

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

November 19, 2019

Diana Purnell, President  
Joseph M. Mitrecic, Vice President  
Anthony W. Bertino, Jr.  
Madison J. Bunting, Jr.  
James C. Church  
Theodore J. Elder  
Joshua C. Nordstrom

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, with Commissioners Elder, Mitrecic, and Nordstrom temporarily absent, the Commissioners voted to meet in closed session at 8:30 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7), and (8) 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 Harold L. Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Maureen Howarth, Human Resources Director Stacey Norton; and County Attorney applicants. Topics discussed and actions taken included conducting interviews for County Attorney.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bunting, 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 Purnell called the meeting to order, and following a morning prayer by Phyllis Wimbrow and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved their November 5, 2019 closed session minutes as amended and open session minutes as presented.

The Commissioners conducted a public hearing on the requested five-year Capital Improvement Plan (CIP) FY21 - FY25. Senior Budget Accountant Kim Reynolds advised the Commissioners that projects totaling \$75,110,390 are proposed over the five-year period. She stated that, of the proposed projects, \$9,840,108 or 13.1% are proposed to be funded by the General Fund and \$36,957,977 or 49.2% from general bond funds. The remaining portion would be funded by user fees, grant funds, State match funds, State loans, assigned funds, and enterprise bonds. 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. Rather, each project will be considered and if approved would be refined as details come to light and as projected revenues are known. Priority projects would be given approval to move forward with more detailed planning.

Commissioner Purnell opened the floor to receive public comment.

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

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted Resolution No. 19-35 adopting the Worcester County Five-Year Capital Improvement Plan for FY21-FY25 as presented.

Pursuant to the written request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications to rehabilitate two single-family homes in the Berlin and Snow Hill areas, with funding through the County's new Community Development Block Grant (CDBG).

The Commissioners met with Information Technology Director Brian Jones to review correspondence from Kenrick M. Gordon, P.E., Director of the Governor's Office of Rural Broadband, informing the County that the State awarded \$2 million in FY20 funds to the Department of Housing and Community Development (DHCD) to support the Office of Rural Broadband in its effort to assist in expansion of broadband into unserved, rural areas of Maryland and urging the County to submit a request for interest (RFI) to partner with them to improve the delivery of broadband services in said areas in Worcester County. Mr. Jones advised that responding to the RFI would not obligate the County to any actual work or costs associated with a potential project. In a related matter, he noted that County staff anticipates receiving results from the ongoing 2019 Broadband Feasibility Study by December 31, 2019, and the County can submit an RFI now and fill in further details about this possible County project as that information becomes available.

Following some discussion and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Commission President Purnell to sign the letter of interest in the Rural Broadband Expansion - Federal Application Assistance Program.

Pursuant to the request of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for the dredging of Public Landing, with Land, Water, and Conservation grant funds of \$250,000 available to fund 100% of project costs.

The Commissioners met with Mr. Perlozzo to discuss his proposal to reallocate \$40,000 in existing approved budget expenses from bid fees to purchase or rent a 52' x 32' portable, synthetic ice rink for use within Worcester County Recreation and Parks (WCRP). Mr. Perlozzo noted that County staff saved \$40,000 from the Spartan Race and Tough Mudder that could be used for this purpose, with the WCRP Advisory Committee Boosters to provide an additional \$5,000 toward this purchase. He noted that the rink could be used to generate revenue and create additional community engagement by setting it up at County events, like Harbor Day, the Worcester County Fair, and other community events. In response to a question by Commissioner Bertino, Mr. Perlozzo stated that the rink could be used year-round, be operated by County staff, and be stored at the Worcester County Recreation Center (WCRC) when not in use. He further confirmed that maintenance costs would be minimal and limited to vacuuming and applying a silicone-base spray. In response to a question by Commissioner Bunting, Mr. Perlozzo stated that the County could purchase the rink at a cost of approximately \$50,000 or rent it at a cost of approximately \$20,000. In response to a question by Commissioner Church, Mr. Perlozzo stated

that the proposed rink could accommodate up to 50 skaters, and the County could seek partnership opportunities to expand the use of the rink in the future.

Following some discussion and upon a motion by Commissioner Mitrecic, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to waive the standard bid requirements and authorized staff to pursue opportunities to either rent or purchase a 52' x 32' Glice synthetic ice rink.

The Commissioners met with Environmental Programs Director Bob Mitchell to schedule a public hearing on a Comprehensive Water and Sewerage Plan amendment application submitted by Paul Carlotta to reclassify the sewer planning area for the Mystic Harbour Sanitary Service Area (SSA) for an existing roadside stand and proposed restaurant on the property of Assateague Farms, LLC and identified on Tap Map 33 as Parcel 29 from S-3 (6-10 years planned service) to S-1 (immediate to two years). Mr. Mitchell advised that the Planning Commission found the proposed amendment to be consistent with the County's Comprehensive Development Plan and granted the application a favorable recommendation.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to schedule a public hearing on December 17, 2019 to receive public comment on the proposed amendment to the Worcester County Water and Sewerage Plan and reclassification of the sewer planning area.

The Commissioners met with Ellen Payne, Assistant Director of Administration for the Department of Social Services (DSS), to consider a request from DSS Director Roberta Baldwin to assist DSS in applying to participate in the Maryland Summer Supplemental Nutrition Assistance Program (Summer SNAP) to reduce food insecurity during the summer months when County children are out of school. Ms. Payne advised that to participate and request a \$100,000 grant the County must agree to provide matching funds of \$100,000. Commissioner Bertino noted that the matching fund requirement is based on the school funding formula that is unfair to Worcester County, and he pointed out that Wicomico County is only required to fund a 5% match and Somerset County a 4% match. Furthermore, if the County does commit the requested funding, the State would dictate where to allocate those funds. He stated that, as good hearted as this sort of program is, the Commissioners, not the State, are better suited to determine where the funds are most needed. In response to questions by Commissioner Bertino, Ms. Payne advised that, even if the County agrees to the \$100,000 match, it is unlikely that the State will provide the full \$100,000 in State funding, as the Summer SNAP program only has \$200,000 to be distributed throughout all Maryland jurisdictions.

Commissioner Purnell stated that she does not support the State funding formula, but that the County has an obligation to assure that local children do not go hungry. Commissioner Bunting concurred, stating that he would prefer not to participate in the Summer SNAP program and to instead allocate County funding to feed hungry children and thus determine where that funding might best be allocated. Commissioner Mitrecic recognized that hunger in the County is an issue that needs to be addressed, but that if the County participates in Summer SNAP program, the State will distribute those funds based on zip codes with the highest poverty rates, which will likely result in little or no aid being distributed to areas like Ocean City that have high poverty rates during the winter months. Instead of participating in the Summer SNAP program, he suggested allocating County funding directly to local nonprofits with existing programs that

provide food to hungry families in the community. In response to a question by Commissioner Church, Ms. Payne advised that 1,734 County youth received food stamps last year, and 1,454 participated in the free lunch program through the school system during that same time period. Commissioner Nordstrom concurred with his fellow Commissioners, but objected to declining any amount of State funding.

Following much discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously declined to participate in the Summer SNAP program and instead committed \$100,000 in County funding directly to area nonprofits that feed hungry families, and they directed staff to develop recommendations regarding how best to distribute the funds for the Commissioners' consideration at their December 3, 2019 meeting.

The Commissioners conducted a second public hearing on changes made to the draft resolution establishing a standard sewer flow calculation process for determining the number of equivalent dwelling units (EDUs) required to serve residential and non-residential land uses to be served by public sewer systems in the County. Also in attendance were Sewer Committee representatives Chief Administrative Officer Harold Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Maureen Howarth, Environmental Programs Director Bob Mitchell, Environmental Programs Deputy Director David Bradford, Public Works Director John Tustin, Public Works Deputy Director John Ross, Development Review and Permitting Director Ed Tudor, Finance Officer Phil Thompson, and Enterprise Fund Controller Jessica Wilson. Following the original public hearing on establishing standard sewer flow calculations, which took place on August 20, 2019, the Commissioners tabled the draft resolution until a reconsideration or appeal process was added to the resolution as part of the policy for their review and consideration at a future meeting. While staff recommends against such a reconsideration process, in follow up to that directive, Mr. Mitchell advised that sections 1F and 1G were added to the draft resolution to provide a reconsideration process that would allow all new non-residential water and sewer customers up to three years to request an audit of their EDU allocations based on certain criteria as outlined in subsection 1F; and allow the County to monitor daily flow data and audit any non-residential water or sewer customer at any time over any study period as described in the reconsideration process in subsection 1F to determine actual daily flow rates. Following the monitoring process, any customer found to be exceeding his or her daily EDU allocation on more than 10 days or having used an average daily flow over any three consecutive days, which is greater than the allocated flow, shall be required to purchase additional EDUs or take measures to reduce flows if EDUs are no longer available. Mr. Mitchell noted, that as outlined in a memo by Mr. Shannahan, the County has been calculating projected sewage flow for the past 40 years based on industry-standard design manuals, including the following: Metcalf & Eddy's Wastewater Engineering Textbook - latest edition published 2013; 10 - States Standards - Recommended Standards for Wastewater Facilities - latest edition published 2014, and Design Guidelines for Wastewater Facilities - Maryland Department of the Environment (MDE) Engineering and Capital Projects Program, latest edition published 2016; with local modifications provided by the Maryland Department of Health and Mental Hygiene (DHMH), and actual observed flows recorded by Worcester County Public Works (formerly the Worcester County Sanitary Commission) and Worcester County Environmental Programs. One of the primary goals of this resolution is to incorporate this extensive data into an easy-to-use format for both applicants and staff to reference in calculating projected sewer flow for new

development in Worcester County. The Sewer Committee believes that a reconsideration process re-introduces uncertainty to the process for which they are attempting to establish standards upon which developers, residents, business-owners, and staff can rely upon to ensure that adequate wastewater treatment capacity is available now and in the future to serve all customers in the service area. Mr. Mitchell concluded that the Sewer Committee unanimously recommends against the inclusion of a reconsideration process in the resolution for a number of reasons, which include but are not limited to concerns regarding how to ensure that subsequent owners are aware of and abide by any prior agreements developed as a result of the reconsideration process, and peak flows, as wastewater facilities are designed and EDUs are assigned based upon a flow in gallons per day, and using average flow data over multiple days, weeks or months does not account for daily peak flow, which could overwhelm the sewer infrastructure (pipes, pump stations, treatment plant and effluent disposal sites) and create environmental hazards.

Commissioner Nordstrom sought comments from Commissioners Bunting, Church and Mitrecic, who represented the Commissioners on the Sewer Committee during the development of the proposed standard sewer flow calculation process. Commissioner Mitrecic stated that he concurs with the proposed flow rates. However, he stated that staff has not presented any evidence to sway his support for the reconsideration process, noting that if the County plan permits staff to consider increasing someone's flow rate, they should also be required to decrease a flow rate and repurchase excess EDUs that are not needed. Commissioner Bunting concurred in part, but stated that rather than a reconsideration process that looks back after the fact, he supported addressing issues on the front end by allowing for the granting of an exception to the standard sewer flow calculation chart if the applicant can provide documentation up front to support doing so. For example, if the standard sewer flow rate chart indicated that a specific size restaurant would require 10 EDUs, but the applicant could provide documentation that only five EDUs are needed, that individual should be permitted to purchase the lesser number and agree to a monitoring period for a specified time.

Commissioner Bertino supported the inclusion of a reconsideration process. In response to questions by Commissioner Bertino, Mr. Mitchell stated that staff considers engineering documents and other source information when considering the number of EDUS required for specific projects, and historical data indicates that at no time has any applicant been required to purchase significantly more EDUs than necessary. Mr. Shannahan noted that the sewer flow rates included in the resolution were developed from 40 years of data, and though after the resolution is adopted and the sewer flow rates would, essentially, be set in stone, the Commissioners could revisit and amend the table as needed. In response to further questions by Commissioner Bertino regarding the potential for problems when a business changes ownership, Mr. Tudor stated that the new owner would apply for a change of tenant permit, at which time County staff would review the floor plan to determine adequate sewer flow.

Following much discussion, Commissioner Purnell opened the floor to receive public comment.

Attorney Mark Cropper stated that the language proposed in the reconsideration process is no more than an audit by County staff who would be tasked with reconsidering the actions originally taken by County staff, which he felt posed a conflict of interests. Instead, he urged the Commissioners to establish an independent body that would be tasked with handling reconsiderations.

Palmer Gillis of Ocean City, who develops medical offices, disagreed with certain

aspects of the standard flow calculations chart. For example, he stated that the County set sewer flow rates for medical offices between 0.1 and 1.0 gallons of sewer flow per gross square foot of building area, while medical offices being built today often use only 0.03 to 0.05 gallons of sewer flow based on mixed medical uses. He stated that this difference can equate to a requirement for the developer to spend significantly more in EDU charges and project fees unnecessarily, money that he does not just have lying around and must depend on bank loans to cover. However, he cannot get a bank loan until he has a building permit, and he cannot acquire a building permit until he has paid all applicable permit fees up front. Therefore, he urged the County to work with local developers to draft a revised standard flow calculations chart that more accurately depicts sewer usage based on recent scientific evidence from medical office developers rather than historic data. County Attorney Maureen Howarth questioned how staff could be assured that the data being provided by a developer would be accurate, to which Mr. Gillis offered to provide actual water and sewer bills for similar projects.

Attorney Hugh Cropper, representing Sun Frontier, urged the Commissioners to support a reconsideration process that would be overseen by an independent board, as recommended by Mark Cropper. He also reminded the Commissioners of his pending application for EDUs for Frontier Town, which was postponed until the sewer flow calculations resolution was adopted.

There being no further public comment, Commissioner Purnell closed the public hearing.

In response to a question by Commissioner Bunting, Mr. Gillis advised that water and sewer usage in the medical world is substantially less than what's shown in the proposed flow chart, but that the County could do away with the reconsideration process by working with developers to develop a chart that is based on current science, statistics, and data. Ms. Howarth counseled against this suggestion, but stated that a better option could be to pursue Commissioner Bunting's idea to open the review process in subsection 1E to all the uses in the table, but if someone chooses to take advantage of that process, and if it is later determined that the individual uses less flow than originally required to purchase, the County could buy back the excess EDUs. In response to a question from Mark Cropper regarding how the County would proceed if neither staff nor a developer can reach an agreement, Ms. Howarth advised that there could be a study period in which to collect data after the project is fully built out to determine the actual flow.

Commissioner Mitrecic stated that the proposed resolution should include some sort of appeal process, so that any flow rate charted or uncharted can be appealed, first to staff and then to an appeals board.

Following much discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously directed staff to revise the draft resolution to include a flow agreement whereby actual flow can be determined either less than or greater than the standard flow calculations for the Commissioners to review and consider at their December 3, 2019 meeting.

The Commissioners recessed for five minutes.

The Commissioners met in legislative session.

The Commissioners conducted a public hearing on Bill 19-9 (Public Safety - Fire Marshal), which was introduced by Commissioners Bertino, Bunting, Elder, Mitrecic, Nordstrom, and Purnell on October 15, 2019. Mr. Higgins advised that Bill 19-9 repeals and

reenacts PS 1-301(a) of the Public Safety Article to modify the appointment process for the Worcester County Fire Marshal by the County Commissioners. Mr. Higgins advised that the text amendment seeks to replace the old procedure for appointing the Fire Marshal, in which the Fire Prevention Committee, which is comprised of the chief of each County fire company, submits a list of names for the Commissioners' consideration, with a new procedure in which the Worcester County Human Resources Office coordinates the application and selection process, as they do for all County employees.

Commissioner Purnell opened the floor to receive public comment.

Worcester County Volunteer Fireman's Association President Tim Jerscheid supported the bill as presented, noting that the hiring process for the Fire Marshal should adhere to the County hiring process; however, he urged the Commissioners to hire from within, provided a certified employee meets the requirements for this position, and requested that the name of any proposed candidate be provided to the Worcester County Volunteer Fireman's Association as a courtesy prior to hiring that individual as the Fire Marshal.

There being no further public comment, Commissioner Purnell closed the public hearing.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously adopted Bill 19-9 as presented.

The Commissioners conducted a public hearing on Bill 19-8 (Zoning - Churches, Temples, and Mosques in the I-1 Light Industrial District), which was introduced by Commissioners Bertino, Bunting, Elder, Mitrecic, Nordstrom, and Purnell on October 15, 2019. Mr. Tudor explained that Bill 19-8 rennumbers the existing subsection 13 of ZS 1-212(c)(13) to subsection 14 and adds this new subsection to permit by special exception in the I-1 District churches, temples, and mosques, and establishes minimum lot requirements for lot area, width, and front, side, and rear-yard setbacks. He then advised that the Planning Commission granted the proposed text amendment a favorable recommendation, but staff is concerned that the proposed use does not conform to the purpose and intent of the I-1 District, and that it will open up the limited amounts of land that are so zoned to more non-industrial uses when an abundance of properties that are already appropriately zoned for these uses are available. Commissioner Bunting noted that if adopted this bill will be applicable Countywide, and he shared staff's concerns.

Commissioner Purnell opened the floor to receive public comment.

Mark Cropper, attorney for Oak Ridge Baptist Church which filed the text amendment on its own initiative, agreed with Commissioner Bunting that there are other locations and instances in which such a use would be truly incompatible with industrial activities. However, he noted that Bill 19-8 is simply enabling legislation, which would allow an applicant to appear before the Board of Zoning Appeals (BZA) on a site specific application to determine if such a use is appropriate on a certain piece of property. He cited the condition, which must be met for the BZA to approve a request for a special exception, and stated that there are not likely to be many requests for such uses in the I-1 District. Furthermore, he advised that Oak Ridge Baptist Church has identified a specific location where the landlord is both the owner and operator of a facility in an I-1 District who supports the church locating in his building and will ensure compatibility. Therefore, he urged the Commissioners to support this enabling legislation.

There being no further public comment, Commissioner Purnell closed the public hearing.

Following some discussion and upon a motion by Commissioner Elder, the

Commissioners unanimously adopted Bill 19-8 (Zoning - Churches, Temples, and Mosques in the I-1 Light Industrial District) as presented.

The Commissioners met with Mr. Tudor to consider a text amendment application submitted by Mark Cropper, which seeks to amend the Zoning and Subdivision Control Article to permit private commercial and noncommercial recreational areas and centers in the I-1 Light Industrial District by special exception. Mr. Tudor advised that the Planning Commission reviewed the proposed text amendment, expressed concern about the presence of children and adolescents at a recreational facility located within an industrial zoning district or adjacent to an industrial use, and, therefore, gave it an unfavorable recommendation. Furthermore, staff is very concerned about how adoption of this bill would contribute to the slow erosion of the Zoning Code.

Following some discussion, Commissioner Nordstrom introduced the aforementioned text amendment as Bill 19-10 and the Commissioners scheduled a public hearing on the bill for December 17, 2019.

Commissioner Purnell closed the legislative session.

The Commissioners recessed for lunch.

The Commissioners met with Mr. Tudor and Finance Officer Phil Thompson to discuss the two main components of the proposed implementation plan for the new rental property licensing regulations. Mr. Tudor reviewed the first component, which includes the following DRP processes: intake of rental license applications for hotel/motel, short-term residential, mobile home park, campground, bed and breakfast, group homes, and boarding and lodging houses, all with different aspects to review; identify properties being used for rental purposes to ensure that they are properly licensed; intake and investigate rental-related complaints; handle changes to licensed properties, such as changes in ownership or type of license or actual physical change to the property; and an ongoing education campaign about the requirements of the rental license program. Mr. Thompson reviewed the second component of the program, collection of the room tax on those rentals of less than four months, which will be handled by the Treasurer's Office. He stated that, with a robust licensing program, staff anticipates a significant increase in the collection of these taxes. He stated that this will also generate an additional workload, which can be managed by purchasing software that will be compatible with the County's current system and add a more efficient way to capture room taxes on the licensed parcels. Mr. Thompson then advised that staff compared three possible products from New World, Munis, and Tyler Energov and determined that the Munis CSS (customer self service) software at a purchase cost of \$50,492, an implementation cost of up to \$39,200, and an annual maintenance cost of \$11,736 will best fit the County's needs. He stated the software is well worth the investment to procure the proper tools to aid both the Treasurer's Office with collection efforts and DRP with rental licensing.

Commissioner Mitrecic supported purchasing the software, but expressed concern regarding the proposed \$400 short-term rental license fee, which has generated a lot of pushback from property owners. Since the new program includes a number of potential variables, he suggested hiring one employee rather than two to administer the program and reducing the annual fee to \$200 initially and then re-evaluating the fee structure and need for a second

employee during FY21 budget deliberations. In response to comments by Commissioner Mitrecic, Mr. Thompson confirmed that the new software will also be used to collect the room tax in Ocean City. With regard to fee comparisons, Mr. Tudor stated that Talbot County charges an annual short-term rental license fee of \$440. He further noted that, if one of the goals of the program is to generate revenue for the County, one employee needs to be tasked primarily with scouring the internet at all times to identify short-term rental properties that have not been reported to the County.

In response to concerns raised by Commissioner Bertino, who stated that the short-term rental license fee will have a significant impact on Ocean Pines, Mr. Tudor stated that an average three-day stay in Ocean Pines costs approximately \$1,200, and the annual rental license fee of \$400 is all-inclusive, meaning there would be no add-on fees outside of a potential complaint fee to be paid by the property owner in the event County staff or law enforcement were called to the property to investigate a complaint.

Commissioner Elder left the meeting.

Commissioner Nordstrom stated that the \$100 fee for year-round or seasonal rentals of more than 28 days should be eliminated or at a minimum reduced to \$50, as neither the property owners nor the renters in his district can afford even a minimal rent increase to cover such fees.

In response to a question by Commissioner Purnell, Mr. Thompson concurred that the \$400 fee for a short term rental license covers all fees that would be incurred by DRP and the Treasurer's Office to administer the program.

Commissioner Church stated that he has a major concern with the proposed \$400 annual fee for short-term rental properties. In response to comments by Commissioner Church, Mr. Tudor stated that, while the proposed fee was based on a directive by the Commissioners for the program to be self sufficient, they may establish a lower fee or even no fee at all. However, he cautioned that the Commissioners' goal of making the program self-sufficient and generating additional room tax revenue for the County, which is currently unreported, will be compromised with reductions in the proposed fees.

Commissioner Bunting stated that, while he believes fees should cover the cost of administering the rental license program, the proposed annual fees of \$400 per unit for short-term rental properties and per lot, site, or unit for mobile home parks initially shocked him. In response to questions by Commissioner Bunting regarding the license fees for mobile home parks, Mr. Thompson stated that the new fee will be assessed for each unit in the 13 mobile home parks located in Worcester County, regardless of occupancy status. Assistant Finance Officer Jennifer Swanton stated that the new fee will actually result in significant savings, as compared to the former excise tax of \$600 to \$700, which was based on 15% of the gross lot rent per unit, minus electric or fuel costs. She further noted that staff research has found that at least two parks were under-reporting their excise taxes. Mr. Thompson cautioned that reducing the mobile home park license fees from \$400 per unit will result in reduced revenues, as compared to the former excise tax revenues that the fee replaces and was intended to be budget neutral.

Following much discussion and upon a motion by Commissioner Mitrecic, the Commissioners voted 4-2, with Commissioners Nordstrom and Purnell voting in opposition, to hire one employee in DRP to administer the program and revise the draft resolution establishing rental license fees to reduce the annual short-term rental property fee and mobile home park fee from \$400 to \$200 per unit and reduce the year-round or season rental fee from \$100 to \$50 per unit initially and then to re-evaluate the fee structure and potential need to hire a second

employee to help administer the program during FY21 budget deliberations.

In follow up to a request from the Commissioners on November 5, 2019, Mr. Tudor provided them with an update on the status of Nuisance Abatement No. 18-4 on property owned by Denise and Vincent Lynch and located at 10720 St. Martins Neck Road in Bishopville, and more specifically identified on Tax Map 9 as Parcel 153. On February 5, 2019 the Commissioners agreed to grant the Lynch family an extension to abate the nuisance provided they would then meet four specific conditions and deadlines. Mr. Tudor stated they have met the basic requirements of the conditions. However, though they still need to apply siding to the east end of the building prior to the expiration of the extension, Mr. Lynch has assured County staff that he was meeting with a contractor on November 12 to complete the work, as the project is too overwhelming for him to tackle on his own, with Mr. Lynch to advise staff of the plan of action from there. In response to a question by Commissioner Bunting, Mr. Tudor stated that Mr. Lynch applied to the Board of Zoning Appeals (BZA) to erect a manufactured addition; however, the homeowner does not have the financial means to complete that project at this time.

Upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to table discussions regarding upcoming board appointments for terms beginning January 1, 2020 until their December 3, 2019 meeting.

The Commissioners met with Assistant Chief Administrative Officer Kelly Shannahan to review the Commissioners' proposed meeting schedule and budget schedule for 2020, which was revised in response to the discussion at their last meeting. Commissioners' meetings generally take place on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month, except where such dates fall on a legal holiday or other conflicting event. Mr. Shannahan stated that in 2020 the Statewide General Election Day is Tuesday, November 3, so the first meeting in November is proposed for Wednesday, November 4, and the National Hurricane Conference will take place in Orlando from April 6-9, 2020, so the regular meeting date of April 7 has been pushed to April 14, with the second meeting one week later on April 21. Furthermore, Tuesday afternoon budget work sessions that were originally proposed to start at 1:00 p.m. following the Commissioners' morning meetings have been rescheduled for Wednesday mornings at 9:00 a.m. to accommodate Commissioner Elder's schedule

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved their 2020 meeting and budget schedules as revised.

Pursuant to the written request of Budget Officer Kathy Whited and upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to schedule the public hearing on the requested FY21 County Operating Budget at Snow Hill High School on Tuesday, May 5, 2020, at 7:00 p.m.

Commissioner Nordstrom thanked staff for their hard work carrying out the Commissioners' initiatives through the items presented to them at their meeting today.

Commissioner Bertino acknowledged representatives from the Board of Education (BOE), Teachers Association, and County, including himself, Commissioner Purnell, Chief

Administrative Officer Harold Higgins, Finance Officer Phil Thompson, and Human Resources Director Stacey Norton, for testifying as one voice during a public hearing in Annapolis on the Kirwan Commission report last Tuesday, November 12, 2019.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Nordstrom, with Commissioner Elder absent, the Commissioners unanimously voted to meet in closed session at 2:22 p.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7), and (8) 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 Harold L. Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Maureen Howarth, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton. Topics discussed and actions taken included: hiring Jasmine Mentzer and Bonnie Renard as Communications Clerk Trainees within Emergency Services; posting to fill one vacant Maintenance Worker III position within the Maintenance Division of Public Works; receiving legal advice from counsel; reviewing personnel matters in the Sheriff's Office and Development Review and Permitting; and performing administrative functions, including: discussing potential board appointments.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bertino, the Commissioners unanimously voted to adjourn their closed session at 3:44 p.m.

After the closed session, the Commissioners reconvened in open session. Commissioner Purnell announced the topics discussed during the afternoon closed session.

The Commissioners reviewed and signed the revised Resolution No. 19-36 establishing rental license fees, as approved earlier in the meeting.

The Commissioners adjourned at 3:48 p.m. to meet again on December 3, 2019.