

Minutes of the County Commissioners of Worcester County, Maryland

August 20, 2024

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 Bunting, 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 (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, Budget Officer Kim Reynolds, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton and Deputy Director Pat Walls. Topics discussed and actions taken included the following: real property acquisition; a personnel update; hiring Ronda Rountree as a temporary office assistant III within County Administration, and Delany McIntosh and Destiny Tull as emergency communications specialist trainees and Donald Clemens as the Electronic Services Installer within Emergency Services, and other personnel matters; receiving legal advice from counsel; and performing administrative functions, including an FY24 monthly financial update, potential board appointments, and the 2025 and 2026 Medicare Advantage Renewal.

Following a motion by Commissioner Bunting, seconded by Commissioner Elder, the commissioners unanimously voted to adjourn their closed session at 9:57 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 Davida Washington of Development Review and Permitting 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 6, 2024 meeting as presented.

The commissioners presented a years-of-service commendation to Plant Operator III Russell Blizzard who is retiring following 27 years of service to the Water and Wastewater Division.

The commissioners presented commendations to the following 2024 Volunteer Spirit of Worcester County awards recipients: Lifetime Achievement Spirit recipients Sue Latour and Jeannie Powell; Individual Spirit Award recipient Carlos Caceres, Jr.; Group/Team Spirit Award

recipients Friends of Furnace Town and Go Green OC; and Faith-Baised Award recipient Whatcoat Church Opportunity Shop.

Upon a motion by Commissioner Fiori, the commissioners unanimously approved by consent agenda item numbers 2-7 as follows: irrevocably transferring Worcester County's full \$2,356,638 tax-exempt housing bond allocation for 2024 to the Department of Housing and Community Development for use in issuing housing bonds or mortgage credit certificates on behalf of the County; scheduling a public hearing on Rezoning Case No. 445 for an application to rezone approximately 18.54 acres of land located on the northerly side of Purnell Crossing Road in Berlin, and more specifically identified on Tax Map 23 as Parcel 2, from Resource Protection District to Agricultural District; signing a Community Development Block Grant Housing Study Grant Agreement for \$50,000 to conduct a housing study to assess the needs for low to moderate income persons in the County; transferring \$1,575 within the FY25 Roads Division budget to cover an authorized over expenditure; renewing the Memorandum of Understanding and Staffing Agreement Regarding Jail MAT Services with the Wicomico County Health Department to treat opioid use or misuse at the County Jail at a cost not to exceed \$40,156 annually; and awarding the bid to dredge the West Ocean City commercial harbor to Brittingham Construction & Landscaping, Inc. at a cost of \$75 per cubic yard.

Snow Hill Mayor Janet Simpson, Economic Development Director Lorissa McCallister, Davis, Bowen, & Friedel Landscape Engineer Donna Sanders, and Harrison Senior Living CEO and Landscape Architect Harrison Saunders met with the commissioners to review plans for the Bank Street Promenade Project. Ms. McCallister reviewed the plans, which include creating an alluring, park-like space that connects the downtown to the Pocomoke River. She stated that the purpose of the project is to serve as an inclusive, flexible community gathering space for special events and daily use; allow for through traffic and improved safety; retain the number, size, and proximity of parking spaces, though some of those spaces are proposed to be relocated to adjacent areas; fold Bank Street into the Bikeways loop; and provide increased handicap parking and improve accessibility. She then reviewed approved and pending grant funding to cover estimated project costs of \$776,012. She advised that the design incorporates moveable bollards, curves that mimic the river and calm traffic flow, natural vegetative areas that will beautify the area and absorb stormwater, benches, signage, and community art.

In response to questions by Commissioner Bertino, Ms. McCallister stated that the corridor design will include brick, not asphalt and create a park-like space. She advised that the plans include eliminating most but not all parking on Bank Street, to include the parking currently available on the County-owned land, installing a handicap parking pad on Willow Street, and restriping the Library parking lot. She noted that incorporating these parking solutions will culminate in a total of 54 parking spaces. Ms. McCallister concluded that town officials have received buy in from the business community, and they are seeking buy-in from the County. This could come in the form of a Memorandum of Understanding authorizing the town to utilize the County-owned right-of-way (ROW), or more optimally, the commissioners could donate the County-owned ROW to the town, thereby alleviating the County of any maintenance and liability issues.

Commissioner Mitrecic stated that this project will be great for the town of Snow Hill. Commissioner Elder concurred, noting that this is a great step forward for the town.

Commissioner Purnell also agreed, noting that this forward-thinking project would help to revitalize the County Seat. In response to concerns raised by Commissioner Fiori, Ms. McAllister stated that the town is conducting studies to improve available parking and traffic flow. In response to questions by Commissioner Bertino, Ms. McAllister confirmed that there are 18 parking spaces behind the Snow Hill Library, and that space will be reconfigured to replace parking spaces that are currently located on County-owned property by the annex building. She advised that construction is tentatively scheduled to begin in fall 2025.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously declared County-owned land identified in the design plan to be surplus property and agreed to notify the public of their intent to dispose of the surplus property by donating it to the town of Snow Hill, with the public to have an opportunity to comment on the proposal during an upcoming public hearing.

Sheriff Matt Crisafulli requested approval to convert two vacant school resource officer positions from part-time to full-time and one current detective position to corporal for a total additional cost of \$18,897.84, with funding available in the current budget to cover these expenses. Sheriff Crisafulli advised that his office is not able to attract applicants to fill part-time positions. In response to comments by Commissioner Mitrecic, Sheriff Crisafulli advised that he strives to include these types of requests during the budget process; however, these vacancies, which are due to staff retirements, occurred after the FY25 budget had been adopted. In response to a question by Commissioner Elder, Sheriff Crisafulli advised that his goal is to convert all existing part-time positions to full-time to alleviate some overtime costs and eliminate vacancies.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the conversion of two part-time deputy positions to full-time and one existing deputy position to sergeant.

The commissioners met with Human Resources Director Stacey Norton, Fire Marshal Matt Owens, and Emergency Services Deputy Director James Hamilton to discuss their request to create three new positions within Emergency Services as follows: assistant chief of electronic services, emergency communications quality assurance (QA)/quality inspections (QI) specialist, and an outreach specialist. Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved as over expenditures the two new positions of assistant chief of electronic services and emergency communications QA/QI specialist, and they denied the position of outreach specialist.

The commissioners met with Health Officer Becky Jones, Environmental Health Director Ed Potez and Environmental Health Food Program Supervisor Ryan Hayward to discuss concerns regarding mobile food vendor regulations. Chief Administrative Officer Weston Young stated that the County received complaints from several food vendors who wanted to participate in the Great Pocomoke Fair and the Worcester County Fair, but ultimately backed out because they were unable or unwilling to meet Worcester County Health Department (WCHD) regulations. He noted that, while each situation was unique, their common concern was the ease to operate in the four surrounding counties: Accomack County, Virginia, and Somerset, Wicomico, and Dorchester Counties in Maryland.

Ms. Jones reviewed how the WCHD strives to protect the health, wellbeing, and safety of

the community as it focuses on adherence to and the application of the Code of Maryland Regulations (COMAR) as it pertains to mobile food vendors. She stated that the WCHD has 786 licensed food service facilities and grants over 380 temporary food service licenses every year. She then reviewed license costs and possible solutions to make it easier for prospective applicants to become licensed to operate temporarily in the County. These include the following: reciprocity with other jurisdictions, with the certifying health department approving the equipment as stated in Section B of COMAR; coordinate a County onsite evaluation day, which does not guarantee the equipment will meet certification requirements or who would cover certification costs; or training staff specifically on certain equipment.

Commissioner Abbott expressed concern that the WCHD charges \$200 for a one-day permit, while it is only \$100 in Somerset and \$75 in Wicomico. Mr. Potez advised that the fee, which has been in place since 2003, reflects the actual staff costs involved in the certification process. However, he noted that the WCHD offers a food training class for temporary events, and those who participate are then eligible to pay a reduced license fee of only \$80. In response to a question by Commissioner Bertino, Mr. Hayward advised that the class is two hours and takes place in person at the main office in Snow Hill.

In response to questions by Commissioner Elder, Ms. Jones stated that there are no records of any temporary food vendors being denied a license to participate in either of the recent fairs. Commissioner Elder stated that some of these individuals likely cannot afford costs of up to \$11,000 to inspect and certify a portable smoker. He questioned why Somerset and Wicomico have different approvals for the same equipment. Ms. Jones stated that 20 licensees in the County have met that requirement. Commissioner Fiori concurred with Commissioner Elder's comments, noting that many people are being eliminated from participating because they do not have an NSF stamp on their equipment, and they cannot afford to pay \$20,000 more for a piece of equipment that does. He stated that the County should look for a way to work together to come up with another alternative to approve the equipment going forward.

In response to questions by Commissioner Mitrecic, Mr. Potez stated that the smokers are evaluated by engineers, and there is no one on staff at the WCHD who is qualified to complete these types of inspections. Commissioner Bunting pointed out that COMAR addresses permanent, restaurant equipment and questioned what regulations exist that address mobile smokers. Mr. Potez stated that all equipment, permanent and mobile, must comply with those regulations. In response to a question by Mr. Young, Mr. Hayward advised that there are 12 licensed food trucks operating in the County. Mr. Young explained that the County is competing with other jurisdictions to attract outside food vendors to come and sell food at special events. He then noted that a specific food vendor was not permitted to participate in a baseball event in October because they participated in a softball event earlier in July. He then questioned the definition of a one-day event. Mr. Harrington advised that the vendor in question requested to operate in that single location week in and week out, which does not fit the definition of a temporary event. He stated that two special events spaced months apart, however, should be permitted.

The commissioners recognized John Applegate of Westover, Maryland who advised that Somerset County Government had inspected and approved a mobile smoker for use in his permanent restaurant location. Furthermore, he has received three licenses to use that same smoker to operate a food truck in Somerset, Wicomico, and Dorchester Counties, and the food he serves has never caused anyone to become ill. However, the WCHD will not issue a permit

allowing him to operate in Worcester County unless he spends nearly \$8,000 to have his smoker certified.

Following some discussion, the commissioners agreed to conduct a work session with WCHD officials in the near future to identify opportunities with reciprocity to satisfy the mobile food vendors and health officials, with the ultimate goals of protecting public health while allowing Worcester County to better compete with its neighbors. Commissioner Bertino asked Ms. Jones and her staff to bring forward some options to meet these goals, and he requested that Recreation and Parks officials identify some of the issues they face when trying to attract food vendors to participate in County events.

Pursuant to the request of Procurement Officer Nicholas Rice and Public Works Director Dallas Baker and upon a motion by Commissioner Bunting, the commissioners unanimously agreed to piggyback off Howard County's contract with Slurry Pavers for the application of slurry seal on County roads at a price of \$3.25 per square yard.

Pursuant to the request of Recreation and Parks Director Kelly Rados and upon a motion by Commissioner Bunting, the commissioners unanimously agreed to schedule the annual Worcester County Fair to take place at John Walter Smith Park and the Worcester County Recreation Center in Snow Hill from August 8-10, 2025.

The commissioners met with Ms. Rados to discuss a request from Steve Butz, owner of the Alyosha catamaran, to rescind their prior denial and approve a long-term lease for the vessel to dock at the West Ocean City commercial harbor where he can run his catamaran business. In the event that the commissioners are seeking to create additional revenue at this location, Ms. Rados recommended utilizing the Governor's Dock and publicly bidding the lease opportunity to allow all interested parties to have the same opportunity. She then discussed various benefits and potential limitations to utilizing the Governor's Dock. Commissioner Bunting stated that this is not a proper use of the commercial harbor.

Following some discussion and upon a motion by Commissioner Bunting, the commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to deny the request.

Pursuant to the recommendation of Human Resources Director Stacey Norton and upon a motion by Commissioner Abbott, the commissioners unanimously approved the CareFirst Blue Cross Blue Shield Medicare Advantage plan for 2025 and 2026, which includes an increase in the cost share for members from \$32.50 to \$37.50 or a \$60 annual increase, and an increase in the County Contribution of \$540 per member.

The commissioners answered questions from the press, after which they adjourned to meet again on September 3, 2024.