

Minutes of the County Commissioners of Worcester County, Maryland

December 6, 2022

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

Commissioner Mitrecic called the meeting to order.

Worcester County Clerk of Court Susan R. Braniecki swore in the seven newly-elected commissioners. The commissioners thanked their family members and supporters throughout the campaign process, and they affirmed their commitment to represent their individual districts and all of Worcester County as a whole.

The commissioners recessed to the third floor training room for a dessert reception to greet their constituents.

Following a motion by Commissioner Purnell, seconded by Commissioner Bertino, the commissioners unanimously voted to meet in closed session at 10:30 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 Blake Burkhead and Cynthia Bonneville as emergency communications specialist trainees in Emergency Services, Pat Walls as deputy director in Human Resources, discussing vacant correctional officer positions at the County Jail and building housing/plan reviewer positions in Development Review and Permitting, along with certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Abbott, seconded by Commissioner Bertino, the commissioners unanimously voted to adjourn their closed session at 11:13 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 Reverend Dale Brown, of the Community Church of Ocean Pines, 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

November 15, 2022 meeting as presented.

The commissioners presented a commendation to Worcester County 4-H Robotics Intermediate Team members Riya Patel, Elianna Fiori, Scott Wainwright, and Nidhish Gupta for taking first place in the Maryland 4-H State Robotics Challenge at the 2022 Maryland State Fair and for their outstanding representation of the County at the State level.

Upon a motion by Commissioner Bertino, the commissioners unanimously elected Commissioner Bunting to serve as vice president until December 5, 2023.

Upon a motion by Commissioner Bunting, the commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to elect Commissioner Bertino to serve as president until December 5, 2023. Commissioner Bertino extolled the leadership of former President Mitrecic and County staff for addressing the COVID-19 pandemic head-on, and with few exceptions, keeping government doors open, continuing to provide vital County services, and working relentlessly to keep local businesses open in the face of conflicting State and federal mandates. He stated that the County was well-served by Commissioner Mitrecic's leadership, and he thanked Commissioner Mitrecic for his service.

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 2-8 as follows: waiving the three-bid minimum requirements of the Department of Housing and Community Development and accepting the bid from East Coast Heating and Air Conditioning of \$19,515 to rehabilitate a house in Berlin; signing the FY23 Rural Legacy Area (RLA) Grant Agreement for funding of \$701,879 for the Coastal Bays RLA and \$600,000 for the Dividing Creek RLA; bid specifications for corrugated metal and plastic pipe for the Roads Division; bid specifications for portable toilet services at various Public Works locations, parks, and boat ramps; accepting the low bid from Ironshore Contracting of \$168,750 for the Courthouse roof coating project; accepting the proposal from Flender Corp of \$63,370 to repair the aerator for Treatment Unit No. 4 and the proposal from K&Z Mechanical of \$32,000 to replace the walkway grating at Flow Equalization Tank No. 1 at the Ocean Pines Wastewater Treatment Plant; and filing the FY2024 State Aid for Police Protection Fund grant application.

Pursuant to the request of Superintendent of Schools Lou Taylor and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved two change orders for the Stephen Decatur Middle School addition project totaling \$543,608.72. This includes funds of \$381,917 to replace the existing public announcement and clock systems and \$161,691.72 to replace the existing closed-circuit television security system, all of which have reached the end of their useful life.

Pursuant to the request of Library Director Jennifer Ranck and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to reclassify one vacant full-time position in the Library budget at (G10/S8) at \$37,814 annually to a full-time mobile services assistant position at (G14) and one vacant part-time position from library service assistant to mobile services assistant to staff the new mobile outreach vehicle. Ms. Ranck advised that the Library should take ownership of the new vehicle in late January 2023.

The commissioners conducted a public hearing on a Comprehensive Water and Sewerage Plan amendment submitted by Rauch Engineering on behalf of Riverview Mobile Home Park owner Jim Latchum. Environmental Programs Director Bob Mitchell reviewed the amendment, which would allow for the construction of a wastewater treatment plant for stream discharge and modifications to the existing water treatment plant to serve an expansion that would add up to 60 additional units to the existing Riverview Mobile Home Park in Bishopville. He concluded that the Planning Commission found the proposed amendment to be consistent with the County's Comprehensive Plan and granted the application a favorable recommendation.

Commissioner Bertino opened the floor to receive public comments.

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

Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the amendment to the Water and Sewerage Plan as requested.

Pursuant to the request of State's Attorney Kris Heiser and upon a motion by Commissioner Mitrecic, the commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to accept the Elder Financial Justice Grant Agreement, awarding federal funding of \$1.1 million secured by Salisbury University to the State's Attorney's Office (SAO), the sub-recipient, over a two-year period to fund the following: three additional investigators, three case managers, and one part-time administrative assistant, to include fringe benefits; and up to three vehicles, 20 laptops, 20 cellphones, and proprietary software used in data analytics. Ms. Heiser advised that this renewable grant will support the Elder Fraud Prevention Project, which is headed up by the Vulnerable Adult Task Force, and which was designed to help prevent County senior citizens from becoming victims of fraud and other financial scams.

In response to questions by Commissioner Bunting, Ms. Heiser advised that if the grant is not renewed, the positions will be eliminated; however, the SAO will be able to keep the equipment. Human Resources Director Stacey Norton advised that benefits are available to new employees the first of the month following the start of their employment; however, under the Maryland State Retirement System, an individual must be employed with the County for 10 years to become vested.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to allocate two equivalent dwelling units from the Mystic Harbour Sanitary Service Area (SSA) to Bethany United Methodist Church and adjacent single-home property, both of which have failing septic systems. Mr. Mitchell reviewed the number of EDUs available in the Mystic Harbour SSA, which include 17 existing EDUs and 15 returned (forfeited) EDUs. He advised that 14 existing, occupied properties served by septic, including the church, are located along a right-of-way in which a sewer main has been installed that can be reasonably accessed. Following questions by Commissioner Bunting, Mr. Mitchell advised that the additional property owners will be required to go through the application process if they would like to be connected to public sewer in the future.

Commissioner Mitrecic questioned whether there could be savings by combining all of the enterprise funds into one enterprise fund. Mr. Mitchell stated that the Water and Sewer Committee has been investigating that option and will present their findings to the commissioners in the near future.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved their calendar year 2023 meeting schedule and FY24 budget schedule, with the following change: moving the first meeting in 2023 from January 3 to January 10. Commissioners' meeting generally take place on the first and third Tuesdays of each month, except where such dates fall on legal holidays or other conflicting event.

Pursuant to the request of Budget Officer Kim Reynolds and upon a motion by Commissioner Bunting, the commissioners unanimously approved the requested assignment of FY22 Fund Balance of \$41,058,171.

The commissioners met with Ms. Reynolds to schedule a public hearing on the requested five-year Capital Improvement Plan (CIP) FY24-FY28. Ms. Reynolds advised that projects totaling \$208,072,818 are proposed over the five-year period. Of the proposed projects, \$34,585,765 million or 16% is proposed to come from Assigned Funds and \$120,655,353 million or 58% from general bond funds. The remaining portion would come from grant funds, State match funds, user fees, assigned funds, private donations, and enterprise bonds. She concluded that public school projects have been included in the CIP. She reminded the commissioners that the CIP is strictly a planning document, and a project's inclusion in the CIP does not constitute funding approval.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to schedule a public hearing in January 2023 to receive public comments on the five-year CIP FY24-FY28 as presented.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Mitrecic, the commissioners unanimously agreed to appoint Commissioner Bertino to serve as the primary and Commissioner Bunting to serve as the alternate representative on the Maryland Association of Counties (MACo) legislative committee.

Upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to appoint Commissioner Mitrecic to serve on the Wicomico County Regional Airport Commission.

Upon a motion by Commissioner Bunting, the commissioners unanimously agreed to nominate Commissioner Mitrecic to serve as secretary for the Tri-County Council (TCC) for the Lower Eastern Shore Executive Board, with Commissioner Elder to serve as first vice chair, and with Commissioners Abbott, Elder, Fiori, Mitrecic, and Purnell to serve as the five voting members of the TCC full board.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to reappoint Dean Ennis to the Agricultural Reconciliation Board and C.D. Hall to the Economic Development Board, and to appoint Cary Foster Bird to the Housing Review Board.

Upon a nomination by Commissioner Elder on behalf of Commissioner Bertino, the commissioners unanimously agreed to appoint Bob Gilmore to the Solid Waste Advisory Board.

Upon a motion by Commissioner Bunting, the commissioners voted 4-2-1, with Commissioners Mitrecic and Purnell voting in opposition and Commissioner Elder abstaining, to direct Chief Administrative Officer Weston Young to cancel the land purchase contract on the

land known as the Harrison property, to cancel any consulting contracts concerning said property, to instruct staff and department directors to cease any studies or planning involving the County's involvement in purchasing land, project design, construction, and operating a sports complex in Worcester County. Commissioner Bunting stated that the overall purpose of this motion is to cease all involvement the County has in the construction of a sports complex in Worcester County. He further clarified that it is not intended to hinder in any way an individual or entity in privately owning and operating a sports complex in Worcester County.

Commissioner Mitrecic stated that the motion is premature, given that the County has not yet met with Maryland Stadium Authority (MSA) representatives to review the findings of their recent study. He stated that if the MSA is willing to pay 80% and a private entity agrees to pay the remaining costs of 20%, the commissioners should listen to what they have to say. He stated that such a project would help generate new revenue for the County and avoid the need to raise tax rates. Commissioner Purnell concurred.

The commissioners answered questions from the press, after which they adjourned to meet again on December 20, 2021.