

Minutes of the County Commissioners of Worcester County, Maryland

September 19, 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 Elder, seconded by Commissioner Bunting, 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, Emergency Services Deputy Director James Hamilton, Human Resources Director Stacey Norton and Deputy Director Pat Walls. Topics discussed and actions taken included the following: personnel update, requests to hire a maintenance worker, parks worker, recreation program manager, vehicle and equipment mechanic, emergency communications trainee and certain personnel matters with Human Resources, public security discussion; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bunting, seconded by Commissioner Fiori, the commissioners unanimously voted to adjourn their closed session at 10:01 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 of Ocean Pines and pledge of allegiance, announced the topics discussed during the morning closed session and the emergency closed session on September 7, 2023.

The commissioners reviewed and approved the September 5, 2023 open session minutes as presented and closed session minutes as amended and the September 7, 2023 emergency open and closed sessions as presented.

The commissioners presented a proclamation to Environmental Programs Director Bob Mitchell recognizing September 18-22, 2023 as SepticSmart Week and urged residents and businesses served by private systems to review SepticSmart educational materials and remain vigilant in maintaining their septic systems.

The commissioners presented commendations to the following 2023 Volunteer Spirit of Worcester County awards recipients: Individual Spirit Award recipients Neelam Strom, Creig

Twilley, and Mike Wiley; Group/Team Spirit Award recipients Quilters by the Sea and Atlantic General Hospital Auxiliary Thrift Shop; and Lifetime Achievement Spirit recipient Michael Walker (Ms. Strom and Mr. Wiley were not in attendance).

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 2-13 as follows: a letter supporting the Town of Berlin's application for a U.S. Department of Transportation Reconnecting Communities and Neighborhoods grant; a Small Project Agreement to extend public water and sewer services from the Mystic Harbour Sanitary Service Area to nine homes in the Beech Tree Place development; one-hundred percent tax credits totaling \$3,457.17 for two Berlin Community Improvement Association properties; awarding the lowest responsive bid for the purchase and installation of fencing at the Roads Division shop in Pocomoke to Anderson Fence for \$47,640; awarding the lowest responsive bid for roofing and siding work at the Library Annex building to RRH Associates, LLC for \$38,760; a proposal for the purchase and installation of new lighting at the Newtown Park volleyball courts from Musco Sports Lighting, LLC for \$48,353 under the Sourcewell cooperative contract; Berlin Roads Division building remodeling project Change Order No. 1, which includes the actual cost to run data/cable lines at an increased cost of \$15,014, Change Order No. 2, which includes a credit of \$990.73, and Change Order No. 3, which includes additional work to remove the fireplace mantel and install drywall in its place; Lewis Road sewer project Change Order No. 1 for design changes of \$7,595; scheduling a public hearing for Rezoning Case No. 442 to rezone approximately 5.5 acres of land on the east side of U.S. Rt. 113 on Pin Oak Drive from C-1 Neighborhood Commercial District to C-2 General Commercial District; Findings of Fact in Rezoning Case No. 440 to deny the request to rezone 8.905 acres of land on the northwest side of Jarvis Road, approximately 175 feet north of Bunting Road in Bishopville from A-1 Agricultural District to A-2 Agricultural District; scheduling a public hearing for a Step I Concept Plan for a utility scale solar energy system identified as the Snow Hill Solar Project on property located on the northwesterly side of Timmons Road, east of U.S. Rt. 113 and identified on Tax Map 56 as Parcel 10; a letter to Congressman Andy Harris supporting continued projects to address shoaling in the Ocean City Inlet.

The commissioners met with Maryland Department of Transportation (MDOT) and local State Highway Administration (SHA) officials to discuss County projects included in the MDOT/SHA FY24-FY29 Maryland Consolidated Transportation Program budget of \$21.2 billion. MDOT staff in attendance included Transportation Secretary Paul J. Wiedefeld, Deputy Secretary Samantha Biddle, Planning and Program Development Policy Advisor Drew Morrison, Regional Planner Rashad Pinckney, Office of Regional Aviation Assistance Director Ashish J. Solanki, Motor Vehicle Administration Administrator Chrissy Nizer, Office of Local Transit Support Director Travis Johnston, SHA Administrator Will Pines, Project Development Deputy Administrator Matt Baker, State Legislative Manager Jean Anne Hosker, SHA District 1 Engineer Mark Crampton, Maryland Transportation Authority Executive Director Joseph Sagal, and Director of Planning and Program Development Melissa Williams.

Mr. Wiedefeld presented an overview of statewide priority projects aimed at increasing electric vehicle infrastructure, transitioning to zero-emission transit buses, and Transit Oriented Development to spur economic growth in transit corridors, and Complete Streets initiative to

increase roadway safety and accessibility to reduce fatalities and injuries. He then reviewed a list of recent local improvements. These included completion of a traffic signal project to improve safety for drivers accessing US Rt. 113 from MD Rt. 818 and Germantown Road, and construction of a new signal at MD Rt. 589 at the Atlantic General Medical Center to improve access for emergency vehicles; completion of the preliminary study of MD Rt. 90 between US Rt. 50 and Coastal Highway, with options for improvements being evaluated, and with \$15 million available for planning and preliminary engineering. Additional funding includes \$3.8 million in operating and capital grants to Shore Transit and the Town of Ocean City; \$93,000 for Ocean City Municipal Airport for a project to remove runway obstructions; and \$86,000 in highway safety grants for local agencies, including the Worcester County Sheriff's Office, the Ocean City and Berlin Police Departments, and the Worcester County Health Department.

Commissioner Elder raised concerns that electric vehicles do not pay Highway User Revenues, and he discussed safety concerns at the intersection of US Rt. 50 and MD Rt. 610. Mr. Wiedfeld advised that the State is identifying fee options to assure that electric vehicle owners contribute to road infrastructure costs. Mr. Pines confirmed that the SHA does rank the safety of roads and intersections to prioritize improvement projects. He also confirmed that the SHA is reviewing the request for a signal at the US Rt. 50 and MD Rt. 610 intersection.

Commissioner Abbott requested a traffic signal be installed to improve safety at the intersection of US Rt. 13 and MD Rt. 366, where there have been several fatalities and a number of other accidents. She noted that the number of accidents are likely to increase with the development of a new housing project in the area. Mr. Pines agreed to look into these concerns.

Commissioner Bertino addressed concerns regarding continued traffic challenges on MD Rt. 589, which have been compounded by the installation of the traffic signal at AGH, and he noted that any improvements SHA can undertake to help improve traffic flow would be most appreciated. He also thanked Mr. Pines for conducting regional SHA meetings in Salisbury with local stakeholders, which have been very helpful.

Commissioner Fiori raised concerns about dangerous traffic conditions at MD Rt. 611 and Assateague Road and the review process for commercial projects being developed on state highways. Mr. Pines advised that the SHA completed a signal analysis of that intersection and found that a signal is warranted at that location. He noted that SHA is working to develop the right configuration for intersection improvements. He also agreed to follow up with SHA officials to look at opportunities to reduce the processing time for commercial projects while assuring the protection of the State's interests.

Senator Mary Beth Carozza thanked MDOT for prioritizing roadway safety, specifically for their quick actions to improve safety on Grays Corner Road following several fatalities.

Delegate Wayne Hartman expressed concerns about maintaining priority funding for local roadway projects, the need for pricing and tagging fees for electric vehicles to be addressed this year, and competitive pricing and tagging for utility tags.

Delegate Charles Otto addressed the need for continued railway improvements to meet the needs of the poultry and agricultural industries.

Pursuant to the request of Public Works Deputy Director Chris Classing and upon a motion by Commissioner Bunting, the commissioners unanimously approved the Cellular Antenna Mounting Space Lease Agreement for cellular antennae on the Newark Water Tower. Public Works Director Dallas Baker explained that the lease cost of \$4,000 per month will be set

aside for future water tower maintenance projects, so those costs will not be passed on to the users.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Bunting, the commissioners approved the following rate changes within the Solid Waste Division: changing refuse tipping fees to \$80 per ton; and adding a \$20 per can removal charge for any paint or petroleum product illegally dumped on the landfill.

Pursuant to the request of Procurement Officer Nicholas Rice and upon a motion by Commissioner Elder, the commissioners unanimously awarded the best bid for the Northern Worcester Athletic Complex parking lot project to David A. Bramble, Inc. at a total cost of \$741,456.

Pursuant to the recommendation of Recreation and Parks Director Kelly Rados and upon a motion by Commissioner Abbott, the commissioners unanimously authorized the purchase and installation of a new scoreboard at the Northern Worcester Athletic Complex from Daktronics at a cost of \$41,873, with electrical costs of \$1,200 to be completed by the Maintenance Division.

Pursuant to the request of Human Resources Director Stacey Norton and upon a motion by Commissioner Elder, the commissioners unanimously authorized the County to participate in the Time to Care Act Insurance Collaborative, as well as the annual membership fee of \$7,500 for the first year (October 1, 2023 to September 30, 2023).

In response to questions by Commissioner Bunting, Environmental Programs Director Bob Mitchell advised that the Maryland Agricultural Land Preservation Foundation (MALPF) denied the County's request to purchase easements to protect two properties that were less than 50 acres each, but consisted of prime agricultural soils. However, he advised that staff will seek opportunities to protect these properties through the Rural Legacy Area (RLA) program.

The commissioners answered questions from the press, after which they adjourned to meet again on October 3, 2023.