

Minutes of the County Commissioners of Worcester County, Maryland

January 7, 2020

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

Following a motion by Commissioner Bunting, seconded by Commissioner Church, with Commissioner Nordstrom absent, 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), (7), and (14) 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 Kelly Shannahan, County Attorney Maureen Howarth, incoming County Attorney Roscoe Leslie; Public Information Officer Kim Moses, Human Resources Director Stacey Norton; and Commercial Real Estate Advisor John McClellan. Topics discussed and actions taken included: hiring Stacie Ayres-Ennis as a Rental License Program Coordinator for Development Review & Permitting and Tanya Niblett as a Store Clerk II for Liquor Control; approving a temporary Sergeant position within the County Jail to cover for personnel medical leave; reviewing personnel changes within the County Library and the Sheriff's Office; discussing an offer to purchase the former Liquor Control warehouse in Snow Hill; receiving legal advice from counsel; and performing administrative functions, including: reviewing the FY20 Monthly Financial Update.

Following a motion by Commissioner Bertino, seconded by Commissioner Purnell, the Commissioners unanimously voted to adjourn their closed session at 10:04 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 Arlene Page 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 December 17, 2019 meeting as presented.

The Commissioners presented a proclamation to Erica Morton of Big Brothers/Big Sisters (BBBS) recognizing January as National Mentoring Month. Ms. Morton advised that her organization partners with County organizations to provide community-based mentoring programs that served 45 families last year. She encouraged those in attendance to donate time each month to make a positive difference in the life of a young person and invited interested

individuals to contact BBBS to find out more.

The Commissioners presented a commendation to Superintendent of Schools Lou Taylor to commend Board of Education (BOE) members, administrators, teachers, and support staff for being recognized as having the highest concentration in Maryland of four and five-star public schools by the Maryland State Department of Education (MSDE). Mr. Taylor thanked the Commissioners for the recognition and expressed his gratitude that they all work together collaboratively in Worcester County. He further expressed his hope to have even more five-star schools next year.

The Commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Bertino, the Commissioners unanimously agreed to appoint Bob Gilmore to the Local Development Council for the Ocean Downs Casino for the remainder of a four-year term expiring December 31, 2021 to replace long-time volunteer Jim Rosenberg who passed away and to reappoint J. T. Novak to the Board of Electrical Examiners for an additional three-year term expiring December 31, 2022.

Upon nominations by Commissioner Elder, the Commissioners unanimously agreed to appoint Devin Bataille to the Recreation Advisory Board for a four-year term expiring December 31, 2023 to replace Shawn Johnson whose term expired and to reappoint Carl Smith to the Board of Electrical Examiners for an additional three-year term expiring December 31, 2022.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the Maryland Community Development Block Grant (CDBG) Program Close-Out Agreement in which the County received a \$300,000 grant from the Department of Housing and Community Development (DHCD) on October 24, 2011 to complete activities permitted under the County's Housing Rehabilitation Program.

Pursuant to the recommendation of Local Behavioral Health Authority Director Jessica Sexauer and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the sole proposal from Wraparound Maryland, Inc. of Salisbury, Maryland, which scored 87.5 out of 100 points, to provide mental health case management and care coordination services for children and youth. In response to a question by Commissioner Bertino, Ms. Sexauer advised that this Medicaid funds this program, and the public school system provides school-based referrals. In response to a request by Commissioner Bertino, Assistant Chief Administrative Officer Kelly Shannahan agreed to provide the Commissioners with information regarding the detailed budget for this program, which was included in the bid but not provided in the Commissioners' package.

Pursuant to the request of Health Officer Becky Jones and upon a motion by Commissioner Elder, the Commissioners unanimously accepted the low proposal from Royal Plus, Inc. of Snow Hill, Maryland at a cost of \$30,040.10 to replace the flooring at the Worcester Addictions Cooperative Center (WACS) in West Ocean City. Ms. Jones stated that the floor at this facility, which is provided to the County in collaboration with the Atlantic Club, is over 10 years old and in need of replacement.

The Commissioners reviewed a letter from Heather Harmon Disque, Regional Entomologist for the Maryland Department of Agriculture (MDA) Office of Forest Pest Management (FPM), advising that her office has identified two areas where gypsy moth populations may cause defoliation in Worcester County and to seek the Commissioners' interest in participating in a gypsy moth aerial suppression project in spring 2020. She further noted that, if the Commissioners agree to participate in the treatment program, the County's estimated portion of the 50/50 cost share would be \$6,615 at \$35 per acre for approximately 189 acres. Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the 50% local cost share of approximately \$6,615 as an authorized over-expenditure for the gypsy moth aerial suppression project to be conducted in Worcester County.

The Commissioners reviewed a letter from Ocean City Mayor Rick Meehan advising that the town plans to make the following changes that will impact the West Ocean City (WOC) Park and Ride Shuttle Service: raise in-season parking rates in the Ocean City downtown area and make the shuttle service free, which will encourage more workers and visitors to park at the Park and Ride, free up additional parking space in the downtown area, and eliminate the \$3 transfer fee County residents previously paid to connect with the shuttle service to travel into Ocean City; discontinue the shuttle service route through the White Marlin Mall, as the \$2 million State Pedestrian Safety Project in WOC eliminated the need for this service; and increase the frequency of shuttle ride service and reduce the travel time for users traveling directly to and from the Park and Ride into Ocean City. Mayor Meehan further advised that the \$160,000 operating deficit to provide shuttle service will remain the same, and he asked the Commissioners to continue the \$80,000 annual grant to Ocean City to help offset these costs.

Commissioner Bertino stated that he does not oppose the request, but believes that this request should be considered during the FY21 budget deliberations.

Upon a motion by Commissioner Elder, the Commissioners voted 5-1, with Commissioner Bertino voting in opposition, to continue the annual cost share grant to Ocean City for the WOC Park and Ride Shuttle Service as revised.

Pursuant to the request of Finance Officer Phil Thompson and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the purchase of office furniture from F.A. O'Toole in the amount of \$7,088.33 as an authorized over-expenditure to set up a satellite office at the Ocean Pines Branch Library for the Treasurer's Office. Mr. Thompson stated that the Treasurer's Office satellite office is proposed to be relocated from the Isle of Wight facility on St. Martin's Neck Road to a 200-square foot room that is being converted from a computer room to the new Treasurer's Office satellite office at the Ocean Pines Branch Library. He stated that one County employee will be assigned to that location, though they are still working to develop a timeline for the new site.

Commissioner Bunting requested information regarding whether the Health Department, which plans to expand to utilize all available Isle of Wight office space, will compensate the County for use of this space or create any new revenue for the County.

Pursuant to the recommendation of Development Review and Permitting (DRP) Director Ed Tudor and upon a motion by Commissioner Bertino, the Commissioners unanimously

authorized Commission President Mitrecic to sign the Maryland Department of Planning (MDP) 2020 Census Grant Agreement for a grant of \$20,000 to be utilized by the Worcester County Complete Count Committee in community outreach projects and marketing to increase awareness, educate the public, and motivate participation in the 2020 Census.

Upon a motion by Commissioner Bertino, the Commissioners unanimously approved as a consent agenda the Emergency Services agenda item numbers 11-20 as follows: seeking reimbursement from the Emergency Number Systems Board (ENSB) of \$52,441.01 to rectify a funding error for Project 17-195 to build the County public network; approving ENSB Project 20-01 for monthly Public Safety Answering Point (PSAP) circuit fees of \$22,767.12 for Comtech Telecommunications Corp of Seattle, Washington to be funded by the ENSB at no cost to the County; approving ENSB Project 20-063 of \$9,765.53 for eight replacement chairs in the PSAP center to be funded by the ENSB at no cost to the County; approving ENSB Project 20-069 of \$20,634.01 for two chairs at the Maryland State Police Barrack (\$2,463.08), one chair for Ocean Pines Police Department (\$1,360.13), and 14 chairs for the Dispatch Center in the Ocean City Public Safety Building (\$16,810.80), to be funded by the ENSB at no cost to the County; approving ENSB Project 20-068 of \$2,595 for the annual license for Critical 9-1-1 Specialist Testing Software, to be funded by the ENSB at no cost to the County; approving ENSB Project 20-091 of \$10,000 for an onsite, eight-hour Denise Amber Lee Foundation training session on January 15, 2020 to be funded by the ENSB at no cost to the County; approving the County purchase of 10 Plantronics Encore Pro HW710 Headsets at a cost of \$869.50, with all costs to be reimbursed by the ENSB; approving the maintenance support agreement for “Hindsight” Fault-Tolerant Digital Logging Recorder System Extended Warranty from Exacom of Concord, New Hampshire of \$28,759.90 for 9-1-1 support services, with funding available within the FY20 budget for this purpose, and authorizing this request to be approved administratively in the future by the Chief Administrative Officer, as long as the contract does not change substantially; approving the FFY19 Emergency Management Performance Grant Program Agreement between the Maryland Emergency Management Agency (MEMA) and the County Commissioners (sub-recipient) for U.S. Homeland Security funding of \$74,406.86 to fund staff salaries, which requires a 100% County match; approving proposed improvements at 100 Belt Street in Snow Hill for Emergency Services Radio Storage and Maintenance at a cost of \$53,455.91, with FY20 funding available for this project. The radio storage and maintenance project includes relocating Emergency Services radios and other equipment from the former Liquor Control warehouse to the Belt Street location and consists of five contracts between the County and the following entities: \$11,482.59 with Royal Plus, Inc. for cleaning and remediation services; \$16,121.52 with Uline for furniture and equipment needed to store and utilize critical radio parts and equipment; \$7,404.40 with Harris to purchase a router; \$11,112.40 with Skyline Technology Solutions to install network equipment; and \$7,335 with Clark & Sons, Inc. to provide and install a roll-up door with ArmorBrite finish.

Pursuant to the recommendation of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the sole bid for the dredging of approximately 4,000 cubic yards to a channel depth of four feet at Public Landing to Murtech, Inc. of Salisbury, Maryland at a cost of \$192,000. Mr. Perlozzo stated that 100% of project costs will be funded through Land, Water, and Conservation funds of \$200,000.

In response to questions by Commissioner Bertino, Mr. Perlozzo stated that the Department of Natural Resources (DNR) awarded the County a wetland permit to remove phragmites from the beach. He stated that the project should be complete and open for public use by mid-March.

In response to a question by Commissioner Mitrecic, Mr. Perlozzo stated that roughly 1,000 area youth have utilized the new synthetic ice rink, which is portable and will be set up in areas around the County, including the Berlin Fire Hall, a site to be determined in Pocomoke, and perhaps the West Ocean City Outlet Mall in the future.

Pursuant to the request of Mr. Perlozzo and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications for the design and construction of the concessions and bathroom facility at Showell Park, with Program Open Space (POS) funds to reimburse 90% of project costs. Commissioner Bertino recognized the dedication of County Parks Workers with regard to the upkeep of the Showell Park.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Elder, the Commissioners unanimously awarded the low bid for construction of the Newark Spray Irrigation Project to Bunting and Murray Construction of Selbyville, Delaware at a total bid price, including add alternate No. 01, of \$1,604,253.60. Commissioner Elder thanked staff for their vigilance to reduce project costs and move forward with an affordable project. Mr. Tustin advised that the project is slated to begin within the next 60 days and should be completed by December 2020.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications to paint the north water tower in the Ocean Pines Sanitary Service Area (SSA), with funds of \$400,000 available for this project within the 2019 bond issue. Mr. Tustin stated that staff is still waiting for the Maryland Department of the Environment (MDE) to issue the construction permit, but felt that it was imperative to begin the bidding process now, so that work can begin in spring 2020. In response to a question by Commissioner Bertino, Mr. Tustin confirmed that the County received revenue for antennas in the past, but that there are no active antennas on the tower at this time. In response to a question by Commissioner Mitrecic, Mr. Tustin advised that County staff could have conversations about placing antennas on the tower once the project is complete.

In a related matter, Commissioner Bunting stated that a new tower has been erected on Gum Point Road, and he asked staff to determine how many antennas will be installed on that tower and whether Verizon Wireless will be one of the users.

In response to the recommendation of Mr. Tustin in response to a written request from Fred Stiehl, Chairman of the Ocean Pines Water and Wastewater Advisory Board, and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized staff to begin evaluating the potential to reuse effluent from the Ocean Pines Wastewater Treatment Plant (WWTP) to irrigate the Ocean Pines Golf Course, based on the success the County has had using treated effluent from the Mystic Harbour WWTP to irrigate the Eagle's Landing Golf Course and from the Riddle Farm WWTP to irrigate the two golf courses at Riddle Farm. In response to a question by Commissioner Bunting, Mr. Tustin advised that they had one initial meeting with an

Ocean Pines Association (OPA) representative to determine if there is an interest in this project, noting that such a project could divert about 200,000 gallons per day from the St. Martin's River, and the OPA official seemed receptive to the idea.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously accepted the proposal from EA Engineering, Science, and Technology, Inc. to provide professional services for the design of electrical systems at Pump Stations 2, 3, 4, and 5 in the West Ocean City (WOC) SSA at a cost of \$19,909.58 or \$4,977.40 per station.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications for the application of chip seal for resurfacing approximately 27.61 miles of County Roadways and to remove Day Girls Road from the list of roads to be resurfaced at this time. At Commissioner Bunting's request, Mr. Tustin agreed to add Day Girl Road to the list of roads for slurry seal paving in the future.

The Commissioners met with Mr. Tustin to discuss a December 9, 2019 email from Michael Lalli requesting that the County prohibit boat and trailer parking on Madison Avenue, as the proliferation of both can be dangerous to traffic circulation during the summer months and given that boat and trailer parking is available for a small fee nearby at Island Water Sports next to Harpoon Hannah's. Mr. Tustin stated that after investigating this issue, he fully supports this request.

Upon a motion by Commissioner Church, the Commissioners unanimously adopted Resolution No. 20-1 prohibiting boat and trailer parking on Madison Avenue.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the Memorandum of Understanding (MOU) between the Maryland Department of Transportation (MDOT) State Highway Administration (SHA) and the County Commissioners for the County to purchase salt from the SHA as needed through August 31, 2020 and authorized this request to be approved administratively in the future by the Chief Administrative Officer, as long as the contract does not change substantially.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bunting, the Commissioners unanimously authorized Commission President Mitrecic to sign the MOU between MDOT SHA and the County Commissioners to accept the Federal Aid Project Guidelines and Working Agreement, which details the standards and process involved if the County applies to receive federal funding to design and replace bridges in future years.

The Commissioners reviewed and concurred with the written request of MDOT Administrator Christine Nizer who advised that October 1, 2020 is the federal REAL ID deadline, that MDOT Motor Vehicle Administration (MVA) representatives remain focused on ensuring that all Marylanders are educated about and prepared for REAL ID, and that their support is needed to help communicate information about REAL ID to County residents.

Environmental Programs Director Bob Mitchell provided a status update regarding the Lewis Road Sewer Extension Project to connect the Lewis Road community to receive sewer service from The Landings WWTP as follows: on January 16, 2018 the Commissioners authorized staff to prepare a preliminary engineering report (PER) and to investigate project funding for “Alternative I” to install a gravity sewer system and central grinder pump station; an application for capital project funding was submitted to the Maryland Water Quality Financing Administration (WQFA) in January 2018, with notification received in June 2018 that the project did not qualify for this competitive grant; Environmental Programs submitted a request to the Maryland Department of the Environment (MDE) for a Priority Funding Area (PFA) exemption to utilize local funding through the annual Bay Restoration Fund (BFR) grant for a portion of this project, though area residents would be required to sign an agreement verifying that they can only receive one equivalent dwelling unit (EDU) per parcel as a condition for this exception to assure that funding was not used to support new growth; and in January 2019 the Commissioners approved the expenditure of \$6,500 to complete an environmental report to qualify for a low-interest loan and potential grant funding from the United States Department of Agriculture (USDA) to fund the project; and the report and loan application were submitted to the USDA in March 2019, with County staff still working with USDA officials, who are currently short-staffed, but who hope to provide an answer on grant and loan funding within 60 days. Mr. Mitchell stated that, on a parallel track, the County could resubmit the project to WQFA by the January 2020 deadline to determine what funding might be available for this effort from MDE, given that there is a new project scoring program in place, and since a dual funding source could help to make this project affordable to the local community.

Commissioner Mitrecic noted that the Commissioners ranked this project as their number one priority project nearly four years ago, and he thanked Mr. Mitchell for the update and continued work on this project.

In response to a question by Commissioner Mitrecic, Public Works Deputy Director John Ross advised that treated effluent is not pumped from the Mystic Harbour Wastewater Treatment Plant (WWTP) to the Eagle’s Landing Golf Course at this time, as the discharge permit does not allow the spraying of effluent on the grass when growth is dormant in the winter months. Mr. Ross explained that effluent was sprayed on the golf course this past summer and agreed to provide the Commissioners with the more details and the actual volume of effluent that has been sprayed at this location to date.

Commissioner Bertino commended his fellow Commissioners on their unanimous vote to allocate \$100,000 to the Board of Education (BOE) and other area nonprofits that provide meal programs that feed students living in poverty, stating that he visited Pocomoke Middle School during the winter break and saw how their investment impacted over 100 families who received both hot meals and food bags based on the number of children per household. Commissioner Purnell concurred.

In response to a request by Commissioner Bertino, Mr. Higgins agreed to provide an update on steps being taken to improve Worcester County Government Center security at a future meeting.

Commissioner Mitrecic announced that Arlene Page, who delivers the opening prayer at the Commissioners' meetings, will no longer be able to attend the meetings due to health issues, and he directed County staff to recruit clergy throughout the County to deliver future prayers on a rotating basis. The Commissioners agreed to send a letter of thanks to Ms. Page for her service to the County.

The Commissioners introduced and welcomed incoming County Attorney Roscoe Leslie, who will take over for current County Attorney Maureen Howarth, who accepted a partner position with Ayres, Jenkins, Gordy & Almand in Ocean City, Maryland to begin later this month.

The Commissioners answered questions from the press, after which they adjourned at 11:21 a.m. to meet again on January 21, 2020.