

## Minutes of the County Commissioners of Worcester County, Maryland

February 7, 2023

Anthony W. Bertino, Jr., president  
Madison J. Bunting, Jr., vice president  
Caryn G. Abbott  
Theodore J. Elder  
Eric J. Fiori (Absent)  
Joseph M. Mitrecic  
Diana Purnell

Following a motion by Commissioner Elder, seconded by Commissioner Bunting, with Commissioner Fiori absent, the commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting 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. Topics discussed and actions taken included the following: hiring Olivia Law as a custodial worker II, Mathew Melson as a roads worker II, Eugene Marshall as a roads worker III, and William "Trevor" Taylor as a correctional officer trainee, along with certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including receiving an update on employee schedules and shift differentials as well as County Jail operations, and discussing potential board appointments.

Following a motion by Commissioner Elder, seconded by Commissioner Bunting, the commissioners unanimously voted to adjourn their closed session at 9:56 a.m.

Commissioner Fiori was absent from the meeting.

After the closed session, the commissioners reconvened in open session. Commissioner Bertino called the meeting to order, and following a morning prayer by Pastor Ken Elligson of Spence Baptist Church in Snow Hill 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 January 17, 2023 meeting as presented.

Commissioner Bertino invited the public to join the commissioners at Worcester Technical High School at 1:00 p.m. that afternoon for a joint meeting between the commissioners and Board of Education for an update on the Blueprint for Maryland's Future.

Commissioner Bertino informed the commissioners and the public that Commissioner Diana Purnell will serve on the Wor-Wic Community College Presidential Search Committee.

Commissioner Bertino advised that he recently received a Friend of 4-H Certification of Appreciation on behalf of all County employees, and he commended staff for their ongoing volunteer efforts to support this vital program.

The commissioners presented a years-of-service commendation to Plant Operator III Bernard Bowen who is retiring following 24 years of service to the Water and Wastewater Division of Public Works.

The commissioners presented a proclamation to Debra Stevens, director of community health nursing for the Health Department, recognizing February as Children's Dental Health Month.

The commissioners presented a proclamation to Worcester County NAACP President Ivory Smith recognizing February as Black History Month.

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 2-7 as follows: granting a minimum bid waiver and awarding the two low bids of \$22,646.80 and \$16,531.60 to Poseidon Plumbing and Home Services to rehabilitate a home in Berlin; approving an updated software licensing contract with Prosecutor by Karpel for a case management system in the State's Attorney's Office for \$39,200; designating the new road within Phase II of the Sea Oaks Village Residential Planned Community as Seascape Lane and approving the Sea Oaks Lane extension; approving the filing of funding applications of \$4,041,500 for the Coastal Bays and Dividing Creek Rural Legacy Areas; signing the Agreement of Sale for the purchase of a Rural Legacy Area (RLA) easement between Calyville Properties, LLC (Sellers) and the County Commissioners of Worcester County, Maryland (Buyer) for an easement on approximately 111.39 acres of land identified on Tax Map 55 as Parcel 96 in Snow Hill at a cost of \$2,698 per acre; and issuing a letter of support on behalf of the Bike and Pedestrian Coalition for a Technical Assistance Grant.

Alyssa Hastings, Senator Chris Van Hollen's Eastern Shore regional director, met introduced herself to the commissioners and advised that her office is available to assist with federal grants, funding opportunities, and constituent issues pertaining to federal issues.

Library Director Jennifer Ranck provided an update on plans to begin construction in May 2023 on a new, 13,000-square-foot Pocomoke Library, at an updated cost estimate of \$9,354,000, which includes a 7% escalation contingency. Plans include an entry gallery, community room, children's library, adult library, and young adult area. There will also be a history room, two small meeting rooms, a maker space, restrooms, offices, staff and community kitchens, and a workroom. Ms. Ranck advised that \$2.2 million was approved in the FY24 Governor's proposed Capital Budget for this project, and the library will apply for FY25 State project funding as well. She concluded that there will be a public meeting on the proposed new library on Monday, February 13, at 6 p.m. at the existing Pocomoke branch. In response to questions by Commissioner Bunting, Ms. Ranck stated that FY25 funding from the State is anticipated to be slightly higher than FY24 funding, which will be used to cover construction costs of this one-story building in year one of the project. In response to questions by

Commissioner Bertino, Ms. Ranck advised that the Berlin branch is 12,000 square feet, and the Ocean City branch is 18,000 square feet.

Commissioner Abbott expressed concern about the proposed size of the new library, given that the existing library is 6,700 square feet. In response to questions by Commissioner Abbott, Ms. Ranck stated that library size is based on one square-foot per resident to serve 11,000 residents of southern Worcester County. In response to questions by Commissioner Elder, Ms. Ranck stated that County Engineer Bill Bradshaw and Maintenance Superintendent Mike Hutchinson will be collaborating on this project, as they did with the Berlin branch project. Commissioner Abbott requested more information on the resident estimates used to determine the project size, given that the population of Pocomoke City is comprised of roughly 5,600 people. Following some discussion, the commissioners thanked Ms. Ranck for the update.

Pursuant to the request of Orphan's Court Chief Judge Michael Diffendall and Associate Judges Linda Hess and Cheryl Jacobs and upon a motion by Commissioner Purnell, the commissioners unanimously agreed to reserve two parking spots specifically for the Orphan's Court judges every Tuesday from 9 a.m. until noon in the main County parking lot.

In response to a recommendation by Procurement Officer Nick Rice and upon a motion by Commissioner Elder, the commissioners voted 5-1, with Commissioner Bertino voting in opposition, to purchase one 2022 Ford Explorer from Hertrich at a cost of \$41,600. In response to comments by Commissioner Elder, Mr. Rice confirmed that grant funds associated with the Vulnerable Adult Task Force would be used to fund this purchase.

In response to a recommendation by Mr. Rice and upon a motion by Commissioner Mitrecic, the commissioners voted 5-1, with Commissioner Bertino voting in opposition, to purchase two 2024 Chevrolet Traverses for use within the Sheriff's Office at a total cost of \$62,868. These are to replace two, high-mileage vehicles. In response to questions by Commissioner Bunting, Sheriff Matt Crisafulli advised that these would be purchased using FY22 encumbered funds, which would allow them to decrease the number of vehicle replacement requests in the FY24 budget. In response to questions by Commissioner Elder, Fleet Maintenance Superintendent Derrick Babcock confirmed that the two vehicles have accumulated approximately 200,000 miles and 250,000 miles. He advised that the County strives to replace vehicles by 300,000 miles, and replacing them now will likely increase their resale value to the County. Commissioner Bertino requested that staff include a replacement vehicle check sheet for the commissioners to review along with requests to replace vehicles in the future.

Pursuant to the recommendation of Mr. Rice and upon a motion by Commissioner Mitrecic, the commissioners unanimously declared the former Liquor Control warehouse at 5363 Snow Hill Road and the former Economic Development building at 100 Pearl Street in Snow Hill to be surplus property and approved bid documents to sell them.

Mr. Rice reviewed options to donate or sell the synthetic ice rink previously used by Recreation and Parks. A motion by Commissioner Bunting to solicit bids for the sale of the rink failed 3-3, with Commissioners Abbott, Bertino, and Bunting voting in favor and Commissioners Elder, Mitrecic, and Purnell voting in opposition. A motion by Commissioner Mitrecic to have

in-County entities submit write-ups detailing their proposed uses of the rink, with the commissioners to then donate the rink based on the best proposed public use failed 3-3, with Commissioners Elder, Mitrecic, and Purnell voting in favor and Commissioners Abbott, Bertino, and Bunting voting in opposition. Upon a motion by Commissioner Elder, the commissioners unanimously agreed to table further discussions on how to dispose of the rink until their next meeting when Commissioner Fiori will be in attendance.

Recreation and Parks Director Kelly Rados and Parks Superintendent Jacob Stephens presented recommendations for addressing high, out-of-state usage at County boat landings, including requiring launch passes at a cost of up to \$100 for an annual permit or \$15 for a daily permit. She then reviewed a list of considerations, including remaining in compliance with State funding requirements, and concluded that they should continue not to charge Maryland residents. Commissioner Bunting stated that the fee is needed to get a handle on the out-of-state residents utilizing the boat landings. Commissioner Elder concurred, noting that the fees would help offset maintenance and repair costs at the boat landings. At the request of Commissioner Purnell, Ms. Rados agreed to provide the commissioners with an update on how the implementation of such a program would impact staffing rates. Ms. Rados agreed and noted that her staff does not have the authority to issue tickets in the event that users choose to violate any new use policies.

Commissioner Mitrecic stated that implementing the proposed fees will only push boaters to the public ramps in Ocean City, Ocean Pines, and West Ocean City, and may impact future funding from the Maryland Department of Natural Resources and Army Corp of Engineers to repair these facilities. Commissioner Abbott supported implementing a fee for out-of-state users, but not for Maryland residents. Commissioner Bertino concurred. Following some discussion, the commissioners directed Ms. Rados to be prepared on February 21 to provide them with responses to the concerns raised today.

Ms. Rados reviewed recommendations to implement Park Mobile, a metered service, to charge patrons a flat rate of \$10 to park at the West Ocean City commercial harbor parking lot. Ms. Rados noted that, if the commissioners choose to go this route, they would be required to charge both in-state and out-of-state residents. Furthermore, there would be enforcement, signage, and legislation issues that must first be addressed because the County receives a considerable amount of State funding to maintain the WOC commercial harbor. Commissioner Purnell requested Ms. Rados provide the commissioners with staffing needs to implement parking fees at this location as well.

A motion by Commissioner Elder to implement a flat \$10 per day parking fee failed 3-3, with Commissioners Abbott, Bunting, and Elder voting in favor and Commissioners Bertino, Mitrecic, and Purnell voting in opposition. Following some discussion, the commissioners directed Ms. Rados to be prepared on February 21 to present solutions to the concerns raised by the commissioners today.

Ms. Rados presented recommendations for implementing an application process for issuing special use permits to commercial entities seeking to utilize County boat landings. She advised that the State has no clear policy on commercial uses at County boat ramps and has no real concerns about implementing the proposed policy, provide commercial uses do not conflict with the general boating public, interfere with the needs of recreational boaters, or potentially

cause harm to the ramps and facilities.

Commissioner Bunting stated that the County boat landings are meant for recreation use, not year-round commercial operations. Therefore, he supported limiting the issuance of special use permits for commercial uses to the period of time needed by a commercial entity to complete specific, short-term activities, like loading and unloading equipment for dock and bulkhead construction and maintenance or constructing and maintaining floating bird docks by the Maryland Coastal Bays Program. Chief Administrative Officer Weston Young advised that individual permits would still come before the commissioners for approval, regardless of the policy the commissioners choose to implement. Following some discussion, the commissioners directed Ms. Rados to present a revised application process at their February 21 meeting that reflects the concerns raised by the commissioners today.

Chief Administrative Officer Weston Young reviewed a proposed change to the Length of Service Award Program (LOSAP) for volunteer members of chartered fire companies and ambulance companies in the County to award \$10,000 to each volunteer after 25 years of certified active service. Mr. Young stated that this simplifies the process and serves as a retention bonus. Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the change as proposed.

Mr. Young advised that Delegate Charles Otto is seeking their support for two bills to permit Sunday hunting in Worcester County during certain hunting seasons. These include House Bill 467 Worcester County – Turkey Hunting – Sundays, which would permit turkey hunting on Sundays during the open season and House Bill 466 Worcester County – Natural Resources – Hunting, which would permit game bird and game mammal hunting on Sundays during the open season for that game bird or mammal.

Commissioner Purnell expressed concern that adopting these bills would place hunters in close proximity to places of worship during service times, which could be alarming to adults and children. Commissioner Bertino noted that the legislation includes distance requirements that should adequately address these concerns.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners voted 5-1, with Commissioner Purnell voting in opposition, to authorize Commission President Bertino to sign letters supporting HB466 and HB467 as presented.

At the request of Commissioner Bunting, the commissioners reviewed and discussed their concerns regarding HB119/SB199 Primary and Secondary Education – Comprehensive Health Education Framework. Commissioner Bunting reviewed the language in the bill and the language in the “Maryland Comprehensive Health Education Framework: Pre-Kindergarten Through High School.” He noted that necessary parts, like mental health education, are already being adequately addressed. However, the majority of the bill focuses on requiring all boards of education to introduce gender theory from pre-k to third grade and to require seventh grade students to be able to “Identify solo, vaginal, anal, and oral sex...” and eighth grade to be able to use proper steps to using barrier methods correctly.” He advised that this entire framework encroaches upon the job of families, and education should not be involved in this type of smut. He stated that this is wrong, and if he had children in pre-k to eighth grade he would work three jobs just to pull his children out of the County school system if this becomes a mandate for

County schools.

Commissioner Elder concurred, expressing his shock and horror that children this young are being exposed to this content. Commissioner Abbott agreed and stated that the bill makes it sound like parents can opt out; however, they can only opt out of certain sections. She stated that the language should be changed to allow parents to opt in, not require them to opt out. Commissioner Bertino stated that this bill is abhorrent, that it victimizes the innocence of children, and usurps parental rights. He concluded that there will likely be growing concern among County residents regarding whether their tax dollars should be used to fund an education system that allows these types of teaching in the classroom.

Upon a motion by Commissioner Bunting, the commissioners voted unanimously to send a letter to the Maryland General Assembly, the Eastern Shore Delegation, and federal representatives strongly opposing HB119/SB199 and to send a letter to the BOE asking them to join the County in opposing this legislation.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously authorized Commissioner Bertino to sign a letter of support for HB 113/SB 135 Worcester County- Alcoholic Beverages - Ocean City Promotor's License, as requested by the Ocean City Mayor and Council. The intent of these bills is to establish an Ocean City promoter's license and authorize the Worcester County Board of License Commissioners to issue the license to a for-profit organization to sell and serve beer, wine, and liquor at an entertainment event that is located within the corporate limits of Ocean City, that is owned by the town, and that is designated and approved by the Ocean City mayor and council.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to reappoint James Spicknall to the Ocean Pines Water and Wastewater Advisory Committee.

Commissioner Bertino requested staff updated the commissioners at a future meeting on recent fire committee meeting discussions and Board of Zoning Appeals requirements.

The commissioners answered questions from the press, after which they adjourned to meet again on February 21, 2023.