint Donald Furbay to the Housing Review Advisory Board and to reappoint Cam Bunting to the Local Development Council for the Ocean Downs Casino, Jim Wilson to the Building Code Appeals Board, and Ivone Lomax and Jennifer Loring to the Local Management Board.

Commissioner Mitrecic advised that he will testify virtually on February 28, 2023 on behalf of the commissioners in support of House Bill 913 Eastern Shore Code Counties – Maximum Hotel Rental Tax Rate – Alteration.

The commissioners answered questions from the press, after which they adjourned to meet again on March 7, 2023.