

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

March 16, 2021

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, and Sheriff Matthew Crisafulli. Topics discussed and actions taken included the following: promoting Douglas Spraker from Transfer Station Attendant to Scale Operator within the Solid Waste Division, and hiring Martel Hairston as a Roads Worker II within the Roads Division and William Tyler as a Grounds Utility Mechanic within the Maintenance Division of Public Works; hiring Jacqueline Trieu as the Workforce Engagement Specialist in Tourism and Economic Development, and certain personnel matters; receiving legal advice from counsel; and performing administrative functions, including reviewing a CareFirst call chart, and discussing the need to remove debris and silt from the Pocomoke River.

Following a motion by Commissioner Church, 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 Mitrecic called the meeting to order, and following a morning prayer by Gary McCabe of Oak Ridge Baptist Church in Berlin and pledge of allegiance, announced the topics discussed during their March 2, 2021 afternoon closed session and their March 16 morning closed session.

The Commissioners reviewed and approved the open and closed session minutes of their March 2, 2020 meeting as presented.

The Commissioners presented a proclamation to Worcester Commission on Aging (COA) Executive Director John Dorrough and other COA staff recognizing March as the 19<sup>th</sup> annual March for Meals Month, which highlights the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raises awareness about the escalating problems regarding senior hunger and isolation.

Upon a motion by Commissioner Purnell, the Commissioners unanimously approved as a consent agenda the agenda item numbers 2-4 as follows: approving Emergency Number Systems Board (ENSB) Projects No. 21-160 of \$96,514.36 for maintenance costs owed to Carousel Industries pertaining to 911 services and No. 21-183 of \$374.75 for five in-ear headsets to meet medical necessities, with both projects to be funded by the ENSB at no cost to the County; and approving a letter of County support for a Maryland Heritage Authority grant to restore the historic All Hallows Episcopal Church in Snow Hill.

The Commissioners reviewed a letter from Superintendent of Schools Louis H. Taylor regarding the draft Board of Education (BOE) Maintenance of Effort (MOE) calculation for FY22, which would require an increase of \$1,014,455 in County funding, which at this level would not allow the BOE to meet budgetary requests included in the proposed FY22 BOE operating budget. Chief Administrative Officer Harold Higgins advised that the escalator clause will remain in effect for the next two fiscal years, and the State is considering legislation that could affect the draft MOE calculation.

The Commissioners reviewed a letter from Mr. Taylor advising that the requested FY22 BOE operating budget does not include any non-recurring items. The Commissioners accepted the letter regarding nonrecurring costs.

Dr. Ray Hoy, President of Wor-Wic Community College (WWCC), provided a PowerPoint on the FY22 WWCC budget presentation entitled “WWCC – Helping to Grow a Healthy Lower Shore Economy,” which includes but is not limited to the following: Mission; Comprehensive Community College providing career training, transfer curricula, and workforce development; Master Plan for the future growth of the institution, which includes project plans for the Applied Technology Building, which will expand coursework in transportation, industrial trades, including heating, ventilation, and air conditioning (HVAC), electrical, plumbing, and welding, and including an emphasis on applied and emerging technologies, such as industrial technology, supply chain manufacturing, alternative energy, and programmable logic controller (PLC) technology, with apprenticeship programs, and additional room to grow and add new programs; COVID-19 Response; and the proposed FY22 operating budget of \$29,003,061, which represents a 0.59% increase or \$169,798 increase which is based on a reduction of \$157,304 in State funding, and an increase in local funding of \$400,000, and other revenue, as well as a tuition reduction of \$75,034 based on projected enrollment difficulties due to COVID-19. Dr. Hoy advised that, while this represents an increase of \$112,120 over the County’s FY21 contribution, it actually reflects a zero percent increase in County funding, based on the additional funding granted by the Commissioners during the last fiscal year.

Following some discussion, the Commissioners thanked Dr. Hoy for meeting with them.

The Commissioners conducted a second public hearing to assess the progress of a \$64,265 Community Development Block Grant (CDBG) Round 1 COVID-19 grant. Senior Budget Accountant Kim Reynolds advised that the grant was awarded to the County and sub-awarded to Diakonia, Inc. (\$32,865) for staff costs and COVID testing supplies for homeless persons due to increased need caused by the pandemic, and to the Worcester County Developmental Center (\$31,400) to provide virtual day programs and services to

developmentally disabled adults who are isolated due to the COVID-19 crisis. She advised that so far Diakonia has used \$630 in funding for testing supplies and \$24,960 on staff expenses due to the impact of the pandemic, while the WCDC has used \$24,900 to purchase 100 Chromebooks.

Commissioner Mitrecic opened the floor to receive public comment.

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

Upon a motion by Commissioner Purnell, the Commissioners unanimously acknowledged the use of funding progress and continued spending down of the grant award.

Upon the written request of Worcester Commission on Aging (WorCOA) Executive Director John Durrough and upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to schedule a public hearing on May 4, 2021 to receive public comment on the Maryland Transit Administration (MTA) Annual Transportation Program (ATP) Statewide Special Transportation Assistance Program (SSTAP) application for Worcester County.

The Commissioners reviewed and discussed various board appointments.

Upon a motion by Commissioner Purnell, the Commissioners unanimously agreed to submit the name of Bob Mitchell to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays for their consideration and appointment to fill the vacant Worcester County seat on this board.

The Commissioners met with Human Resources Director Stacey Norton to review the medical and prescription plan design recommendations for FY22 from the Health Benefits Review Committee in conjunction with PSA Financials, the County's benefits consultant. Ms. Norton advised that these recommendations would result in a 0.3% decrease for a savings of \$104,016 as follows: continue dental coverage through CareFirst for a 3% reduction or \$34,537 annual savings; continue with VSP for year two of a four-year rate guarantee; continue with Guardian for life and disability for year two of a four-year rate guarantee; continue with CareFirst for medical/pharmacy for active members and retirees under 65, with an increased call margin from 5-8% to save roughly \$861,000, and move retirees over 65 on Medicare to the CareFirst Medicare Advantage PPO Plan 1 on January 1, 2022, with Retiree First managing the retiree experience, which will result in a one-time decrease of approximately \$133 million to the Other Post Employment Benefits (OPEB) Trust. Ms. Norton stated that the final recommendation is to use a portion of the FY20 Stop Loss Savings with CareFirst of \$2,557,358 to buy down the medical/pharmacy premium rates for active employees and retirees under 65 for \$1,119,871, so their FY22 premium rates will be the same as the FY21 premium rates and split the remaining savings of \$1,437,487 evenly within the OPEB Trust for the County and the Board of Education (BOE). Ms. Norton then advised that, if the County makes no changes, the cost of the County and BOE medical, dental, and pharmacy plan will increase by 7.33% or \$2,461,784, for a total estimated cost of \$35,374,933.

In response to a question by Commissioner Bunting, Ms. Nordstrom advised that Recommendation 4(a) "Comply with all Maryland State mandates" refers to in-vitro fertilization, specialty drugs cap, and gender dysphoria. She stated that the State requires the County to comply with all three mandates. Commissioner Mitrecic thanked Ms. Norton for her efforts to keep costs down, particularly moving forward with making the OPEB liability more manageable.

Following her presentation and upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved the FY22 proposed benefit recommendations as presented.

The Commissioners met with Ocean City Mayor Rick Meehan, City Manager Doug Miller, Fire Chief Rich Bowers, Police Chief Ross Buzzuro, and Fire Marshal Josh Bunting to discuss Ocean City's FY22 grant requests from the County. Mayor Meehan thanked the Commissioners for their FY21 support, noting that it has been a difficult year for everyone due to the COVID-19 pandemic. He stated that Ocean City revenues were down by approximately \$6 million due to the cancellation of all conventions and numerous activities based on the state of emergency, while property tax revenues for the County increased by approximately \$2.5 million, and transfer taxes generated from real estate sales in Ocean City and all of the County also increased. He then requested the following grants: a 2.5% increase in Undesignated Grants to offset the cost of services that Ocean City provides in lieu of the County providing these services; grants for Recreation, the Convention Bureau, Ocean City Development Corporation for downtown redevelopment, and the Park and Ride continue to be funded at FY21 levels; a \$100,000 increase in the Tourism Marketing Grant to increase advertising and invite people back to the area, as room taxes fell by \$1 million as a direct result of a decline in visitors due to the pandemic.

Mayor Meehan thanked the Commissioners for working with the town to develop a formula to fully fund and reimburse the town for providing emergency medical services to the West Ocean City (WOC) area, and he requested a grant of \$315,674 to fully offset the cost of these services (the original grant request of \$423,387 was reduced to reflect a reduction in costs for services in FY21 due to the pandemic). He also thanked the Commissioners for agreeing to work with the County fire departments to identify a revenue source to fund this service in the unincorporated areas of the County. He then requested a grant of \$154,000 to help offset the \$200,000 cost to purchase a new robot for the Bomb Squad, noting that this equipment is used by all County law enforcement agencies; \$13,180 to purchase a second Avigilon Mobile Camera and Mast to increase police surveillance to properly deploy personnel to potentially problematic locations; and a Police Grant of \$250,000 to offset the \$1,085,281 annual cost to hire 10 additional full-time officers, which has been identified as a critical need to address law enforcement challenges in the town and County and assure the continued success of the town's tourism industry. He commended Health Department officials for their work and for their continued partnership with local officials in the town and Countywide to address the pandemic, and he thanked the Commissioners for aggressively looking for a site to purchase to build a sports complex to host major tournaments and sports events that can be a catalyst for future economic success. Commissioner Mitrecic thanked Mayor Meehan and his staff for meeting with them and advised that his requests will be considered at budget time.

Pursuant to the request of Mr. Higgins and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to schedule a budget work session on March 23, 2021 and approved the budget adoption schedule for the FY22 Enterprise Fund Operating Budgets.

The Commissioners met with Mr. Higgins and Budget Officer Kathy Whited to review the Worcester County Departmental Operating Budget Requests for FY22. Mr. Higgins provided

a summary of the requested operating budget, and stressed that this is only the requested budget. He stated that the estimated general fund revenues based on current tax rates are estimated to be \$210,591,207, which is an increase of \$6,270,576 or 3% more than the current year. He stated that the requested general fund operating expenditures total \$218,604,720, which leaves a shortfall of \$8,013,513 that must be reconciled by either reductions in expenditures, additional revenues, or a combination of the two. Mr. Higgins advised that the requested budget includes a breakdown by department of revenues, changes, and requests.

Net property tax revenues increased by \$3,144,763 based on the current property tax rate of \$0.845 per \$100 of the real property assessment. Income Tax revenues are estimated to increase by \$3.5 million, based on the tax rate of 2.25%, which became effective January 1, 2020. Other Local Taxes increased by \$3,380,000 (\$2 million for Recordation Taxes and \$1.5 million for Transfer Taxes based on actual trends and market conditions), and Interest on Investments decreased by \$650,000 due to current rates of return. State Grants decreased by \$1,121,994, including an increase of \$450,000 for Program Open Space (POS) for recreation, while decreases include \$670,000 in POS for parks and \$980,733 in State aid for bridges only.

The public hearing on the requested budget is scheduled for Tuesday, May 4, 2021, at 7:00 p.m. at the Worcester County Government Center, and the upcoming budget work sessions have been scheduled for March 23, April 13, and May 11, 18, and 25 if needed. These work sessions are open to the public.

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 Wave Holdings, LLC on behalf of the owner, Margaret Bunting, to expand the sewer planning area for the Ocean Pines Sanitary Service Area (SSA) to include an entire 11.5-acre property located on the east side of MD Rt. 589, north of the intersection with Gum Point Road and more specifically identified on Tax Map 21 as Parcel 72, and to reclassify the sewer and water planning areas from S-6/W-6 (no planned service) to S-1/W-1 (present to two years) to serve the proposed 78,800 square-foot commercial development, which will consist of a restaurant, car wash, office, retail, and contractors' shops. 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 Bertino, the Commissioners unanimously agreed to schedule a joint public hearing on April 6, 2021 to receive public comment on the proposed amendment to the Worcester County Water and Sewerage Plan and expansion of the Ocean Pines SSA.

The Commissioners met with Development Review and Permitting Director Ed Tudor to discuss recommendations regarding the 2021 renewal of alcoholic beverage licenses in light of Executive Order No. 21-03-09-03 issued by Governor Larry Hogan on June 19, 2020, which extends the expiration date of all licenses issued by political subdivisions in the State until 30 days after the current state of emergency ends. Mr. Tudor stated that County staff met with Board of License Commissioners Chair William Esham, Jr. and Board Attorney Thomas K. Coats who determined it would be appropriate to take the following actions: establish a modified license renewal process to facilitate the submission of any outstanding 2020-2021 license applications and the submission of the new 2021-2022 license applications, extend the expiration

date for the current year's licenses to June 1, 2021, which will allow licensed establishments four months instead of the typical one month to complete their submission packages, with an application or associated documentation to be submitted no more than 30 days after the June 1, 2021 deadline, and make late applications subject to the standard \$50 per day late fee for the month of June. Mr. Tudor stated that applicants will have the option to schedule a meeting in advance with staff to review the submission in a socially-distanced setting with masks, or they may mail or drop off their renewal packages in the designated box in the lobby of the Government Center in Snow Hill.

Upon a motion by Commissioner Bertino, the Commissioners unanimously adopted Resolution No. 21-4, a joint resolution to exclude alcoholic beverage licenses from Executive Order No. 21-03-09-03 as proposed.

The Commissioners met with Public Works Director John Tustin to review the results of a speed study on Ames Road, which was conducted from February 24 – March 2, 2021 at the request of area resident Geri Arillo to address safety concerns relating to speeding vehicles. Mr. Tustin reviewed the results and noted that 26 vehicles or 1.6% of drivers traveled 51 miles per hour (mph) or greater, and 1,670 or 98.4% of drivers traveled 50 mph or less, while the average speed on this currently unposted road was 32 mph during the speed study. Therefore, Mr. Tustin recommended that Ames Road be posted at 30 mph.

Upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to establish the 30 mph speed limit on Ames Road and to post speed limit signs.

In a related matter and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to establish a speed limit of 30 mph on Shell Mill Road and to post speed limit signs to address safety concerns. They further agreed to request that the Sheriff's Office enforce the new speed limit of 30 miles per hour on both Ames Road and Shell Mill Road.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted a proposal in the amount of \$16,500 from Davis, Bowen & Friedel, Inc. for professional services for the Courthouse low-slope roof replacement project. Mr. Tustin advised that \$425,000 is available within the FY21 budget to fund this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications to replace the roof shingles at the Ocean City Branch Library, as a significant number of synthetic roof shingles were lost during a storm on August 4, 2020. Mr. Tustin advised that a claims advisor from Local Government Insurance Trust (LGIT) will evaluate the bids and provide a recommendation regarding project reimbursement to the County.

Pursuant to the request of Public Works Deputy Director John Ross and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal of \$66,620 from Kershner Environmental Technologies to provide properly sized mixers for the Ocean Pines Wastewater Treatment Unit No. 3. Mr. Ross advised that funding for this purchase is available within the 2019 bond issue.

The Commissioners met with Public Information Officer Kim Moses to discuss the

outcome of the 2020 Keep Worcester Clean (KWC) campaign, which included an educational component and an enforcement component. Ms. Moses stated that while the campaign was worthwhile and well-received by the public, a comparison of illegal dumping activities indicates that there was a substantial increase in illegal dumping during the billboard and commercial campaigns, with only a minimal overall decrease of 0.35-ton in illegal dumping rates from 2019 to 2020. She advised that, if the Commissioners would like to move forward with future KWC education and enforcement campaigns, staff strongly urges doing so in conjunction with the approved program to place surveillance cameras at the unmanned recycling drop-off locations in Bishopville, Whaleyville, and the WalMart in Berlin and posting video surveillance signs at these sites.

Commissioner Elder stated that he previously suggested cameras be installed at the HOCCs, but staff had told him the system would be too expensive. He stated that the cameras would likely be more effective than the steps taken during the last year.

Upon a motion by Commissioner Elder, the Commissioners unanimously directed staff to develop a proposal to install cameras at the HOCCs located in Bishopville, Whaleyville, and the WalMart in Berlin.

Pursuant to the recommendation of Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo and upon a motion by Commissioner Elder, the Commissioners unanimously approved a boundary amendment to allow the West Ocean City commercial fishing harbor on Sunset Avenue to be included within the boundaries of the Beach to Bay Heritage Area. In response to a question by Commissioner Bertino, Mr. Perlozzo stated that this action provides the County with an opportunity to seek grant funding from the Beach to Bay Heritage Area to host Harbor Day at the Docks, an annual event that celebrates the County's fishing heritage.

The Commissioners answered questions from the press, after which they adjourned to meet in closed session.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 11:30 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, Finance Officer Phil Thompson, Fire Marshal Jeff McMahan, Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo, Development, Review and Permitting Director Ed Tudor, Information Technology Director Brian Jones, Environmental Programs Director Bob Mitchell, and Emergency Services Director Billy Birch. Topics discussed and actions taken included employee evaluations.

Following their closed session, the Commissioners adjourned to meet again on April 6, 2021.