

Minutes of the County Commissioners of Worcester County, Maryland

December 20, 2022

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 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) 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 Ronald White as a landfill operator I within the Solid Waste Division and Rachel Perotta as an environmental intern; receiving legal advice from counsel; and performing administrative functions, including an Emergency Services transfer policy, and potential board appointments.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Elder, the commissioners unanimously voted to adjourn their closed session at 9:59 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 Zachary Brown of the Newark/Snow Hill United Methodist Church Circuit 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 December 6, 2022 meeting as presented.

Commissioner Bertino announced that item 13, a request to purchase FY23 vehicles, was pulled from today's agenda and will be considered at the commissioners' January 10, 2023 meeting.

The commissioners presented years-of-service commendations to honor retiring Maintenance Worker II Donald L. Hardy of the Water and Wastewater Division (19 years) and Corporal Donn G. Rodgers of the County Jail (21 years).

Upon a motion by Commissioner Elder, the commissioners unanimously approved by consent agenda item numbers 2-10 as follows: Housing Rehabilitation Program bids from

Colossal Contractors for \$16,500 and Poseidon Plumbing and Home Services for \$8,123.91 to rehabilitate a house in Berlin; a Housing Rehabilitation Program Maryland Historic Trust Concurrence requiring photographs of a home in the Stockton Historic District prior to its demolition; the contract of \$49,968 from Wallace, Montgomery & Associates, LLP for the Comprehensive Plan Update: Public Engagement Program; the proposal from Municipal Emergency Services of \$80,625.28 for self-contained breathing apparatus; the lowest responsive bid from Reese Transportation of \$92 per load for dirt hauling services from the County borrow pit on Langmaid Road to the Central Landfill; a \$100,000 Local Assistance and Tribal Consistency Fund Grant for FY23/FY24 as part of the American Rescue Plan Act of 2021; a Community Resilience Grant for the Selsey Road Resiliency Project; Ocean Heights Turnover Documents; and the River Run Small Project Agreement.

Pursuant to the recommendation of Public Works Director Dallas Baker and upon a motion by Commissioner Bunting, the commissioners unanimously approved the purchase of a roll off truck from Mid-Atlantic Waste Systems of \$299,990.55 for use in the Solid Waste Division. In response to a question by Commissioner Bertino, Procurement Officer Nick Rice stated that contracts like this, which are available thanks to a cooperative contract through Sourcewell, result in a savings of 25 to 30 percent off the sticker price. Mr. Baker advised that funds are available in the FY23 budget for this expense.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Purnell, the commissioners unanimously agreed to reallocate \$146,000 in the FY23 Roads Division budget to purchase a cab tractor with mower attachment from Selbyville Tractor at a total cost of \$110,337.48 in lieu of acquiring a six-wheel dump truck. Mr. Baker advised that the sole bid for the dump truck came in well over budget, so staff will postpone purchasing this piece of equipment until FY24. In response to a request by Commissioner Bunting, Mr. Baker advised that the cost savings will be reallocated to the FY24 budget when they plan to rebid the dump truck.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Mitrecic, the commissioners unanimously authorized Commission President Bertino to sign the Agreement of Sale for the purchase of a Rural Legacy Area (RLA) easement between Douglas and Hollie McCall (Sellers) and the County Commissioners of Worcester County, Maryland (Buyer), with FY21/FY22 Coastal Bays RLA funds to cover the cost of an easement on approximately 23.09 acres of land located at 5337 Stockton Road and identified on Tax Map 86 as Parcel 19. This property is to be purchased at a cost of \$2,620 per acre. Mr. Mitchell advised that the land is within the Chincoteague Bay watershed and is nearly surrounded by adjacent protected farmlands and State lands. He further advised that the owner is surrendering all subdivision and development rights, and the easement will disallow most non-agricultural uses in perpetuity.

The commissioners met with Development Review and Permitting Director Jennifer Keener to discuss adopting an honorary street dedication policy. Ms. Keener advised that this policy was developed by Technical Services Division Manager Kelly Henry to streamline the process by which an individual may request to designate an honorary street name to pay respects

to an individual, group, or organization within the community, while retaining the original street name. Awarding an honorary name can be achieved by adding a second sign above the County road sign and eliminates the need to obtain approvals from the commissioners and the residents on a given road, who previously would have been required to change their addresses to reflect the new street name. Commissioner Elder requested the resolution include information identifying that any associated costs for the sign would be borne by the individual making the request. Commissioner Mitrecic thanked Ms. Henry for her efforts, but stated that the commissioners should not be involved in deciding which requests are and are not approved.

Following some discussion a motion by Commissioner Purnell to adopt the honorary street dedication program failed 1-6, with Commissioner Purnell voting in favor.

Pursuant to the recommendation of Ms. Keener and upon a motion by Commissioner Mitrecic, the commissioners unanimously adopted Resolution No. 22-29 naming a private lane off of Main Street in Berlin as Ataturk Lane.

The commissioners met in legislative session.

The commissioners met with Ms. Keener to review a text amendment application drafted by staff that would impact the assignment of addresses and the installation of signage for properties located on an existing or proposed private lane in the County when it is to be served by three or more buildable lots.

Following some discussion, Commissioners Abbott, Bertino, Bunting, Elder, Fiori, Mitrecic, and Purnell introduced the aforementioned text amendment as Bill 23-01 (Emergency Services – General Provisions) and agreed to schedule a public hearing on the bill.

The commissioners met with Ms. Keener to review a text amendment application drafted at the request of the Board of Electrical Examiners to repeal and replace Subtitle II Electrical Standards of the Code of Public Local Laws of Worcester County. Ms. Keener advised that the proposed revisions are necessary to comply with Senate Bill 762 - Maryland Electricians Act of 2021, Senate Bill - 604 Maryland Electricians Act Revisions of 2022, and Senate Bill 406 - Annual Corrective Bill of 2022.

Following some discussion, Commissioners Abbott, Bertino, Bunting, Elder, Fiori, Mitrecic, and Purnell introduced the aforementioned text amendment as Bill 23-02 (Electrical Standards) and agreed to schedule a public hearing on the bill.

Commissioner Bertino closed the legislative session.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the commissioners unanimously agreed to reappoint Roy Case to the Board of Electrical Examiners, Theophilus Hobbs to the Local Management Board, Alvin Hondo Handy to the Recreation Advisory Board, and Lisa Bowen to the Board of Zoning Appeals.

Upon a nomination by Commissioner Mitrecic, the commissioners unanimously agreed to reappoint John Gehrig to the Recreation Advisory Board.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to reappoint George Linvill to the Solid Waste Advisory Board and Larry Fykes to the Board of Zoning Appeals.

The commissioners extended best wishes to all for a Merry Christmas and a happy and safe New Year.

The commissioners answered questions from the press, after which they adjourned to meet in closed session at 10:37 a.m.

Following a motion by Commissioner Elder, seconded by Commissioner Mitrecic, the commissioners unanimously voted to meet in closed session at 10:37 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, Human Resources Director Stacey Norton, and Development Review and Permitting Director Jennifer Keener. Topics discussed and actions taken included the following: certain personnel matters, receiving legal advice from counsel; and performing administrative functions, including proposed permit submission policy changes in Development Review and Permitting and an FY22 financial update.

Following a motion by Commissioner Abbott, seconded by Commissioner Mitrecic, the commissioners unanimously voted to adjourn their closed session at 11:46 a.m. to meet again on January 10, 2023.