

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

November 2, 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' Conference 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 Weston Young, Deputy Chief Administrative Officer Joe Parker, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Finance Officer Phil Thompson, and Lobbyist Paul Ellington. Topics discussed and actions taken included the following: hiring Hunter Lewis as a transfer station attendant within the Solid Waste Division and promoting Barry Morton from maintenance mechanic I to maintenance supervisor within the Maintenance Division of Public Works, and certain personnel matters; receiving legal advice from counsel; 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 9:56 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 Dale Brown of the Community Church of Ocean Pines 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 October 19, 2021 meeting as presented.

The commissioners presented a retirement commendation to Maintenance Superintendent Ken Whited for his contributions to Worcester County Government throughout his 15-year career.

The commissioners presented a proclamation recognizing November 15-19, 2021 as American Education Week to Worcester County Public Schools Superintendent Louis H. Taylor.

The commissioners presented commendations to Worcester Technical High School

(WTHS) students who won gold medals in the following categories during the SkillsUSA Maryland Virtual State Championship in April 2021: Daniel Lugasi for Computer Programming; Kayla McManus Job Skills Demo; Myra Cropper and Daniel Juarez for Mobile Robotics; Dylan Arnold, Luke Davis, William Kozma, Aryavir Sangwan, and Jacob Yankalunas for Quiz Bowl; Jakahi Blunt, Matt Burns, and Jeff Eichelberger for Welding Fabrication; Ascher King for Welding Sculpture; Devin Pilarski for Welding; and Jessica Beck for Prepared Speech. The commissioners also recognized the WTHS instructors and students for representing Worcester County across Maryland and the nation with such excellence that WTHS was honored with a gold award during the annual SkillsUSA National Leadership and Skills Conference in June 2021 for the fifth consecutive year.

The commissioners presented a proclamation recognizing November as National Adoption Month to raise awareness of Worcester County youth in foster care who need stable homes and to honor those who have dedicated their lives to serving these children. The Commissioners extended their gratitude to Worcester County Department of Social Services (DSS) Family Support Worker Terry Edwards and other DSS staff members for their efforts to bring stability back into the lives of children who through no fault of their own have been removed from their families of origin.

In a related matter, Ms. Edwards accepted a commendation from the commissioners on behalf of William and Patricia McDermott, who were named the 2021 Worcester County Adoptive Parent of the Year by DSS, but who were unable to attend due to a prior commitment.

The commissioners conducted a public hearing on the proposed disposal of 0.08848± acre parcel of County-owned land located on the east side of Harrison Avenue near North Main Street in Berlin by way of quitclaim to the Berlin Fire Company (BFC).

Commissioner Mitrecic opened the floor to receive public comment.

BFC President David Fitzgerald thanked the commissioners for considering the request to quitclaim this small parcel to the BFC, which if approved would serve as an extension to the existing property and be used as parking.

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

Upon a motion by Commissioner Church, the commissioners unanimously agreed to quitclaim the property to the BFC as requested.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved as a consent agenda the item numbers 2-4, 7, and 8 as follows: bid specifications for the general rehabilitation of a single-family home in the Snow Hill Historic District; bid specifications for Adolescent Clubhouse services for youth ages 12-17; Maryland 911 Board project no. 22-096 for \$1,399.80 to reimburse the County for 911 dispatcher headsets; FY21 sub-recipient State Homeland Security Grant of \$92,273 to sustain grant-approved programs and mission support; and FY21 sub-recipient Emergency Management Performance Grant of \$74,322.39 to support emergency management functions.

Pursuant to requests presented by Emergency Services Director Billy Birch and upon subsequent motions made by Commissioner Bertino, the commissioners unanimously approved

the following items: Maryland 911 Board project no. 22-102 for \$911,022.55 to reimburse the County for Emergency Services IP Network (ESInet) and Next Generation Core Services (NGCS) implementation; the Carousel Vesta EIM and SMS carrier migration proposal for \$79,178.17 as part of the County's Next Gen 911 transition, though denying the request for staff to sign future documents; and approving the one-time FY21 sub-recipient Emergency Management Performance Grant of \$21,224.56, which includes a 100% County match, with funds to be used to enhance field communications.

The Commissioners met with Superintendent of Schools Louis Taylor to review and discuss the Board of Education's (BOE) proposed FY23 Capital Improvement Plan (CIP) request. Mr. Taylor stated that the CIP, which has been developed in accordance with Maryland Interagency Committee for Public School Construction (IAC) regulations, is a planning document, and he is not here seeking funding for any project today. He further advised that the CIP is consistent with the Worcester County CIP and incorporates all prior recommendations of the commissioners regarding future school construction needs.

Following some discussion and upon a motion by Commissioner Bertino, the commissioners unanimously approved the BOE FY23 CIP as presented.

The commissioners met with Senior Budget Accountant Kim Reynolds to schedule a public hearing on the requested five-year Capital Improvement Plan (CIP) FY23 – FY27. Ms. Reynolds advised the commissioners that projects totaling \$202,291,677 are proposed over the five-year period. She stated that, of the proposed projects, \$9,988,240 or 4.9% are proposed to be funded by the General Fund and \$89,942,034 or 44.4% from general bond funds. The remaining portion would be funded by user fees, grant funds, State match funds, State loans, assigned funds, and enterprise fund 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.

Commissioner Bertino reviewed several concerns, noting specifically that the commissioners should have the opportunity to review proposed projects above a certain threshold prior to including these items on future CIPs. He also noted that the \$32 million public safety building and \$15.3 million sports complex should not be included in the current CIP, as the commissioners have not yet discussed the need for these projects. Furthermore, the cost to the County for the proposed sports complex is significantly higher than the \$1.2 million, one-time cost previously proposed by former Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo. Commissioner Bunting concurred, noting that even though the commissioners previously agreed that no taxpayer money would be used to build a sports complex, this project is now proposed to be bonded in the draft FY23-FY27 CIP. In response to a question by Commissioner Bertino, Chief Administrative Officer Weston Young advised that Program Open Space funds may be used for park development, but may not be utilized for acquisition.

A motion by Commissioner Bertino to remove the proposed public safety building and the sports complex from the FY23-FY27 CIP and schedule a public hearing on the revised document failed 2-5, with Commissioners Bertino and Bunting voting in favor and Commissioners Church, Elder, Mitrecic, Nordstrom, and Purnell voting in opposition.

Following further discussion and upon a motion by Commissioner Nordstrom, the commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to

schedule a public hearing on December 7, 2021 to receive public comment on the five-year CIP FY23 – FY27 as presented.

The commissioners met with Budget Officer Candace Savage to review the proposed assignment of the FY21 Fund Balance of \$16.1 million. Ms. Savage explained that the Fund Balance is an accumulation of year-end surplus funds over the past several years, and while funds have been assigned to particular projects, they are not restricted by ordinance or resolution.

A motion by Commissioner Nordstrom to allocate \$150,000 as start-up funding to establish a Boys and Girls Club of America in Pocomoke died for lack of a second.

Commissioner Bertino expressed concern that the County should not have lowered the Other Post Employment Benefits (OPEB) contribution from \$2.5 million to \$2.1 million or the HVAC automation system controls in various County buildings from \$350,000 to \$200,000. Instead, he suggested eliminating the \$200,000 increase for the proposed sports complex, delaying track repairs of \$270,000 at Stephen Decatur High School and Pocomoke High School, and eliminating \$85,000 for the Stephen Decatur Middle School (SDMS) partition wall (as it should be included in the bond for the SDMS addition project) to fully fund the OPEB contribution at \$2.5 million and the HVAC project at \$350,000. Mr. Taylor confirmed that the two track resurfacing projects are needed, but could be postponed for one year.

Upon a motion by Commissioner Bertino, the commissioners voted 4-3, with Commissioners Bertino, Bunting, Elder, and Nordstrom voting in favor and Commissioners Church, Mitrecic, and Purnell voting in opposition to adopt Resolution No. 21-24, with the following alterations: eliminating \$85,000 for the SDMS partition wall, delaying funding of \$270,000 for PHS and SDHS track repairs for one year, and reducing funding for the sports complex by \$200,000, while restoring the OPEB contribution to \$2.5 million and the HVAC automation system controls to \$350,000.

Pursuant to the recommendation of Development Review and Permitting Director Jennifer Keener and upon a motion by Commissioner Bunting, the commissioners unanimously approved the 1<sup>st</sup> Amendment to Independent Contractor's Agreement, which includes a fee increase of \$25 per item associated with various Housing Program inspections.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bertino, the commissioners unanimously approved a modification to increase the engineering services contract with EA Engineering, Science and Technology for the Newark spray irrigation project by \$20,335.46 to cover continuing technical services due to the extended timetable to complete the project. Mr. Baker stated that funding is available within the existing budget to cover these additional costs.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Bertino, the commissioners unanimously approved the River Run turnover documents.

Pursuant to the recommendation of Mr. Baker and upon a motion by Commissioner Elder, the commissioners unanimously approved the FY22 vehicle bid recommendations for the purchase of 22 vehicles for various County departments. Mr. Baker advised that several vehicle bids were higher than the approved budget, but overall the cost is still within budget, as several

vehicle bids came in under budget. Commissioner Nordstrom stated that he would like to see future bids go to dealerships located in the County.

The commissioners met with Mr. Baker to discuss the bid protest from Allan Myers representatives to the October 19, 2021 award of the FY22 paving contract to Chesapeake Paving of Salisbury as the local bidder. Allen Myers Superintendent Steve Lambrose advised that his organization is the local contractor for Worcester County, noting that the asphalt plant in Bishopville has been in operation since 1992, was purchased by Allen Myers in 2013, and has paid \$94,523 in County taxes. He stated that the County has awarded this contract to Allen Myers for three out of the nine years his organization has bid on the project.

Following some discussion and upon a motion by Commissioner Church, the commissioners voted to make no changes to the bid award to Chesapeake Paving, but agreed to consider Allan Myers as a local contractor on all future bids.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Church, the commissioners unanimously agreed to appoint Brian Scarborough to the Solid Waste Advisory Committee for a four-year term expiring December 31, 2025.

The commissioners met with Ocean City Fire Department Chief Richard Bowers and Berlin Fire Company President David Fitzgerald to discuss a proposal to amend the requirements for the fire and emergency medical services (EMS) agencies operating in the County to qualify to receive out-of-town-run grant allocations. Currently, an agency vehicle must arrive on scene to receive the \$1,000 per-call out-of-town-run allocation. Chief Administrative Officer Weston Young advised that at the last fire committee meeting, fire company representatives proposed keeping the on-scene requirement in place and adding a \$500 per out-of-town-run grant allocation per agency vehicle for responding only. This would allow apparatus to return to service in their individual jurisdictions while remaining eligible to receive partial grant funding to offset response costs.

Commissioner Nordstrom supported making this short-term fix today and continuing to work on a long-term funding source, noting that these departments should be compensated for the resources they are expending. Commissioner Mitrecic concurred, noting that it could result in long-term savings to the County.

Commissioner Bunting stated that this request should be considered during budget deliberations rather than midyear. Commissioner Bertino concurred. In response to a question by Commissioner Bertino, Commissioner Mitrecic – who serves with Commissioners Bunting and Nordstrom on the Fire Committee – advised that the fire and EMS companies are scheduled to submit their annual financial reports in January 2021. Commissioner Bertino stated that, to establish actual operating costs and identify an adequate funding source to assure the continuity of care of County residents, the commissioners need to review the financial records. These should identify expenditures, including the costs involved in running the equipment, and revenues, including payments and insurance reimbursements. Mr. Young stated that, while overall collections by the fire companies appears to be adequate, there are at least \$400,000 in revenues that could be collected in a more efficient manner.

Following some discussion, a motion by Commissioner Nordstrom to approve the request

as presented failed for lack of a second.

In response to comments by Commissioner Bertino, Chief Bowers advised that the response grant was proposed at the last Fire Committee meeting to address operational issues, primarily concerning whether to continue to a scene or return a piece of emergency apparatus to service. He then recommended implementing the response grant program for six to 12 months to collect the data needed to determine the cost-saving benefits of offering response grants. He further advised that the group provided detailed financial information, public information, which can be reviewed to determine the operational needs of the fire and EMS companies. In response to a question by Commissioner Bertino, Mr. Fitzgerald stated that, while not all companies can afford to hire a certified public accountant to audit their financials, he has received forms identifying the revenues and expenditures from each of the fire companies and is compiling this information; however, each company has submitted financial forms to the County for the past 15 years. Mr. Young explained that the forms the County receives are standard one-page financial sheets, and the County has not received audited information from these companies. Commissioner Elder stated that the existing forms are based on a prior funding formula and are outdated. Thus, these forms must be updated and standardized to reflect current practices.

Following additional discussion and upon a motion by Commissioner Bertino, the commissioners voted 5-2, with Commissioners Mitrecic and Nordstrom voting in opposition, to table a decision on this matter pending receipt of the 2021 financial reports from each of the fire and EMS agencies operating in the County.

Chief Bowers updated the commissioners on the impact of the additional EMS personnel funds for FY22 and the current staffing levels and actions taken by all the EMS organizations using these funds.

The commissioners answered questions from the press, after which they adjourned to meet again on November 16, 2021.