

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

September 21, 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 Purnell, 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), (4), and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Finance Officer Phil Thompson, Budget Officers Kathy Whited and Candace Savage, and Information Technology Director Brian Jones. Topics discussed and actions taken included the following: hiring Adam Leonard as a maintenance project manager within the Maintenance Division of Public Works, Michele Eure as an accounting clerk II in the Treasurer's Office, and Matt Laick as a GIS analyst III/spatial analyst in Development Review and Permitting; hiring Dwayne McGinnis as an electronic services specialist III, hiring Stacey McManus and rehiring Crystal Merritt as full-time and part-time emergency communications specialist trainees, respectively, and reclassifying certain positions within Emergency Services, and certain personnel matters; considering a proposal for a business to locate to the County; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, the commissioners unanimously voted to adjourn their closed session at 9:57 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 Reverend Stephanie Clayville of St. Mary's Episcopal Church in Pocomoke 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 7, 2021 meeting as presented.

To recognize the men and women of the Worcester County Health Department (WCHD) for their meritorious leadership and for their extraordinary measures to combat COVID-19, the commissioners presented Health Officer Becky Jones and her staff with four custom works of art to be displayed at the four WCHD offices in Ocean City, Berlin, Pocomoke, and Snow Hill. Each piece includes the caduceus, the official insignia of the public health services and a universal symbol of

healing. The commissioners also recognized Jeffrey Auxuer Designs of Berlin, Maryland for crafting these pieces.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved as a consent agenda item numbers 2-9 as follows: to proceed with Maryland 911 Board project #22-043 for \$1,092.83 for purchasing public education materials for 911 operations, project #22-080 for \$2,585 for purchasing emergency dispatch protocol to recertify personnel, project #22-084 for \$45 for purchasing a new telecommunicator course manual, project #22-085 for \$299 for NENA Core Competencies course training, project #22-086 for \$365 for protocol recertification training, and project #22-087 for \$1,034 for protocol training, with the board to reimburse the County for the cost of each project; bid specifications to purchase vehicles for use by various County departments as approved in the FY22 operating budget; and bid specifications for phase two of the Worcester County Jail improvement project.

The commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Bertino, the commissioners unanimously agreed to reappoint Fred Stiehl to the Water and Sewer Advisory Council for Ocean Pines for a four-year term expiring December 31, 2024; to reappoint Tommy Tucker and Helen Whaley to the Commission on Aging Board for three-year terms each expiring September 30, 2024; and to appoint James Bannon to the Lower Shore Workforce Development Board for a four-year term expiring September 30, 2025.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bunting, the Commissioners unanimously awarded the low bid for the construction of the Gum Point Road low pressure sewer line to Hopkins Construction, Inc. of Bridgeville, Delaware at a cost of \$278,651.

Pursuant to the recommendation of Mr. Baker in response to a request from Maryland Coastal Bays Program (MCBP) officials and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to waive the tipping fees from the MCBP for debris to be collected during a community shoreline and bay trash cleanup day on September 26, 2021. The MCBP paid approximately \$500 in tipping fees during their inaugural cleanup event last year.

Pursuant to the request of Emergency Services Director Billy Birch and upon a motion by Commissioner Nordstrom, the commissioners unanimously agreed to renew the lease between the County (Lessee) and Royal Plus (Lessor) for 2022 at an annual cost of \$44,000 to lease approximately 7,124 square feet of space at 201 Belt Street in Snow Hill to store personal protective equipment (PPE), with funds to cover this cost being approved as an authorized over-expenditure.

Pursuant to the request of Mr. Birch and upon a motion by Commissioner Bunting, the commissioners unanimously accepted the proposal to purchase a mobile satellite trailer from Mobile Satellite Technologies, with CARES funds to be used for this purchase. Mr. Birch stated that this trailer is designed to provide resilient remote voice and data connectivity to support mobile testing and vaccination services.

The Commissioners met with Environmental Programs Director and Sewer Committee representative Bob Mitchell to review a request from Hugh Cropper for allocation of 18 equivalent dwelling units (EDUs) of sanitary sewer service from the Mystic Harbour Sanitary Service Area (SSA) to serve Sea Oaks Village, LLC phase II for an additional 18 units on a 35.71-acre parcel located on the westerly side of Stephen Decatur Highway approximately 2,000 feet south of the Sunset Avenue intersection, and more specifically identified on Tax Map 26 as Parcel 274. Mr. Mitchell advised that the property is currently zoned R-2 Multi-Family Residential District and is designated S-1 (designated for sewer services within two years) in the County Water and Sewerage Plan, though this designation does not guarantee any service or obligate the provision of services in that time frame. He then reviewed the available capacity.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved Option 1, allocating 18 EDUs to the property from the vacant or multi-lot category from Area 1.

The commissioners met in legislative session.

The commissioners met with Mr. Mitchell to review a draft bill to combine the Coastal Bays and Chesapeake Bays Critical Area Codes into a single code. Mr. Mitchell explained that this legislation reflects changes in State law since the ordinances were last comprehensively updated and will simplify this program for both citizens and contractors. He suggested conducting two listening sessions in the north and south ends of the county to receive public comment prior to holding a public hearing on the matter.

Following some discussion, Commissioners Nordstrom and Purnell introduced the aforementioned draft legislation as Bill 21-8 (Natural Resources – Worcester County Critical Area Law).

Commissioner Mitrecic closed the legislative session.

The commissioners conducted a work session to discuss how to allocate American Rescue Plan Act (ARPA) funding awarded to the County, which include requests from the Maryland Broadband Cooperative (MBC) for \$820,000 to complete three projects and Choptank Electric/Choptank Fiber for \$3 million to install fiber-to-the-home broadband service to County residents. Chief Administrative Officer Weston Young recommended conducting a hearing to receive public comment on the proposed allocation of ARPA funds prior to issuance, which would also provide them with the time necessary to receive guidance from the U.S. Treasury and learn the status of the federal infrastructure bill prior to distributing these funds.

MBC President and Chief Executive Officer Drew Van Dopp advised that MBC carries traffic for 11 different members, including Worcester County, and the requested funds would allow them to better serve their customers by upgrading the middle-mile transportation network and address the extraordinary increase in traffic by upgrading each of 13 towers from 1 gigabit per second to 10 gigabit service. In response to a question by Commissioner Bertino, Mr. Van Dopp confirmed that both Choptank and Talkie are part of the MBC and would benefit demonstrably from this upgrade, as would the end users.

In response to questions by Commissioner Nordstrom, Mr. Van Dopp advised that MBC is a 501C12, not-for-profit cooperative, with State, county, and federal partners, and in the last five years, MBC has reduced the cost of transport services by over 70%. This has allowed MBC to bring more competitive uses/services to customers. He advised that, of the requested funds,

\$240,000 would be used to upgrade the point of presence (POP) in Berlin, \$240,000 to add a POP to the Pocomoke area, and \$340,000 would be used to complete a diverse ring that extends up through Delaware and ultimately serves the nine Eastern Shore counties.

Commissioner Bunting thanked Mr. Van Dopp and recognized that three-fifths of the funds requested by MCB would be used to upgrade infrastructure in Berlin, which he considered to be a very good use of the money.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners conceptually agreed to allocate \$820,000 in ARPA funds to MBC.

Valerie Connelly, vice president of Choptank Electric Cooperative and Choptank Fiber advised that Choptank has 14,500 electric customers in the County and 142 miles of backbone fiber already installed as part of the company's communications network, with seven substations that will be built out for broadband. She stated that Choptank plans to utilize the requested County funds of \$3 million as a local match for State grant funds of \$9 million to complete a \$15 million project to extend broadband to 3,300 homes and offices in the County.

In response to a question by Commissioner Bertino, Ms. Connelly advised that Choptank could have crews on the ground working within three months from the time funds are awarded and an area identified. In response to a question by Commissioner Nordstrom, Ms. Connelly advised that Choptank has pledged to hook up every one of their members within 10 years, with planning occurring in six-month increments. However, she is not sure if Choptank can work on a pay-as-you-go program.

In response to a question by Commissioner Purnell, Ms. Connelly stated that Choptank Fiber must first install fiber and communications equipment for broadband to connect into that backbone fiber before they can serve customers. With regard to requests to allocate funding for fiber, Mr. Young advised that broadband is listed as an approved use of ARPA funds.

Following further discussion the commissioners agreed to schedule a public hearing on the proposed allocation of ARPA funds, and they thanked Mr. Van Dopp and Ms. Connelly for meeting with them.

At the recommendation of Commissioner Mitrecic and upon a motion by Commissioner Bertino, the commissioners unanimously agreed to meet with Paul Ellington, a political and business management consultant who has lobbied the State on behalf of the Town of Ocean City and the Greater Ocean City Chamber of Commerce, to discuss opportunities to identify and lobby for additional grant funds to assist with future County projects.

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

Following a motion by Commissioner Bertino, seconded by Commissioner Purnell, the commissioners unanimously voted to meet in closed session at 11:30 a.m. in the Commissioners' Conference Room to discuss a business coming to Worcester County and legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Finance Officer Phil Thompson, Information Technology

Director Brian Jones, and Budget Officers Kathy Whited and Candace Savage.

Following their closed session, the commissioners adjourned to meet again on October 5, 2021.