

Minutes of the County Commissioners of Worcester County, Maryland

July 15, 2025

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

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, 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, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton and Deputy Director Pat Walls. Topics discussed and actions taken included the following: a personnel update; posting to fill the position of landfill operator I-III; promoting seasonal Parks Worker I Johnathan Merritt to full-time roads worker II; hiring Ondrea Starzhevskiy as the deputy finance officer; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments and updating the emergency communications specialist II job description.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Fiori, the commissioners unanimously voted to adjourn their closed session at 10:07 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Elder called the meeting to order, and following a morning prayer by Reverend Peggy Briggs of St. Paul United Methodist Church of Berlin and pledge of allegiance, announced the topics discussed during the morning closed session.

The commissioners presented a proclamation recognizing August 2-10 as Agriculture Week in Worcester County and Maryland's Coast to Tourism and Economic Development Director Melanie Pursel, Recreation and Parks Deputy Director Jacob Stephens, and representatives from the farming community.

The commissioners received comments from the public.

Tom Villa of Pocomoke asked the commissioners to consider resuming the publication of a trifold budget brochure and an envelope with the annual tax bill he receives.

John Adkins of Ocean City asked the commissioners to move the public comment period to the end of the meeting.

Snow Hill Councilman Edward Lee commended the commissioners for approving the

Lewis Road sewer project and asked them to publicize such events, as doing so gives hope to people in the community who do not think that elected officials are approachable.

Commissioner Elder thanked Councilman Lee and reminded all that the purpose of the public comment period is for citizens to weigh in on an item or items on that day's meeting agenda.

Upon a motion by Commissioner Abbott, the commissioners unanimously approved by consent agenda item numbers 2-6 as follows: a \$200,000 Law Enforcement Mental Health and Wellness Act Implementation Projects Grant for the Sheriff's Office; an amended warehouse and office agreement for the Board of Election to lease office space at 201 Belt Street in Snow Hill; a \$77,216.44 contract to purchase a LION Wireless Hose Line Training System from Witmer Public Safety Group for the Fire Marshal's Office; scheduling a public hearing for August 19, 2025 for Rezoning Case No. 448 to rezone approximately 1.07 acres of land on the west side of MD Route 589, south of Gum Point Road from RP Resource Protection District to C-2 General Commercial District; and a Joint Use Agreement between Recreation and Parks and the Board of Education regarding recreational fields and facilities;

The commissioners conducted a public hearing on Rezoning Case No. 449 for an application submitted by Hugh Cropper, IV on behalf of Mark Odachowski, property owner, which seeks to rezone approximately 18.67 acres of land located on the east side of Greenridge Lane Road, 850 feet south of Old Bridge Road in West Ocean City, and more specifically identified on Tax Map 26 as Parcel 476, Lot C-1, from R-2 Suburban Residential District to R-4 General Residential District. County Attorney Roscoe Leslie swore in those individuals who planned to give testimony during the hearing. Ms. Keener reviewed the application, which is based on a change in the character of the neighborhood since the 2009, and advised that the Planning Commission has given a favorable recommendation to the rezoning application.

Commissioner Elder opened the floor to receive public comment.

Mr. Cropper discussed the history of the property, the need for affordable housing, and the uses in phases I and II. He discussed the change in the character of the neighborhood, and the need to rezone the property to facilitate infill development to integrate phase III into the existing Salt Life Park manufactured home community. He concurred with the Planning Commission's findings and asked the commissioners to accept the findings as his testimony as well.

Mr. Odachowski discussed the condition of the property at the time of purchase, improvements made since that time, and how Salt Life Park provides affordable housing along with desirable amenities within the community. He asked the commissioners to approve the requested rezoning. Commissioner Fiori thanked Mr. Odachowski for providing affordable housing in West Ocean City. In response to a question by Commissioner Bertino, Mr. Odachowski stated that these homes are for year-round residency, and while they could be rented on a year-round basis, short-term rentals would not be permitted.

Professional Land Surveyor Frank Lynch stated that the proposed rezoning is consistent with the goals and objectives of the Comprehensive Plan by promoting growth within an established community, that the proposed density increase is minor, and that the petitioned property had previously been functionally consolidated, which should have resulted in both parcels being zoned R-4 District, rather than being divided by a zoning line.

Chris McCabe, owner of Coastal Compliance, discussed the Critical Area remapping

project, which more accurately reflects current site conditions, and he advised that there are no known challenges to the updated boundaries, with wetland modifications along the wooded areas and behind the existing residence.

Land Planner Steve Engle agreed with the definition of the neighborhood and that the manufactured homes available within phase I and II and soon to be available in phase III provide affordable housing for senior citizens, the target market for this housing community. He concurred with the change in the character of the neighborhood and urged the commissioners to approve the requested rezoning. In response to a question by Commissioner Bertino, Mr. Cropper confirmed that if approved the roads within the community would be designed to Code and would be able to accommodate emergency vehicles. Ms. Keener confirmed that road construction would be reviewed as part of the site plan review process.

There being no further public comments, Commissioner Elder closed the hearing.

Upon a motion by Commissioner Mitrecic, the commissioners conceptually adopted the Planning Commission's Findings of Fact as their own and approved the rezoning from R-2 to R-4 based on a change in the character of the neighborhood.

The commissioners conducted a public hearing on the proposed disposal of surplus County vehicles and equipment no longer used by the County, by auctioning these items on GovDeals.com.

Commissioner Elder opened the floor to receive public comment.

There being no public comment, Commissioner Elder closed the hearing.

Upon a motion by Commissioner Bertino, the commissioners unanimously agreed that the list of vehicles, equipment, furniture, and miscellaneous equipment will be sold online at www.govdeals.com as County surplus property.

The commissioners met with Development Review and Permitting (DRP) Director Jennifer Keener for a pre-application consultation with New Leaf Energy Project Developer True Funk who is seeking local zoning consistency for a proposed utility-scale solar energy system (five MW AC) under the Community Solar Program on a parcel of land zoned A-1 Agricultural District on Queponco Road in Newark and identified on Tax Map 39 as Parcel 29.

This request originally came before the commissioners on June 3, 2025; however, the commissioners postponed consideration of the findings until the applicant could provide the landscape plan and viewshed analysis. Ms. Keener confirmed that these items have been received and meet compliance, and overall, the project is consistent with the required findings and compliance with the Renewable Energy Certainty Act.

In response to questions from Commissioner Bertino, Ms. Keener stated that the State holds the decommissioning bond, which is 125% of the value, less any salvage value, and that bond is renewed every five years. The County Code does not specifically require decommissioning, but based on prior conversations with the commissioners, staff is researching draft legislation for their consideration in late August or September, with decommissioning to be reviewed as part of the site plan review process. Commissioner Bertino said that he would like the County to hold the decommissioning plan, so any approval of this project should be contingent upon Code changes. County Attorney Roscoe Leslie said that this is a consultation, and under State law the County may provide feedback on whether the project is consistent with the Comprehensive Plan and current zoning, and the County can make suggestions for improving

or modifying the plan before the Public Service Commission reviews the application.

Commissioner Bunting stated that it is a travesty that the County is losing control over solar development projects, which are eating up good farmland. Commissioner Fiori echoed Commissioner Bunting's concerns, noting that the County needs to enact emergency legislation spelling out a clear and concise decommissioning process that includes the cleanup process, the timeframe, and the costs. In response to a question by Commissioner Elder, Mr. Leslie said that the County can enact decommissioning legislation, provided that it is not more restrictive than State legislation. He advised that staff would look at legislation enacted by other counties and bring forward draft legislation for the commissioners' consideration.

Mr. Funk agreed that it would be a smart step to strengthen the legislation, and he advised that he has worked with the landowner on decommissioning plans. He then reviewed the concept plan. Following further discussion and upon a motion by Commissioner Bertino, the commissioners voted 6-1, with Commissioner Bunting abstaining, for staff to draft emergency decommissioning legislation for introduction during their second meeting in August.

The commissioners met with Ms. Keener for a pre-application consultation with Mr. Funk of New Leaf Energy, who is seeking local zoning consistency for a proposed utility-scale solar energy system (five MW AC) under the Community Solar Program on a parcel of land zoned A-1 Agricultural District on Carey Road in Berlin and identified on Tax Map 20 as Parcel 231, Lot 1 B-1. Ms. Keener stated that, overall, the project is consistent with the required findings and compliance, with two exceptions. The lot area of 43.08 acres is less than the Zoning Code requirement of 50 acres, and the subject parcel is the sixth subdivided lot, so it is not buildable for non-agricultural uses. She stated that both issues could be resolved by consolidating the parcels; however, the Public Service Commission can preempt the local authority on both matters. In response to a question by Commissioner Elder, Ms. Keener stated that the property is currently being farmed.

Following some discussion and upon a motion by Commissioner Bertino, the commissioners voted 6-1, with Commissioner Bunting voting in opposition, to oppose the project based on the concerns outlined by staff.

The commissioners met with Ms. Keener to review a text amendment application submitted by Hugh Cropper and Kristina Watkowski to add a permitted use to the C-2 General Commercial District to allow multi-family residential dwelling units as an accessory use to commercial development, provided that at least sixty-five percent or more of the net lot area for a given parcel be developed with commercial uses or structures permitted in the C-2 District.

Following some discussion, Commissioners Fiori, Mitrecic, and Purnell introduced the aforementioned text amendment as Bill 25-03 (Zoning – Multi-family dwelling units in the C-2 General Commercial District) and scheduled a public hearing on the bill for August 19, 2025.

Pursuant to the recommendation of Procurement Officer Nicholas Rice and upon a motion by Commissioner Bertino, the commissioners unanimously awarded design services for the Mystic Harbour Wastewater Treatment Plant biosolids upgrade to George, Miles & Buhr, LLC for \$314,190, based on items 1 and 2 on their completed proposal form.

Recreation & Parks Deputy Director Jacob Stephens presented a special use request from Captain Tony Battista of Saltwater Adventure, LLC to use the West Ocean City harbor as a pick-up and drop-off location for a water taxi operation during Oceans Calling from September 26 – 28, 2025 and Country Calling, October 3 – 5. Mr. Jacobs said that, if approved, the company planned to submit similar annual requests. Commissioner Bertino initially made a motion to approve the request; however, he rescinded that motion after 0 further information.

Commissioner Fiori raised concerns about liability, fairness to those who are licensed and pay to lease commercial slips, and compliance issues. Mr. Leslie noted that the Code states that the boat ramp is for recreational uses only, the harbor is for commercial fishing only, and he highlighted potential liability issues. Commissioner Bunting concurred. Commissioner Abbott said that she liked the convenience the taxi would offer to those in West Ocean City traveling to these events and would provide work for watermen in the off-season, but concurred that the proposal needed to be refined. Commissioner Fiori noted that there are businesses that are already licensed to offer this service and it's important to keep commercial entities on a level playing field. Chief Administrative Officer Weston Young concurred, stating that he could partner with another business. Commissioner Mitrecic addressed issues of liability and the inability to police all of the individuals who could start transporting people to and from that spot.

Upon a motion by Commissioner Fiori, the commissioners unanimously denied the request.

In response to concerns raised by Commissioner Bunting that individuals are continuing to leave their boat trailers and cars in undesignated parking areas, Mr. Stephens said that roughly 60 people used the app to pay to park at the Showell boat ramp last month, and he agreed to follow up with the Sheriff's Office regarding ongoing enforcement measures.

Tourism and Economic Development Director Melanie Pursel updated the commissioners on activities carried out since October 2024 by the Stop Offshore Wind coalition, a 501 (c)(4), which is a nonprofit launched to raise public awareness that offshore wind is not the green, clean solution it's marketed to be. It is the most expensive form of electricity generated. It poses significant environmental risks, endangers Maryland's commercial and recreational fishing industries, and threatens tourism and the unique character of Maryland's coast. Coalition partners include Worcester County Government, the Town of Ocean City, Ocean City Chamber of Commerce, Hotel-Motel-Restaurant Association, Coastal Association of Realtors, Ocean City Development Corporation, and Worcester County Watermen's Association, as well as many other public and private sector partners. Last year, both the County and the town allocated matching funds of \$100,000 each toward the campaign. Ms. Pursel said that last Monday the Town of Ocean City approved an additional match of up to \$100,000 to continue funding the campaign, and she asked the County to approve an additional \$100,000 match. Commissioner Mitrecic said that it is good to see all of the coalition partners working together as one on this campaign and thanked Ms. Pursel for the great job that she is doing.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved an additional match of \$100,000.

Pursuant to the request of Ms. Pursel and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the FY26 Media Plan totaling \$672,016.

Pursuant to the request of Ms. Pursel and upon a motion by Commissioner Abbott, the commissioners unanimously agreed to release the remaining Rural Economic Development Fund (REDF) grant funds of \$400,000 for the final phase of the Main Street Connectivity Project to bring reliable fiber internet to businesses and residents in downtown Pocomoke, Snow Hill, and Berlin. Ms. Pursel said Simple Fiber, which voluntarily committed to a dollar-for-dollar match, is continuing to provide matching funds and document progress. In response to a question by Commissioner Abbott, Mr. Young said the Pocomoke project was recently completed, and he discussed the status of projects in Snow Hill and Berlin.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to appoint Cheryl Middleton to the Commission for Women.

Commissioner Mitrecic thanked the Sheriff's Office for providing law enforcement assistance to the Town of Ocean City during the Fourth of July holiday weekend, and he discussed his concerns regarding the commissioners' decision to lower the property tax.

Commissioner Abbott supported the request made during the public comment period by Mr. Villa for the county to resume publishing the trifold budget brochure and sending them out with the annual tax bills. She stated that it is probably a small ask and noted that this is probably a good way to reach the many residents who do not use social media. Commissioner Mitrecic noted that budget time is hectic for staff, and he stated that the commissioners need to consider that this publication was probably sent out during a simpler time when County Administration had the time and the staff to devote to such a project.

Upon a motion by Commissioner Abbott, the commissioners unanimously directed staff to develop a cost estimate to publish a tri-fold budget brochure for the commissioners' consideration at a future meeting.

Commissioner Bertino paid tribute to Tom Stauss, a journalist who passed away on Sunday, for providing news to the Ocean Pines community during the past 40 years through the Independent and the Ocean Pines Progress.

Commissioner Purnell thanked the commissioners and staff for bringing the Lewis Road sewer project to fruition.

Commissioner Elder responded to the request made during the public comment period by Mr. Adkins, who asked the commissioners to move the public comment period to the end of the meeting. Commissioner Elder said that it would be better for people to give their opinions before the commissioners make a decision on a given issue because their comments do make a difference.

Mr. Young gave an update on the status of County efforts to work with their federal delegation and the National Park Service to reinstate lifeguard services on the Maryland side of

the Assateague Island National Seashore and advised that he would present recommendations to the commissioners as soon as more information is available.

The commissioners answered questions from the press, after which they adjourned to meet again on August 5, 2025.