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Minutes of the County Commissioners of Worcester County, Maryland

September 6, 2022

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

Following a motion by Commissioner Elder, seconded by Commissioner Purnell, 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), (2), (7), and (14) 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 Joe Parker, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton. Topics discussed and actions taken included the following: personnel summary update and certain personnel matters with Human Resources, negotiating strategy or the contents of a bid or proposal, to protect the privacy or reputation of individuals with respect to a matter that is not related to public business; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bertino, seconded by Commissioner Nordstrom, the commissioners unanimously voted to adjourn their closed session at 9:35 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Tara Armstrong of Human Resources 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 August 16, 2022 meeting as presented.

The commissioners presented a proclamation to representatives from the Jesse Klump Memorial Fund (JKMF), Governor's Commission on Suicide Prevention, Life Crisis, and Worcester County Health Department (WCHD) recognizing September as Suicide Prevention Month in Worcester County.

The commissioners presented a proclamation to Betty Whited of the General Levin Winder Chapter of the National Society Daughters of the American Revolution recognizing September 17-23, 2022 as Constitution Week.

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The commissioners presented a years-of-service commendation to Sergeant Shawn Elliott who is retiring following 17 years of service to the Worcester County Jail.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved by consent agenda item numbers 2-9 as follows: out-of-state travel for one individual to attend the National Recreation and Parks Association Supervisors Management School and two individuals to attend the Travel, Events, and Management in Sports Marketing conference; a Parks and Recreation Waterway Maintenance Grant award for \$5,000; a 100% tax credit for the three Ocean City Chamber of Commerce properties; FY23 Critical Area Commission Local Program Annual Grant Agreement for \$9,000; FY23 Maryland Community Criminal Justice Treatment Program Memorandum of Understanding between the County Jail and Health Department, with support funds of \$22,000; an \$8,500 intergovernmental loan from the General Fund to the Edgewater Acres Sewer District, and bid award to Chesapeake Roofing of \$8,250 to replace the storage and lab building roof; and permanent adjustment to the Public Works Maintenance Division operating hours.

Pursuant to the request of Colonel Doug Dods and upon a motion by Commissioner Bertino, the commissioners unanimously approved a request from the Sheriff's Office to the State Highway Association for the creation of a Special Event Zone from September 21-26, 2021 during the H2Oi Pop Up Car Rally.

Pursuant to the request of Chief Financial Officer Vince Tolbert of the Board of Education (BOE) and upon a motion by Commissioner Elder, the commissioners unanimously approved categorical budget transfers and budget amendment for FY22, with categorical increases to be offset by reductions in the categories of Instructional Salaries and Fixed Charges.

Pursuant to the request of Development Review and Permitting Director Jennifer Keener and upon a motion by Commissioner Elder, the commissioners unanimously adopted Resolution No. 22-20 exempting the Lewis Road sewer pumping station project under the Worcester County Zoning and Subdivision Control Article.

Public Works Director Dallas Baker met with the commissioners to request approval for an intergovernmental grant of approximately \$540,000 from the General Fund to the Ocean Pines Sanitary Service Area (SSA) to pay the Maryland Department of the Environment's (MDE) mandated Bay Restoration Fee (BRF). Mr. Baker explained that on January 10, 2021, it was discovered that a rake head had fallen into a treatment unit, that it had clogged a pipe, and the entire treatment unit had to be drained to clear the clog. Because it takes time to rebuild the microbes that break down nutrients, the Ocean Pines Wastewater Treatment Plant (WWTP) did not meet the discharge permit limits.

Commissioner Bertino stated that the County, not the residents of Ocean Pines should be required to pay the BRF since the circumstances that lead to the Ocean Pines WWTP failing to meet the discharge permit limit was caused by a member of County staff rather than a natural occurrence or WWTP equipment failure. Commissioner Elder disagreed, noting that County taxpayers pay the BFR for their individual homes and should not be tasked with paying the BFR for the residents of Ocean Pines too.

Upon a motion by Commissioner Elder, the commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to fund the full payment for the BFR from the Ocean Pines WWTP reserve fund.

The commissioners met in legislative session.

The commissioners conducted concurrent public hearings on proposed bond bills and an official intent resolution to use proceeds of general obligation bonds to fund the following Capital Improvement Plan (CIP) projects that are scheduled to be completed in the near term: Bond Bill 22-11 in an amount not exceeding \$10,995,670 for County Jail Phase 2 improvements; Bond Bill 22-12 in an amount not exceeding \$3,050,000 for the public safety logistical storage facility design and development; Bond Bill 22-13 in an amount not exceeding \$10,024,184 for the Stephen Decatur Middle School addition; Bond Bill 22-14 in an amount not exceeding \$4,870,000 for Refunding Bonds 2013 Series Taxable; Bond Bill 22-15 in an amount not exceeding \$33,590,000 for Refunding Bonds 2014 Series; and Bond Bill 22-16 in an amount not exceeding \$10,095,000 for Refunding Bonds 2015 Series A.

Finance Officer Phil Thompson advised that the County is tentatively scheduled to sell bonds mid-November, 2022.

Commissioner Mitrecic opened the floor to receive public comments.

There being no public comments, Commissioner Mitrecic closed the public hearing.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved Bond Bills 22-11 through 22-16.

Outgoing Deputy Chief Administrative Officer Joe Parker met with the commissioners to request approval to accept a proposal from PrimeGov Comprehensive Legislative Management Solution for an online Agenda Management IT solution, with a first year cost of \$18,673, an annual cost of \$15,173 thereafter plus a 5% annual increase. Mr. Parker reviewed product services and advised that the proposed program will complement existing County services provided by SWAGIT, the County's online video platform. He noted that there are 50 distinct product functions to aid staff in digitizing and streamlining the overall meeting development process. Furthermore, these functions can be tailored to the County's needs, so staff can fully digitize the work flow. Essentially, it will improve the generation of portable document formats (PDFs), standardize document tracking and recording, assist with minutes, generate transcripts, and other meeting functions as needed.

Commissioner Bunting expressed concern regarding whether the product could differentiate between when to accept public comments for certain open session agenda items. Commissioner Mitrecic stated that the product could be very beneficial for addressing housekeeping issues for County Administration. However, the presentation raised a lot of questions that need to be addressed before the commissioners can move forward. In response to comments by Commissioner Mitrecic regarding making it a priority to install the new sound system in the Commissioners' Meeting Room, Mr. Young stated that the new system has been ordered, but due to supply-chain issues, the parts are on backorder.

Following some discussion, the commissioners directed staff to identify whether certain product features can be tailored to fit the County's needs for their consideration at a future meeting.

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The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the commissioners unanimously agreed to appoint Maria Campione-Laurance to the Housing Review Board.

Upon a nomination by Commissioner Purnell, the commissioners unanimously agreed to appoint Iola Tariq to the Ethics Board.

Pursuant to the request of Public Works Director Dallas Baker and Procurement Officer Nick Rice and upon a motion by Commissioner Bertino, the commissioners unanimously approved the closure of the Homeowner Convenience Center (HOCC) in Snow Hill during an upcoming construction project to upgrade the drop-off area. Mr. Baker stated that staff originally planned to keep the HOCC open during upgrades, but that it had been determined during an August 30, 2022 pre-bid meeting that doing so during construction could result in public safety issues.

In recognition that this would be Mr. Parker's last meeting with the commissioners, the board thanked him for his service to the County and wished him much success in his future endeavors.

The commissioners discussed a request from Tony Christ for a \$20,000 grant from the County to help fund the Brian's Christmas Songbook, which is scheduled to take place at the Ocean City Performing Arts Center in the near future. Following some discussion, a motion by Commissioner Elder to place this request on a future meeting agenda contingent upon interest from the Board of Education in participating in the program, failed 1-6, with Commissioner Elder voting in favor of the motion and Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell voting in opposition.

The commissioners answered questions from the press, after which they adjourned to meet again on September 20, 2022.