

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

April 6, 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 Bertino, 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; Finance Officer Phil Thompson, and Information Technology Director Brian Jones. Topics discussed and actions taken included the following: hiring Thomas West and Dave Waters and rehiring Denny Price as part-time, temporary Roads Workers; hiring David Lockwood as a Roads Worker III and transferring Anthony Ruggerio from Vehicle and Equipment Mechanic to Roads Worker III within the Roads Division and Cordelia Adkins as a Landfill Operator II within the Solid Waste Division of Public Works; hiring Chelsea Street and Brandon Hinkhaus as Emergency Communications Specialist Trainees in Emergency Services and Candace Savage as Budget Officer in Administration, and certain personnel matters; acknowledging the hiring of Brian Connell, Eric Lee and Jonathan Adams as part-time Deputy Sheriff's within the Sheriff's Office and Brookes Caswell as an Office Assistant IV within the State's Attorney's Office; receiving legal advice from counsel; and performing administrative functions, including receiving an FY21 monthly financial update, and discussing potential board appointments.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bertino, the Commissioners unanimously voted to adjourn their closed session at 9:42 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 George Tasker of the Abundant Life Apostolic Church in Pocomoke and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the March 16, 2021 open session minutes as presented and closed session minutes as amended, and they also approved the minutes of their March 23 budget work session as presented.

The Commissioners presented a years-of-service commendation to retiring Public Works Director John Tustin, recognizing his 36 years of dedicated service to Worcester County Government and highlighting the impact his contributions have had in the development of infrastructure projects that have helped to shape Worcester County.

The Commissioners presented proclamations to Diakonia Executive Director Bee Miller and Housing Program Administrator Jo Ellen Bynum recognizing April as Fair Housing Month in Worcester County to celebrate the passage of the Fair Housing Act of 1968, noting that illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all; while open, welcoming communities are vibrant and provide residents of all backgrounds with access to quality schools, and increased opportunities for self sufficiency and economic growth.

The Commissioners presented a proclamation to Health Officer Becky Jones and several members of her staff recognizing the week of April 5-11, 2021 as Public Health Week in Worcester County. Ms. Jones encouraged the Commissioners and members of the public to participate in the virtual Public Health Week Conference, Building Bridges to Better Health & Wellness, on April 7 and the Spring Into Wellness Walk and Scavenger Hunt at Byrd Park in Snow Hill, Cypress Park in Pocomoke, and Stephen Decatur Park in Berlin from April 10-11.

The Commissioners presented proclamations to CRICKET Center Executive Director Wendy Myers, Sheriff Matthew Crisafulli, State's Attorney Kris Heiser, and Department of Social Services (DSS) Director Roberta Baldwin and several members of her staff recognizing April as National Child Abuse Prevention Month in Worcester County and encouraging residents to remain aware and involved, so that abuse and neglect can be detected early or prevented from occurring entirely.

The Commissioners presented a proclamation recognizing April 11 - 17, 2021 as National Public Safety Telecommunicators Week in Worcester County to Emergency Services Director Billy Birch and several members of the 911 team. The Commissioners commended the County's Emergency Communications Specialists who are the first line of help for those calling the 911 Center and thanked them for their diligence and professionalism.

The Commissioners conducted a public hearing on a Comprehensive Water and Sewerage Plan amendment submitted by Wave Holdings, LLC on behalf of the owner, Margaret Bunting. Environmental Programs Director Bob Mitchell reviewed the amendment, which would 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. Mr. Mitchell advised that the proposed amendment seeks to change the sewer and water planning area designations 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. He concluded 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.

Commissioner Mitrecic opened the floor to receive public comment.

Attorney Hugh Cropper concurred with the findings of the Planning Commission and County staff and asked the Commissioners to accept these findings as his testimony also.

John Salm of JW Salm Engineering advised that the majority of the property is zoned C-2, and the proposed amendment is consistent with the Comprehensive Plan, noting that this property is surrounded on three and one half sides by sewer service from Ocean Pines. From an engineering standpoint, he advised that the expansion is feasible.

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

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved Resolution No. 20-7 to amend the Comprehensive Water and Sewerage Plan and for the reclassification and expansion of the sewer and water planning areas of the Ocean Pines Sanitary Service Area.

The Commissioners met with Mr. Mitchell to schedule a public hearing on an application submitted by Attorney Hugh Cropper on behalf of Wave Holdings, LLC and the owner, Margaret Bunting, to expand the Ocean Pines 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 to serve a proposed mixed-use development. Mr. Mitchell advised that the application proposes at build-out the provision of 45 equivalent dwelling units (EDUs) of sewer and water service from the Ocean Pines SSA. He concluded 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 Bunting, the Commissioners unanimously agreed to schedule a public hearing on May 4, 2021 to receive public comment on the proposed amendment to the Worcester County Water and Sewerage Plan to expand the Ocean Pines SSA to include the subject property.

Upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved as a consent agenda the agenda item numbers 2-7 as follows: bid specifications for a replacement septic system in the Stockton area, which is to be funded through the County's current Community Development Block Grant (CDBG); bid specifications for a general rehabilitation and lead remediation project in the Pocomoke City area, which is to be funded through a combination of CDBG and State Special Loans Program funds; Ocean Pines pump stations S and P project Change Order No. 2 from Retallack and Sons in the amount of \$12,538.84 for a revised contract amount of \$407,079.06; bid specifications for the purchase of pipe for use within the Roads Division of Public Works; bid specifications for the grading and paving of bituminous concrete for approximately 24,720 square feet of parking and storage area for the Maintenance Division of Public Works; and Emergency Number Systems Board (ENSB) project No. 21-225 in the amount of \$28,759.90 for logging recorder maintenance.

Pursuant to the request of Emergency Services Director Billy Birch and upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved ENSB project No. 21-224 in the amount of \$3,077,731.77 to be reimbursed to the County for costs associated with obtaining a complete 911 phone system refresh upgrade, with a five-year support contract to cover critical spare parts onsite, service plan upgrades, and onsite support staff response for the

County's two 911 Centers, the Maryland State Police Barrack in Berlin, and the police departments in Ocean City, Ocean Pines, and Pocomoke.

Pursuant to the request of Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Nordstrom, the Commissioners unanimously authorized Commission President Mitrecic to sign the emergency Rental Assistance Program Grant Agreement between the Department of Housing and Community Development and the County Commissioners for grant funds not to exceed \$6,465,772, of which eight percent of the award will be used for administrative costs to help each sub-recipient with staffing. Ms. Reynolds advised that grant funds will be split between the County's two sub-recipients, Diakonia, Inc. and Worcester County Department of Social Services. These funds may be used to provide direct assistance and housing stability services to renters who are struggling to make rent and utility payments.

In response to questions by Commissioner Elder, Ms. Reynolds stated that the funds have not yet been awarded, but once available these funds may be used for rental and utility costs occurring between February 1, 2021 and September 30, 2022.

Upon a nomination by Commissioner Bertino, the Commissioners unanimously agreed to reappoint Vanessa Alban to the Commission for Women for an additional three-year term expiring December 31, 2023.

Pursuant to the recommendation of Chief Administrative Officer Harold Higgins and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Commission President Mitrecic to sign an additional one-year lease between Lions Den Incorporated (landlord) and the County Commissioners (tenant) to continue to lease the fields in Berlin that are identified on Tax Map 32 as Parcel 7, excluding the Lions Den Clubhouse Lot for an additional one-year period from July 1, 2021 to June 30, 2022 at a total cost of \$50,000, which will be credited toward the purchase price of the property equal to the amount of the rent if the parties agree to a sale of said property. In response to a question by Commissioner Bertino, Mr. Higgins confirmed that the increased lease price was based on a proposal the Lions Club received from a private entity to lease the fields at a cost of \$84,000, and staff felt that this new lease would provide the County with the time necessary to pursue options to purchase the property.

Pursuant to the request of Budget Officer Kathy Whited and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Mitrecic to sign the Warehouse Rental Agreement between Royal Plus, LLC (landlord) and the County Commissioners on behalf of the Worcester County Board of Elections to continue leasing the warehouse on Belt Street in Snow Hill for an additional one-year period from May 15, 2021 to May 15, 2022 at a cost of \$6,133.33 per month.

The Commissioners met with Budget Officer Kathy Whited to review the proposed FY22 Constant Yield Advertisement, which has already been approved by the Maryland Department of Assessments and Taxation, to be advertised in area newspapers during the week of April 22, 2021. Ms. Whited explained that, in accordance with State law, the notice states that, for the tax year beginning July 1, 2021, the estimated real property assessable base will increase by 0.9%,

from \$16,218,337,542 to \$16,365,406,574, and if the County maintains the current tax rate of \$0.845 per \$100 of assessment, real property tax revenues will increase by \$1,242,733 or 0.9%. The notice states that, to fully offset the effect of increasing assessments, the real property tax rate should be reduced to \$0.8374 per \$100 of assessment, the Constant Yield Tax Rate (CYTR). The County is considering not reducing its real property tax rate enough to fully offset increasing assessments and instead proposes to adopt a real property tax rate of \$0.845 per \$100 of assessment. This tax rate is 0.9% higher than the CYTR and will generate an additional \$1,242,733 in real property tax revenues. Ms. Whited reiterated that this language is required by State law.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved the FY22 Constant Yield Tax Rate advertisement, as required by State law.

Pursuant to the request of Ms. Whited and upon a motion by Commissioner Purnell, the Commissioners unanimously approved the required advertisement entitled “Notice of Public Hearing FY22 Requested Operating Budgets,” which will run in area newspapers the weeks of April 22 and April 29, 2021 advising the public that the budget hearing will take place on Tuesday, May 4, at 7:00 p.m. at the Worcester County Government Center in Snow Hill. Those seeking to speak or attend in person are encouraged to pre-register by calling County Administration at 410-632-1194. Public comments may also be submitted in advance by email at [wchearing@co.worcester.md.us](mailto:wchearing@co.worcester.md.us) or in writing on or before 4:00 p.m. on May 3.

Pursuant to the request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Church, the Commissioners voted 6-1, with Commissioner Elder voting in opposition, to authorize Commission President Mitrecic to sign the former Bay Club Golf Course Forest Conservation Easement and Stormwater Management Inspection Maintenance Agreements. Mr. Mitchell stated that the Maryland Board of Public Works recently purchased the 672.92+ acres to convert the property to timber lands and a trail park system to be managed by the Maryland Department of Natural Resources. In response to a question by Commissioner Elder, Mr. Mitchell stated that the State is going to demolish the building on the site, plant trees, and add trails.

Pursuant to the recommendation of Mr. Mitchell and upon a motion by Commissioner Nordstrom, the Commissioners unanimously adopted Resolution No. 21-6 establishing a Shared Sanitary Facility serving the Lighthouse Business Park Condominium on lands owned by Dough and Tammara Clark and located at 13203 Handy Lane just north of the intersection with Hammond Road, and more specifically identified on Tax Map 9, Parcel 16. Mr. Mitchell stated that the onsite sewage and disposal system and potable well system have been installed to serve the condominium plat for the planned Lighthouse Business Park Condominium project.

The Commissioners answered questions from the press, after which they adjourned to meet again on April 20, 2020.