

## **Minutes of the County Commissioners of Worcester County, Maryland**

August 19, 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 Abbott, seconded by Commissioner Purnell, with Commissioner Bunting momentarily out of the room, 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. Topics discussed and actions taken included the following: a personnel update; hiring Nicholas Smullen as an IT Technician in Information Technology, Skip Cook as a temporary liquor license inspector in Development Review and Permitting, Elizabeth Carlson as a communications specialist in Emergency Services, Todd Smullin as an electrician in the Maintenance Division, and Lewis Adkins as a landfill operator in the Solid Waste Division; acquiring real property for a public purpose; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, the commissioners unanimously voted to adjourn their closed session at 9:54 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 Hope Carmean of Whatcoat Church of Snow Hill 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 regularly scheduled meeting on August 5, 2025.

Commissioner Elder opened the floor to receive public comments. There being no public comments, Commissioner Elder closed the floor.

The commissioners presented a years-of-service commendation to Landfill Operator II Ricky Powell who is retiring after 27 years of service to the Solid Waste Division.

Chief Administrative Officer Weston Young advised that the public hearing on Bill 25-03 was postponed at the applicant's request and will be rescheduled.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved by consent agenda item numbers 2-13 as follows: accepting a Child Support Administration Cooperative Reimbursement Agreement Grant for the Sheriff's Office; 2024 Homeland Security Grant Adjustment within Emergency Services; publishing a combined notice of public finding of significant impact and intent to request the release of funds under the Community Development Block Grant Program, as part of the environmental review process for a Diakonia homeless shelter complex project; scheduling a public hearing for Rezoning Case No. 451, seeking to rezone approximately 150 acres of land located on the northerly side of Public Landing Road (MD Route 365), west of Outten Road, from E-1 Estate District to A-1 Agricultural District; Findings of Fact and Zoning Reclassification Resolution No. 25-18 for Rezoning Case No. 447, following the August 5 public hearing; out-of-state travel for three firearms instructors to attend the Red Dot Pistol Fundamentals Instructor Course from September 3-5 in Trenton, New Jersey; a Hill's Industrial contract for \$16,366.25 to repair two Ocean Pines Wastewater Treatment Plant sludge pumps; an Agriteer contract for \$76,600 to purchase four side-mounted mowers for the Roads Division; a Memorandum of Understanding for continued collaboration between Choptank Fiber and the County; a contract with Placeri.ai for analytics software for Tourism and Economic Development for \$33,000 for year one and \$36,000 for year two; and the FY26 Community Partnership Agreement between the Governor's Office for Children and the Local Management Board.

Pursuant to the request of Development Review and Permitting Director Jennifer Keener and upon a motion by Commissioner Bertino, the commissioners unanimously adopted Resolution No. 25-19 naming existing private driveways located in the Landings as follows to resolve postal issues: Egret Loop Lane within Parcel E and Bat Creek Loop within Parcel F.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to transfer four vehicles and one piece of equipment identified as surplus property from Public Works to the Board of Education for use within the automotive maintenance program at Worcester Technical High School.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Purnell, the commissioners unanimously accepted the proposal from EA Engineering, Science, and Technology, Inc. for groundwater monitoring and analytical services at the closed landfills in Berlin, Pocomoke, and Snow Hill for FY26 for \$148,700. The commissioners requested that these services be placed out to bid the next time a groundwater monitoring contract is set to expire to assure that the County is receiving the best service at a competitive cost.

The commissioners met with Ms. Keener to review a text amendment application for solar energy systems, which was drafted by staff at the request of the commissioners to address concerns regarding decommissioning. Ms. Keener reviewed the draft bill, which includes but is not limited to the following: aligns definitions, updates district regulations, modifies the utility

review process to be consistent with State law, creates local decommissioning and restoration plan requirements and local bonding, adds a nuisance provision to the Public Health Article for abandoned projects, and includes enhanced landscape buffer provisions for major systems between 200 kW and one MW.

With regard to concerns raised by Commissioner Bertino, Ms. Keener agreed to draft language that can be added to the bill to address site restoration of soils. Specifically, it would include a requirement to provide a geotechnical report to the county identifying the actions taken to restore the site to predevelopment conditions, including an assessment of soil conditions, and any monitoring activities that may be required.

Following some discussion, Commissioners Abbott, Bertino, Elder, Fiori, Mitrecic, and Purnell introduced the aforementioned text amendment as Emergency Bill 25-04 (Zoning – Solar Energy Systems and Public Health - Nuisances) and scheduled a public hearing on the bill for September 16, 2025.

The commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Bertino, the commissioners unanimously agreed to reappoint Jerred Johnson, Mary Burgess, Joseph Theobald, Carol Frazier, John Simms, Quincy Shockley and to appoint Dr. Mark Bown to the Police Accountability Board; and to reappoint John Simms, III, Dr. Mark Bowen, John Trumpower, and James Beard to the Administrative Charging Committee.

Pursuant to the request of Human Resources Director Stacey Norton and Public Works Director Dallas Baker and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to replace one building maintenance mechanic III-IV position with a master HVAC mechanic position in the Maintenance Division.

Emergency Services Director Chris Shaffer and Deputy Director James Hamilton provided an update on anticipated impacts on the County from Hurricane Erin, which is forecast to remain well off the coast. Mr. Hamilton stated that, while the storm is forecast to bring minimal rainfall and minor nuisance flooding, significant weather threats include dangerous rip currents and strong winds. He advised that the Town of Ocean City and both state and federal parks at Assateague Island have closed their beaches to protect the public. In response to concerns raised by Commissioner Bertino, Mr. Hamilton discussed steps the county is taking to navigate changing protocols within the Federal Emergency Management Agency.

The commissioners conducted a public hearing on Rezoning Case No. 448 for an application submitted by Mark Cropper, on behalf of Racetrack Plaza, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 1.0729 acres of land located on the west side of MD Route 589 (Racetrack Road) south of Gum Point Road, Berlin, in the Third Tax District of Worcester County, Maryland, from RP Resource Protection District to C-2 General Commercial District. Ms. Keener reviewed the application and advised that the Planning Commission has given a favorable recommendation for areas A and B, and an unfavorable recommendation for area C.

Commissioner Elder opened the floor to receive public comment.

Mr. Cropper advised that the application is based on a mistake and a change in the

character of the neighborhood due to the impact of the casino on the neighborhood, as defined and accepted under Rezoning Case Nos. 392 and 396, and characterized the request as a mere correction to make it consistent with the Critical Area designations and the new zoning classification. He urged the commissioners to approve the requested rezoning.

Surveyor Frank Lynch adopted the findings of the Planning Commission as his presentation regarding the change in the character of the neighborhood for areas A and B, stating that they clearly should be rezoned to C-2. He then reviewed issues involving area C. Both Mr. Lynch and Mr. Cropper argued that, while the Critical Area Commission is in the process of updating the Critical Area Maps and intends to designate area C as Resource Conservation Area (RCA), that process has not yet occurred, and this application is based on the Critical Area Maps that exist today.

Michael Lupacchini of Racetrack Plaza, LLC concurred with both Mr. Cropper and Mr. Lynch and asked the commissioners to approved the requested rezoning.

In response to questions by Commissioner Elder, Environmental Programs Director Bob Mitchell said that staff concurred with the recommendations for areas A and B, but stated that area C is RCA and should not be rezoned for commercial use.

There being no further public comment, Commissioner Elder closed the floor.

Following some discussion and upon a motion by Commissioner Bertino, the commissioners agreed to rezone areas A and B, and they denied the request to rezone area C.

Commissioner Mitrecic requested that going forward County staff introduce all new directors, assistant directors, and command staff to the commissioners.

Commissioner Bertino thanked Public Works staff for minimizing disruptions to the public during the recent repaving of the parking lot at the Ocean Pines Branch Library.

Commissioner Abbott commended Recreation and Parks staff on the outstanding success of the 2025 County Fair.

The commissioners answered questions from the press, after which they adjourned to meet again on September 2, 2025.