

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

July 17, 2018

Diana Purnell, President  
Theodore J. Elder, Vice President  
Anthony W. Bertino, Jr.  
Madison J. Bunting, Jr.  
James C. Church  
Merrill W. Lockfaw, Jr.  
Joseph M. Mitrecic

Following a motion by Commissioner Bertino, seconded by Commissioner Elder, 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 Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; Stacey Norton, Human Resources Director; and Donna Bounds, County Jail Warden. Topics discussed and actions taken included: hiring Christina Tingle as an Accounting Clerk II, promoting Kyndall McCleary from part-time Document Imager II to part-time Document Imager III, and posting to fill the newly vacant Document Imager II position within the Treasurer's Office; transferring Lou Esposito from a Deputy Sheriff for the Sheriff's Office to a Bailiff for Circuit Court; posting to fill vacancies for an Emergency Management Planner in Emergency Services and a Landfill Operator II for the Solid Waste Division of Public Works; hiring Timothy Coale as a Communications Manager for Emergency Services; acknowledging the promotion of Sarah Knaggs from part-time to full-time Library Services Assistant I at the Berlin Branch Library and Harry Burkett from Assistant Branch Manager to Branch Manager within the Ocean Pines Branch; discussing and acting on a personnel disciplinary matter; receiving legal advice from counsel; and performing administrative functions.

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 their July 3, 2018 open session meeting minutes as presented. Upon a motion by Commissioner Bertino, the Commissioners voted unanimously to delay approval of their July 3, 2018 closed session minutes pending their review following minor revisions.

The Commissioners and Human Resources Director Stacey Norton presented retirement commendations to the following recently retired employees in recognition of their dedicated service to Worcester County Government: County Jail Corporal Charles L. Bryant (10 years) and John R. Shenton (17 years); Department of Public Works Solid Waste Division Roads Worker

IV Thomas F. Baker (13 years); Sheriff's Office Circuit Court Deputy William G. Kerns (15 years), Corporal Rodney E. Mattei (19 years), Lieutenant Michael A. Bowen (29 years), and Chief Animal Control Officer Susan P. Rantz (38 years); Emergency Services Communications Clerk II Deborah S. Carman (32 years); Development Review and Permitting Specialist II Rita Campbell (18 years); Ocean Pines Branch Library Manager II Patti Ruark Fentress (19 years); Treasurer's Office Accounting Clerk III Tammy L. Mattei (19 years), and Document Imaging Supervisor Jean D. Miller (28 years); Tourism Office Assistant III Deborah Keitt (29 years); and County Administration Office Assistant III Diane Downing (39 years).

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Bishopville area to Poseidon Plumbing & Home Services of Ocean City, Maryland at a cost of \$9,865.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Lockfaw, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Pocomoke area to Poseidon Plumbing & Home Services of Ocean City, Maryland at a cost of \$33,427.80.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for the general rehabilitation and lead risk reduction at an owner-occupied home in the Snow Hill area, which is to be funded through the County's new Community Development Block Grant (CDBG) Housing Rehabilitation Grant, as well as the State Lead Hazard Reduction Grant and Loan Program.

Pursuant to the recommendation of Ms. Bynum and upon a motion by Commissioner Lockfaw, the Commissioners unanimously authorized Commission President Purnell to sign the closeout agreement between the State of Maryland and Worcester County for the County's 2012 Housing Rehabilitation Program CDBG grant, MD-12-CD-22. Ms. Bynum advised that under this grant, 25 homes were rehabilitated between 2012 and 2017 utilizing \$300,000 in CDBG funding and an additional \$283,148 in funding from Shore Up!, Inc. and the State Special Loans Program.

Pursuant to the request of Health Officer Becky Jones and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the FY19 Health Department Unified Funding Document (UFD) through the Maryland Department of Health and Mental Hygiene (DHMH), awarding \$7,802,812 to the Health Department for FY19, which represents a decrease of \$18,824 in grant funding from FY18.

Pursuant to the request of Ms. Jones and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the FY19 Core Public Health Services Funding Agreement between DHMH and Worcester County from July 1, 2018 through June 30, 2019, which certifies that Worcester County will contribute \$5,547,753 or 73.27% and the State will contribute \$718,456 or 26.7% of the FY19 Worcester County Health

Department budget of \$6,266,209, for core public health services in Worcester County.

Pursuant to the request of Ms. Jones and upon a motion by Commissioner Lockfaw, the Commissioners authorized Commission President Purnell to sign the Memorandum of Understanding (MOU) between Peninsula Regional Medical Center (PRMC) and the County Commissioners to assist in coordinating access to preventive care to rural communities and underserved populations in the three Lower Eastern Shore counties, utilizing the PRMC Wagner Wellness Van. Ms. Jones advised that this initiative will fill the vacuum created when the Governor's Wellness Van program ceased operating, and she advised that, as a result of this MOU, the Wagner Wellness Van will generally be stationed at the Worcester County Health Department in Snow Hill on Wednesdays from 9:00 a.m. to 2:00 p.m.

Pursuant to the request of Warden Donna Bounds and Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the FY19 Grant Application for grant funds of \$66,914 to cover the salary for a Program Manager for the new Pretrial Services Program at the County Jail. This position will be responsible for working with the courts to provide an alternative to pretrial incarceration. The goals of this program are to reduce the number of pretrial offenders incarcerated at the Jail and allow offenders awaiting trial to continue employment, obtain drug and/or alcohol treatment, mental health counseling, and maintain a stable home environment.

The Commissioners reviewed a request from Fire Marshal Jeff McMahon for out-of-state travel for Deputy Fire Marshals Chris Vieira and Hunter Mauk to participate in the Weapons of Mass Destruction (WMD) Radiological/Nuclear Course for Hazardous Materials Technicians at the Nevada National Security Site from September 10-14, 2018. Mr. McMahon stated that there is no cost to the County, as the entire training, including course curriculum, meals, travel and lodging are to be covered by the Federal Emergency Management Agency (FEMA) and Homeland Security funding. Following some discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the requested out-of-state travel for Mr. Vieira and Mr. Mauk to attend the conference.

Pursuant to the request of Emergency Services Director Fred Webster and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Purnell to sign the State Homeland Security Grant Sub-Recipient Agreement administered by the Maryland Emergency Management Agency (MEMA) for the Department of Homeland Security awarding \$80,400 to Worcester County Emergency Services to implement programs to prevent terrorism and other catastrophic events to achieve the National Preparedness Goal of a secure and resilient nation.

Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to continue with the remainder of their scheduled items, temporarily tabling Item No. 12, concerning a proposal for an engineering consultant to assist with the migration of the public safety radio system, so they may obtain legal advice from counsel before discussing that item.

Pursuant to the recommendation of Development Review and Permitting Director Ed

Tudor and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted the Findings of Fact and Rezoning Resolution No. 18-18, approving a floodplain variance request for an 800-square-foot residential accessory structure with a finished floor below the required base flood elevation located at 12242 Greenridge Lane in Ocean City and identified as Tax Account #277833.

Assistant Chief Administrative Officer Kelly Shannahan presented the Commissioners with a draft update to the County's Financial Management Rules and Procedures, which were last amended on November 19, 2002. Mr. Shannahan advised that significant changes have occurred since that time, including the County's transition to New World, a new accounting software program, and the automation of many previous manual processes, all of which should be reflected in the Financial Management Rules and Procedures. Furthermore, he advised that based on inflation rates during the past 15 years, staff recommends increasing the bidding threshold from \$10,000 to \$25,000 and continuing to require competitive estimates for all purchases that do not meet the minimum bidding threshold. He stated that a 2018 Calvert County study identified that most Maryland counties have established a minimum bidding threshold of at least \$25,000, with only four counties below that threshold. Mr. Shannahan then explained that increasing the threshold will save a minimum of one month for processing and advertising expenses of roughly \$200 associated with each formal bid.

Upon a motion by Commissioner Mitrecic, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to adopt Resolution No. 18-19 Revising and Re-Adopting Financial Management Rules and Procedures for County Departments, which includes increasing the minimum bidding threshold to \$25,000, as recommended by staff. Commissioner Bunting stated that he would have preferred a lower bidding threshold.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the Commissioners unanimously agreed to appoint Denise Sawyer to the Tourism Advisory Committee for the remainder of a four-year term expiring December 31, 2021, to fill the vacancy created by Teresa Travatello whose term expired December 31, 2017.

Upon a nomination by Commissioner Church, the Commissioners unanimously agreed to appoint Stan Cygam to the Water and Sewer Advisory Council for the Mystic Harbour Service Area for the remainder of a four-year term expiring December 31, 2021, to replace Mary Martinez who resigned.

Upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to submit the names and resumes of Arlene Page of Bishopville and Steven W. Rakow of Berlin to Governor Larry J. Hogan for his consideration and appointment to the Worcester County Property Tax Assessment Appeal Board to replace Robert D. Rose, whose term expired June 1, 2017, and/or Howard G. Jenkins and Gary M. Flater (alternate member), whose terms expired June 1, 2018.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 11:12 a.m. in the Commissioners' Conference Room to discuss legal matters permitted under the provisions of Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland and to

perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; and Kim Moses, Public Information Officer. Topics discussed and actions taken included receiving legal advice from counsel; and performing administrative functions.

The Commissioners met with Mr. Webster to review and discuss staff's request to accept the proposal from Federal Engineering (FE), Inc. of Fairfax, Virginia at a time and materials basis at a maximum cost of \$77,265 through the completion of the 800 MHZ P25 Radio System Migration Project to provide engineering consultant services as follows: review of radio system information and vendor contracts and contract negotiation support, radio system performance, interference, infrastructure, and subscriber equipment issues, and other optional services for radio coverage and interference field testing, and subject-matter expert contract litigation support issues, contract negotiations, system implementation, and testing oversight.

Mr. Webster reviewed the history of the public safety radio system migration project with Harris Corporation, which began in fall 2015. He stated that the County accepted beneficial use of the new radio system on February 14, 2018, under a conditional acceptance addendum, as the new system failed a coverage acceptance test. Harris representatives must complete known remaining contractual items associated with the delayed construction and receipt of needed equipment (which has been ordered and should arrive in August 2018) of the final transmitter site, which is located at Mystic Harbour in West Ocean City (WOC); and resolve interference issues. Furthermore, before the County accepts the new system, it must pass a second round of coverage testing during summer months when trees are in full foliage and can cause signal attenuation. He explained that County staff have exhausted all internal efforts to resolve these issues, with Emergency Services Assistant Director James Hamilton having already spent more than 300 hours in the field mapping coverage data. He advised that FE professionals, who have completed multiple projects in the Mid-Atlantic Region and were awarded the Maryland State bid to manage the State radio system project, are uniquely qualified to identify and resolve issues pertaining to the County project.

Commissioner Mitrecic stated that it would be premature to hire a consultant until the radio system project is complete. He expressed great concern that the FE proposal includes a clause, in which they accept no responsibility, nor will they guarantee that they will be able to find a solution to the outstanding problems. Commissioner Mitrecic further stated that Harris Corporation, not the County, should hire a consultant to resolve issues pertaining to failed system coverage. Mr. Webster explained that the consultant will assist the County with items that are the County's responsibility under the contract with Harris.

Commissioner Bunting stated that any issues, which Harris Corporation is contractually obligated to address, should be eliminated from the FE proposal, so the scope of work should be limited to addressing radio interference issues and thus reduce the cost to the County for this service. In response to a question by Commissioner Bunting, Mr. Webster recalled that in early 2018 the Commissioners authorized County staff to order microwave transmitter equipment for the WOC transmitter site from Eastern Communications, a Harris Corporation partner company. This action was based on a cost-saving recommendation from Harris officials. However, Eastern did not process the County's order until June 2018, after the WOC communications tower had been constructed. Thus the microwave equipment is not scheduled to be delivered until mid-

August, which could delay final testing of the radio system if not completed before the leaves begin falling from trees in September or October.

Commissioner Elder stated that this equipment should have been ordered sooner by Harris Corporation, noting that the delay in bringing the Mystic Harbour site online has resulted in serious issues that must be resolved expeditiously. In response to a question by Commissioner Church, Mr. Webster stated that staff is working with the Forestry Board to determine the last possible date in 2018 that effective radio system tests could be conducted.

Following much discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to table further consideration of this matter until all equipment is installed and the new radio system is complete.

The Commissioners answered questions from the press, after which they adjourned to meet again on August 7, 2018.