

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

October 6, 2020

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

Following a motion by Commissioner Nordstrom, seconded by Commissioner Elder, 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 Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Warden Donna Bounds, and Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo. Topics discussed and actions taken included the following: hiring Jamie Milliner and Hunter Sharp as Correctional Officer Trainees and Shytina Drummond as an Assistant Warden, and advertising to hire a Warden for the Jail; promoting Hailey Parisi to License Permit Clerk III within Environmental Programs; hiring Kristen Tremblay as Zoning Administrator for Development Review and Permitting, and certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including receiving the FY20 monthly financial update.

Following a motion by Commissioner Bunting, seconded by Commissioner Bertino, 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 Mitrecic called the meeting to order, and following a morning prayer by Pastor Gary McCabe of Oak Ridge Baptist Church in Berlin 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 September 15, 2020 meeting and their September 22 emergency session as presented.

The Commissioners joined with Fire Marshal Jeff McMahon and Worcester County Volunteer Firemen's Association Liaison Tim Jerscheid to proclaim October 4-10, 2020 as Worcester County Fire Prevention Week and October as Fire Prevention Month, with the theme "Serve Up Fire Safety in the Kitchen."

The Commissioners joined with Amy Crouse and Mary Elligson of the Worcester County

Chapter of the National Federation of the Blind to proclaim October 15, 2020 as White Cane Awareness Day in Worcester County, encouraging area residents and employers to value the white cane as a tool of independence for the blind in both public spaces and businesses.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved as a consent agenda the housekeeping agenda item numbers 1-9 as follows: a Memorandum of Understanding (MOU) with Life Crisis Center, Inc. of Salisbury, which will provide 24-hour, confidential crisis intervention for the inmate/detainee population at the Jail from October 1, 2020 through September 30, 2021 at a cost of \$1,200 per year to maintain compliance with the Prison Rape Elimination Act; a contract renewal with Swank Motion Pictures at a cost of \$1,141.80 to broadcast informational DVDs to all housing units at the Jail, as required by the Immigration Standards, to advise the Immigration and Customs Enforcement (ICE) detainees of their legal rights while in custody; reappointing Commission on Aging (COA) nominees, James Covington, Caroline Dryzga, and Bonnie Gisriel to the COA for three-year terms each expiring September 30, 2023 and approving changes to Article Six of the Articles of Incorporation; a one-year extension of the Small Project Water and Wastewater Agreement for Triple Crown Estates to October 2021 due to construction modifications to include lots for single-family homes and due to delays caused by the COVID-19 pandemic; renewing an MOU with the Maryland Department of the Environment (MDE) for five years for the County to continue administering the beach water quality monitoring program; the filing of a State Aid for Police Protection Fund application for FY22 from the Governor's Office of Crime Control and Prevention, with funds to be used exclusively to provide adequate police protection throughout the County; and a 100% Tax Credit in the amount of \$3,303.11 for real and tangible personal property owned by the Berlin Community Improvement Association for the July 1, 2020 tax year.

The Commissioners met with Development Review and Permitting Director Ed Tudor to review staff's recommendation to award the low bid of \$23,800 to Site Services of Bel Air, Maryland to demolish the structure identified in Nuisance Abatement Order No. 20-1 and located at 2816 Snow Hill Road. Commissioner Nordstrom made a motion, which he later withdrew, to award the bid to the second lowest bidder, Scrimgeour Farm, All, LLC of Stockton, MD, for \$24,900 to support local business.

In response to a question by Commissioner Bertino, Mr. Tudor stated that he vetted the low bidder, and while he does not have experience working with the second lowest bidder on this type of project, he could contact this individual to assure he is aware of the criteria to complete this project, as this contractor did not read the bid package during the first round of bidding. In response to a question by Commissioner Bunting, Mr. Tudor confirmed that the low bidder was the only one to submit a certificate of liability or references; however, under most conditions a contractor would not be required to submit this information unless awarded a County bid. In response to a question by Commissioner Mitrecic, County Attorney Roscoe Leslie advised that the County includes a clause in all bids, which states that the Commissioners have the right to reject any and all bids. Following some discussion the Commissioners agreed to table the matter until their next meeting, to provide staff with adequate time to vet Scrimgeour Farm and return to the Commissioners with a final recommendation to award the bid for this project.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by COA and upon a motion by Commissioner Elder, the Commissioners unanimously agreed to reappoint James Covington, Bonita Ann Gisriel, and Carolyn Dryzga to the Commission on Aging for three-year terms each expiring September 30, 2023.

Pursuant to the written request of Budget Officer Kathy Whited and upon a motion by Commissioner Bertino, the Commissioners unanimously approved FY20 year-end budget transfers totaling \$364,645, excluding the request to encumber \$81,123 for uniforms within the Sheriff's Office pending the receipt of additional information. Chief Administrative Officer Harold Higgins explained that the year-end budget transfers are a housekeeping measure included in the annual audit process, and he noted that postponing taking any action on the uniforms until the next meeting would not pose any disruption to the ongoing audit process.

Pursuant to the written request of Ms. Whited and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the FY20 Reserve for Assigned Encumbrances of \$3,042,998.

Tom Perlozzo, Director of Recreation, Parks, Tourism, and Economic Development, presented a proposed advertising strategy to utilize \$250,000 in CARES Act funding, with \$125,000 for advertising on electronic signs to be added to the three entrances to Worcester County (MD Rt. 113, MD Rt. 13, and MD Rt. 50) and during existing and new recreational events, and designated \$125,000 for advertising on Google Search, and other social media sites, including Facebook/Instagram, to promote events in Snow Hill and Pocomoke. He stated that Tourism is developing a dashboard application for visitors. This app will track the numbers of north-end visitors who visit Pocomoke and Snow Hill, provide County staff with a monthly snapshot of where visitors travel while in the County, and allow County staff to adjust the spending of advertising dollars accordingly.

Commissioner Nordstrom stated that on September 22, 2020 the Commissioners voted to allocate this funding toward the loan to Snow Hill to purchase the Black Eyed Susan, and this funding should only be used for advertising if the State does not allow these funds to be applied to the purchase of the riverboat. Commissioner Mitreic concurred that the motion on September 22 was to award a no-interest loan of up to \$400,000 to Snow Hill to purchase the riverboat, using \$250,000 in CARES Act funding and another \$100,000 in grant funds (derived from a Department of Housing and Community Development Community Legacy Grant from Tyson Foods if possible). Mr. Perlozzo stated that the County may not be able to apply CARES Act money toward the loan. Commissioner Nordstrom then made a motion to apply any CARES Act funding that cannot be applied to the loan to Snow Hill to fund this advertising program.

Commissioner Bunting stated purchasing a riverboat is not an appropriate use of CARES Act funding. He stated that the plan before them today is a much better plan to use the funding. In response to a question by Commissioner Bunting, Mr. Perlozzo stated that the County will be conscientious about utilizing funds to advertise at events that are expected to incur high participation rates, such as Berlin's holiday drive-thru Santa event. In response to comments by Commissioner Bertino, Mr. Perlozzo stated that all of the funds will be directed to market the southern end of the County through Go Discover Worcester County, by marketing to the masses in areas, like Baltimore and Washington, and visitors in Ocean City and Berlin, to drive them to

explore the southern end. He further stated that it was his understanding that County Administration has worked out terms to purchase the riverboat that do not include the use of CARES Act funding. Commissioner Purnell stated that the loan for the riverboat and the proposed use of CARES Act funding for the advertising plan being presented today are two separate issues. She supported the advertising plan as outlined and noted that events in Berlin and Ocean City are great opportunities to direct visitors to events in Snow Hill and Pocomoke, which could include advertising for the riverboat. Commissioner Elder also supported the advertising plan as presented, but could not support using CARES Act funding to purchase the riverboat.

Following much discussion and upon a motion by Commissioner Church, the Commissioners voted 4-3, with Commissioners Bertino, Bunting, and Elder voting in opposition, to call for the vote.

The Commissioners resumed further discussion on the original motion. In response to a question by Commissioner Nordstrom, Mr. Perlozzo confirmed that the Commissioners approved two pools of CARES Act funds for advertising and economic development. Commissioner Nordstrom stated that the riverboat creates jobs and is economic development, the Commissioners already voted to utilize CARES Act funding to purchase the riverboat, and this would be a good contingency plan in the event that the funds cannot be used for that purpose. In response to comments by Commissioner Bunting and a question by Commissioner Mitrecic, Chief Administrative Officer Harold Higgins advised that staff believes that CARES Act funding can be applied to the purchase of the boat to put people back to work, but there is a firm reluctance from anyone to give the County a yes or no on the proposed use. He confirmed that if the County cannot apply CARES Act funding toward the loan to Snow Hill to purchase the riverboat, the funds would not be forfeited back to the State and could instead be applied to the advertising program now being proposed. Commissioner Bertino stated that this is a good plan, but he cannot support it when it includes the contingency that it will only go forward if CARES Act funding cannot be used to purchase the riverboat. He then noted that not knowing whether these funds can be used to purchase the riverboat is one of the bi-products of not properly vetting that purchase.

In response to additional questions by Commissioner Mitrecic, Mr. Perlozzo stated that Tyson officials orally stated that they did not intend to use the \$100,000 Community Legacy Grant funds; however, they did not respond when Mr. Perlozzo sent them a certified letter seeking written confirmation within seven days. Furthermore, he emailed DHCD to request consideration to transfer the Community Legacy Grant from Tyson to the purchase of the riverboat and was told DHCD would respond to his request within 45 days. Lastly, his staff has been working with the Snow Hill grants writer to explore an opportunity to obtain an additional grant of \$100,000. Commissioner Mitrecic stated that he would hate to deny the advertising program if it is tied to whether the funds must first be applied to the loan to Snow Hill to purchase the riverboat, which he also felt was a good use of the funds, and he would prefer not to lose either one of these programs. Mr. Perlozzo stated that the CARES Act funds must be earmarked by December 31, 2020. He then assured the Commissioners that the full force of tourism and economic development would fight for other funding opportunities to make the riverboat a success.

Following much additional discussion, the Commissioners voted 4-3, to approve the use of CARES Act funding for the advertising plan as presented, unless said funds can be applied to

the purchase of the riverboat. Mr. Higgins agreed to update the Commissioners on whether the CARES Act funds can be used to purchase the riverboat as soon as that answer becomes available.

The Commissioners reviewed a written request from the Maryland Entertainment Industry Association (MEIA) seeking a letter of support from the County for relief grants of \$25 million from the State of Maryland. Commissioner Bertino stated that the County does not have the standing that the MEIA is seeking and this request should be directed to State representatives. Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to take no action on this request.

The Commissioners conducted a public hearing on the proposed disposal of County property consisting of units 101 and 102 in the Newtown Plaza Condominium in Pocomoke City, which serve as the current site of the Shore Spirits Retail Liquor Store (RLS), at a cost of \$650,000, plus the cost of inventory at the time of closing to Vinod Patel (who submitted the second highest bid on April 4, 2017 of \$801,000 to purchase the RLS and who recently advised staff that he is still interested in purchasing the store at a reduced offer plus the remaining inventory).

Commissioner Mitrecic opened the floor to receive public comment.

Hugh Cropper, representing TJ Patel and CD Hall, stated that the County Code specifies that the Commissioners shall advertise the disposition of County property no longer needed and invite competitive bids unless the Commissioners find it impractical to do so and override this requirement. He argued that the Commissioners have been sitting on this property for two years since the original bid, and his client is willing to offer \$700,000 today and settle in two weeks on the property. He noted that the value of commercial real estate has gone up, and liquor licenses have become more valuable since the original bid. Therefore, it is not impractical to rebid the sale of the RLS, as everyone should have the opportunity to bid on this property.

Commissioner Bertino pointed out that Mr. Cropper represented the client who tied up the sale of the property for \$925,000 for the past two years, assuming that the original sale had gone through. Mr. Cropper then stated that he should not be punitive against him for exercising his client's civil rights and classified this disposal to Vinod Patel as a private sale. Commissioner Bertino disagreed, stating that the Commissioners are exercising their rights as well. Commissioner Mitrecic stated that the sale of this property was put out to bid, that it was a transparent bid and that Mr. Cropper's client had already bid on the property. Therefore, for Mr. Cropper to come forward and say that his client was ready to offer \$700,000 at the podium to purchase the property today is wrong. Mr. Cropper apologized and withdrew his comment about the sale taking place behind the scenes.

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

Following some discussion and upon a motion by Commissioner Church, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition, to adopt Resolution No. 20-29 authorizing the disposal of County property as outlined.

The Commissioners conducted a public hearing on Rezoning Case No. 425 for an application submitted by Attorney Hugh Cropper, IV, on behalf of Daniel and Jana Hope, which

seeks to rezone approximately 54.7 acres of land located on the southerly side of Nassawango Road, west of MD Rt. 12 and northwest of Snow Hill, and more specifically identified on Tax Map 70 as Parcel 18, Parcel B, from RP Resource Protection to A-1 Agricultural District. Though Mr. Higgins advised that a court reporter was not able to be in attendance, Mr. Cropper agreed to proceed. County Attorney Roscoe Leslie swore in those individuals who planned to give testimony during the hearing. Development Review and Permitting Deputy Director (DRP) Jennifer Keener reviewed the application. She stated that the Planning Commission concurred with the applicant's claim as the basis for the rezoning that there was a mistake in the existing zoning, which had been zoned A-1, with a portion of the property in the C-1 Conservation District until the entire property was rezoned RP in the 2009 comprehensive rezoning. Furthermore, the Planning Commission concluded that a change in rezoning of the petitioned area from RP to A-1 would be more desirable in terms of the objectives of the comprehensive plan and gave a favorable recommendation to Rezoning Case No. 425, subject to retaining the wetlands adjacent to the Pocomoke River within the RP District designation.

In response to a question by Commissioner Nordstrom, Mr. Cropper stated that the property is currently used for agriculture. In response to a question by Commissioner Bertino, Ms. Keener stated that the applicant agreed to protect the wetlands adjacent to the river, as requested by the Planning Commission.

Commissioner Mitreic opened the floor to receive public comment.

Mr. Cropper stated that it was a mistake to rezone the property to RP, which allows a very limited number of uses by right and that the construction of a single-family dwelling and agricultural uses, like tilling land, would require a special exception by the Board of Zoning Appeals. He noted that the forested area of the property has been cropped and in timber harvest for the past 100 years. He concurred with the Planning Commission's findings and asked the Commissioners to accept the staff report as his testimony as well.

Land Surveyor Frank Lynch, Jr. advised that this property has uplands that are suitable for agricultural uses, which are more desirable in terms of the Comprehensive Plan. He concurred that the RP zoning does not allow any subdivision of property, so the property owners could not divide the property to give a piece of land to a family member.

Environmental Consultant Chris McCabe of Coastal Compliance Solutions stated that the A-1 zoning is consistent with the Resource Conservation Area designation, which allows 20-acre lots, and this would resolve that inconsistency.

In response to a question by Commissioner Nordstrom, Mr. Cropper agreed that the wooded wetlands along the river will be protected. With respect to the tilled fields, he stated that it is appropriate for someone who owns a piece of property to have the right to build a house or an outbuilding on that land without having to go before the BZA. Commissioner Elder stated that the Commissioners need to support farmers and farming activities.

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

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners conceptually adopted the Planning Commission's Findings of Fact as their own and approved the rezoning from RP to A-1, based on a mistake in the existing zoning.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved as a consent agenda the housekeeping agenda item numbers 16-19 as follows: an injection well

agreement with the VanVonnos to relocate groundwater injection wells used for disposal of effluent from the Mystic Harbour Wastewater Treatment Plant (WWTP), leaving no more wells on the islands owned by them; waving the formal bidding process and accepting a proposal from Parkson Corporation at a cost of \$56,006 to rebuild the existing raw sewage screen at the Ocean Pines WWTP; Change Order No. 2 for the Newark spray irrigation project to install a two-inch waterline to provide potable water to the Newark WWTP at an additional cost of \$32,820; and \$100,800 for the bulk purchase of water meter repair parts.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Elder, the Commissioners unanimously agreed to schedule a public hearing on an Office Building Recycling (OBR) Plan to be included in the Comprehensive Solid Waste Management Plan for 2017-2026. Mr. Tustin explained that the Maryland General Assembly passed Senate Bill 370 requiring the collection of recyclable materials from office buildings that have 150,000 square feet or greater of office space, and although the County currently does not have any buildings meeting that criteria, they must still complete and adopt an OBR Plan. In response to a question by Commissioner Bertino, Mr. Tustin stated that the Commissioners could choose to require business offices meeting this criteria to recycle.

The Commissioners recessed for five minutes.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review the nuisance abatement request for 5641 George Island Landing Road and more specifically identified on Tax Map 86 as Parcel 44. Mr. Tudor stated that the specific nature of the nuisance includes a ramshackled or decayed structure beyond reasonable hope of rehabilitation or restoration and the overgrowth of vegetation pursuant to Section PH1-101(a)(11). He stated that the property owner has been notified by certified and regular mail regarding the conditions on the property and spoken to the Zoning Inspector, but done nothing to abate the nuisance conditions. He recommended that, if the Commissioners find the structure to be beyond any reasonable hope of rehabilitation or restoration, which constitutes a public nuisance in accordance with the Code, the Order of Abatement should not exceed 30 days, given the length of time the property has been in its current state.

Upon a motion by Commissioner Nordstrom, the Commissioners voted 5-2, with Commissioners Bunting and Elder voting in opposition, to declare the structure on the property to be beyond reasonable hope of rehabilitation or restoration, which constitutes a nuisance, and ordered the abatement of such nuisance pursuant to Section PH 1-102 of the Public Health Article of the County Code and specifically to remove the structure if not repaired.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review the nuisance abatement request for 13204 Worcester Highway and more specifically identified on Tax Map 9 as Parcel 66. Mr. Tudor stated that the specific nature of the nuisance includes a ramshackled or decayed structure beyond reasonable hope of rehabilitation or restoration and the overgrowth of vegetation and unscreened, accumulated personal property exceeding 100 square feet in area pursuant to Section PH 1-101(a)(4) and (11). He stated that the property owner has been notified both by certified and regular mail regarding the property conditions and has taken no action to date to remove the nuisance conditions.

Upon a motion by Commissioner Bertino, the Commissioners voted 5-2, with Commissioners Bunting and Elder voting in opposition, to declare the unattended and uninhabitable structure on the property to be beyond reasonable hope of rehabilitation or restoration, which constitutes a nuisance, and ordered the abatement of such nuisance pursuant to Section PH 1-102 of the Public Health Article of the County Code and specifically to remove the structure if not repaired.

The Commissioners met with Emergency Services Director Billy Birch to review a strike and replace copy of the 2020 Hazardous Mitigation and Resilience Plan, identifying changes that were made at the request of the Commissioners on September 1, 2020. Commissioner Bertino thanked Mr. Birch and the consultants for their efforts. In response to a question by Commissioner Bertino, Mr. Birch stated that reference to the Paris Climate Agreement could not be removed from page four of the 2020 plan, as the United States is still part of this agreement; however, it could be taken out of the next plan. Commissioner Bunting stated that he would like to have Objective 5.3 removed and to have the term “sea level rise” under Section 9.6 changed to “flooding,” or “tidal,” as the roads referenced in this section were not built high enough and have been subject to flooding since they were constructed. In response to a question by Commissioner Purnell, Mr. Birch stated that any changes that are made today will require the plan to go back through the committee review process prior to formal adoption by the Commissioners.

Upon a motion by Commissioner Nordstrom, the Commissioners voted 4-3, with Commissioner Bertino, Bunting, and Elder voting in opposition, to adopt the 2020 Hazardous Mitigation and Resilience Plan as written today.

Pursuant to the written request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule a public hearing on November 4, 2020 for an application submitted by Attorney Hugh Cropper and Steve Engle on behalf of Steve Hoffman, to amend the Comprehensive Water and Sewerage Plan to expand the Mystic Harbour Sanitary Service Area (SSA) to include the properties located on the north side of MD Rt. 707 and more specifically identified on Tax Map 26 as Parcels 168, 252, and 295, with a designation of S-1 (immediate to two years), to serve a proposed commercial expansion and/or residential development. These properties are already designated S-1 within the West Ocean City sewer planning area, and the Planning Commission found the proposed amendment to be consistent with the County’s Comprehensive Development Plan and granted the application a favorable recommendation.

Pursuant to the written request of Mr. Mitchell and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule a public hearing on November 4 for a Comprehensive Water and Sewerage Plan amendment application submitted by Attorney Hugh Cropper and Steve Engle on behalf of Steve Hoffman, to amend the Master Water and Sewerage Plan to expand the Mystic Harbour SSA to include the properties located on the north side of MD Rt. 707 and more specifically identified on Tax Map 26 as Parcels 168, 252, and 295, with a designation of S-1 (immediate to two years), to serve a proposed commercial expansion and/or residential development. These properties are already designated S-1 within the West Ocean City sewer planning area. The Planning Commission found the proposed amendment to be consistent

with the County's Comprehensive Development Plan and granted the application a favorable recommendation.

Pursuant to the written request of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule public hearings on November 4 for the following two rezoning cases:

Rezoning Case No. 426 is for an application submitted by Attorney Hugh Cropper, IV, on behalf of David and Susan Lane, seeking to rezone 1.74 acres of land, located on the westerly side of MD Rt. 611, south of Snug Harbor Road, and more specifically identified on Tax Map 33 as Parcel 341, from A-2 Agricultural District to C-2 General Commercial District. The Planning Commission gave the case a favorable recommendation solely on the basis of a mistake.

Rezoning Case No. 428 is for an application submitted by Attorney Hugh Cropper, IV, on behalf of YK Enterprise, LLC, seeking to rezone approximately 2.88 acres of land, located on the southerly side of St. Martin's Neck Road, east of Aramis Lane in Bishopville, from E-1 Estate District to A-2 Agricultural District. The Planning Commission gave the case a favorable recommendation.

In follow up to their emergency meeting on September 22, the Commissioners met with Chief Administrative Officer Harold Higgins to discuss the draft Promissory Note and Preferred Mortgage for a 15-year loan of \$400,000 with 0% interest from the County Commissioners (Mortgagee) to the Mayor and Council of Snow Hill to be repaid at a cost of \$26,667 annually beginning January 2022 and ending January 2037. Loan funds are to be used to purchase the Black-Eyed Susan riverboat.

Commissioner Bertino stated that he was not given a copy of this document until arriving at the Worcester County Government Center this morning, which has left him no time to read it. He then reiterated that the Commissioners are being asked to loan money to Snow Hill, though there is still no marketing plan, financials, or supporting documentation to substantiate this loan, a loan that does not yet include a buy-in from the Pocomoke City Mayor and Council. In response to questions by Commissioner Bertino, Mr. Higgins stated that the town will be required to use any outside grant funds awarded for this project to repay the County loan, and the boat should retain its value, so in the event that the venture fails, any proceeds from the sale of the boat must first be used to repay any remaining balance on the County loan, leaving minimal risk to the County.

Commissioner Elder noted that on September 22 the Commissioners voted to move forward with this project, and any concerns should be limited to what is in the document before them. However, he could understand if a Commissioner needs more time to review this particular document before voting on it.

Commissioner Bunting stated that this is the first time in 15 years that the Commissioners have been asked to make a financial decision without any facts or supporting documentation. He stated that he has received roughly 20 emails and phone calls from constituents who do not believe this is the right thing to do.

Commissioner Mitrecic recognized Snow Hill Town Manager Gary Weber and advised him that, if the town fails to meet the minimum annual repayment schedule, the Commissioners will deduct that amount from the annual grant from the County to the town. Mr. Weber recognized the Commissioners' concerns and advised that the Town of Snow Hill has an A1

credit rating and will repay the loan.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to approve the Promissory Note and Preferred Mortgage.

The Commissioners answered questions from the press.

Commissioner Bertino reviewed his recent tour of the public schools and commended school officials for their efforts to provide both in-person and virtual learning. He then commended County Attorney Roscoe Leslie for securing a verbal agreement from Comcast to pay the County roughly \$160,000 for damages caused by the organization to water lines in Ocean Pines.

Commissioner Elder also commended school officials for the amazing jobs they are doing to continue educating County youth through the pandemic. He recognized that the Commissioners' decision to grant additional funds to the Board of Education to upgrade electronics before the pandemic hit placed the schools in a better position than most to institute virtual learning. With regard to public questions concerning whether the County is purchasing a riverboat, he reiterated that the Commissioners are not purchasing a boat, but are providing a good-faith loan to Snow Hill that is based on the town's good name and credit and that will be repaid to the County. He stated that the County has been paying lip service about supporting economic development in the town for years without really doing anything, and this is a good opportunity to help Snow Hill.

Commissioner Nordstrom also commended school system officials for the hard work and dedication they have shown throughout the pandemic.

Commissioner Purnell stated that she has received quite a few calls from small business owners who expressed their pleasure to the County for rounds one and two of the Workforce Back to Business COVID-19 Assistance Grant Program.

Commissioner Mitrecic also commended school system officials for their hard work, noting that it was impossible to miss the jubilation on the faces of the children in the schools he visited.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bertino, the Commissioners unanimously voted to meet in closed session at 12:35 p.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 Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, and Public Information Officer Kim Moses. Topics discussed and actions taken included receiving legal advice from counsel.

Following their closed session, the Commissioners adjourned at 12:40 p.m. to meet again on October 20, 2020.