

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

January 21, 2020

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 Bertino, seconded by Commissioner Church, with Commissioners Elder and Nordstrom temporarily 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 (8) 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, and Human Resources Director Stacey Norton. Topics discussed and actions taken included: hiring Raheem Hammond and Dylan Connor as Correctional Officer Trainees for the Jail; promoting John "Alex" Webb from Database Administrator/Programming Trainee to Database Administrator/Programmer within Information Technology; agreeing to post to fill the positions of Tourism Director and Assistant Chief Administrative Officer; reviewing personnel changes in Environmental Programs; acknowledging the hiring of temporary Special Prosecutor Sharon Holback within the State's Attorney's Office and the promotion of Phyllis Yarbrow and Jocelyn Colbert from part-time Library Service Assistant I to full-time Library Services Assistant II; discussing pending litigation; receiving legal advice from counsel; and performing administrative functions, including: discussing potential board appointments and confirming an equivalent dwelling unit (EDU) allocation in the Mystic Harbour Service Area.

Following a motion by Commissioner Bertino, seconded by Commissioner Purnell, the Commissioners unanimously voted to adjourn their closed session at 9:52 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 Dale Brown of the Community Church at 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 January 7, 2020 meeting as presented.

The Commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Nordstrom, the Commissioners unanimously agreed to appoint Jeff Smith and to reappoint Patricia Tomasovic to the Library Board of Trustees for five-year terms each expiring December 31, 2024, and to appoint Commissioner Purnell's nominee, Vaughn White, to the Solid Waste Advisory Committee to replace Rodney Bailey for the remainder of a four-year term expiring December 31, 2021.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications for the rehabilitation of a single-family home in the Snow Hill area, which is to be funded through the County's new Community Development Block Grant (CDBG).

Pursuant to the request of Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Church, the Commissioners unanimously authorized Commission President Mitrecic to sign a letter supporting Diakonia, Inc.'s application for a Supportive Services for Veterans Families Program grant from the U.S. Department of Veterans Affairs.

Commission on Aging (COA) Executive Director Rob Hart met with the Commissioners to request their authorization for an over-expenditure of \$8,840 in the FY20 budget to provide transportation for senior citizens in northern Worcester County, specifically West Ocean City and Berlin, to COA daycare and medical appointments. Mr. Hart stated that Shore Transit, the County's current provider of these transportation services, is no longer able to provide sufficient service due to an increased demand for transportation services from the public, and the COA is now receiving multiple calls per day from senior citizens requesting transportation to and from their appointments. He stated that two COA mini vans and current part-time COA staff can be utilized at roughly four additional hours per day to provide transportation to and from these appointments because the COA currently runs a Community for Life Program in the north end of the County. In response to a question by Commissioner Elder, Mr. Hart stated that the COA could provide transportation at a lower cost than Shore Transit or another outside vendor could offer. He stated that, if the COA continues to provide this service, FY21 Statewide Specialized Transportation Assistance Program (SSTAP) funds that the County currently designates to Shore Transit could be used by the COA to cover these additional transportation costs.

With regard to concerns raised by Commissioners Elder and Mitrecic regarding the allocation of future SSTAP funding, Chief Administrative Officer Harold Higgins advised that this is a budgetary issue that will be presented to the Commissioners during FY21 budget deliberations. Commissioner Mitrecic stated that this program would be a huge undertaking and urged the COA to work to keep the Tri-County Council (TCC) of the Eastern Shore and Shore Transit involved, particularly with regard to scheduling.

In response to a question by Commissioner Bunting, Mr. Hart stated that the TCC has advised him that it is too costly for Shore Transit to provide service to the outlying areas; however, the COA has existing programs in that area that will allow them to provide transportation for seniors at a lower cost.

Following some discussion and upon a motion by Commissioner Elder, the Commissioners unanimously approved the requested \$8,840 over-expenditure in the FY20 budget for the COA to supplement the services provided by Shore Transit.

Pursuant to the request of Budget Officer Kathy Whited and upon a motion by Commissioner Elder, the Commissioners unanimously lowered the privately-owned vehicle mileage reimbursement rate for County employees for County travel from \$0.58 to \$0.575, to match the mileage reimbursement rate for both the State of Maryland and the Internal Revenue Service (IRS).

Pursuant to the request of Assistant Chief Administrative Officer Kelly Shannahan and upon a motion by Commissioner Elder, the Commissioners unanimously approved their revised meeting and budget schedule for 2020. Mr. Shannahan recalled that the Commissioners previously revised the FY21 budget schedule to avoid afternoon budget work sessions, which would have conflicted with Commissioner Elder's school bus contracting schedule. However, now that Commissioner Elder has retired as a school bus contractor, he has agreed that afternoon budget work sessions would be preferable to meeting on the Wednesday morning following a regular meeting, and the schedule has been revised, with budget work sessions to take place as follows: all day on Tuesday, March 31, and Tuesday, May 12 (from 9:00 am to 4:00 pm), and in the afternoons (from 1:00 to 4:00 pm) after the Commissioners' regularly-scheduled meetings on Tuesday, April 14, and Tuesday, May 19, thereby eliminating three additional meeting days.

Environmental Programs Director Bob Mitchell met with the Commissioners to recommend providing FY20 Maryland Agricultural Land Preservation Foundation (MALPF) matching funds of \$66,000, which represent an estimate of Agricultural Land Transfer Tax (ALTT) of \$15,000 for FY20 and a County General Fund cash match in FY21 of \$51,000. Mr. Mitchell advised that Worcester County's certification entitles the County to retain 75% instead of 33% of the ALTT. Mr. Mitchell stated that there is uncertainty with respect to estimating annual ALTT, how many easements the State will offer in the year, what property owners will accept State offers, and the ultimate matching fund level the County will have for easements. However, he noted that, if the County provides more than the minimum contribution of \$16,000, the County will receive more than a 50% return on this investment. He further stated that, with matching funds from the State, perhaps the County would be able to purchase one to two additional easements in this funding cycle.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 6-1, with Commissioner Elder voting in opposition, to approve local matching funds of \$66,000 for the FY20 Maryland Agricultural Land Preservation Foundation Program.

Pursuant to the request of Economic Development Director Kathryn Gordon and upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved out-of-state travel for Economic Development Deputy Director Lachelle Scarlato to attend the International Council of Shopping Centers (ICSC) Global Retail Real Estate Convention (RECON) from May 17-19, 2020 in Las Vegas, Nevada at a cost of \$2,755 for registration, flights, lodging and meals.

Commissioner Bunting requested Ms. Gordon provide the Commissioners with any documentation that may exist with regard to the benefits of attending this conference. Ms. Gordon agreed, noting that in addition to the networking opportunities and professional development/career-building opportunities, this conference will allow Ms. Scarlato to market commercial retail sites with access to water and sewer in the County to quality retailers.

The Commissioners met with Development Review and Permitting Director Ed Tudor to discuss the Town of Berlin's proposed Annexation Petition. Mr. Tudor informed the Commissioners that the Town of Berlin is proposing to annex approximately 2.4 acres located on the southerly side of U.S. Route 50 to the east of Seahawk Road and identified on Tax Map 25 as Parcels 408 (Myers Trust) and 430 (Two Farms, Inc.). Mr. Tudor stated that the properties proposed for annexation are zoned C-2 General Commercial District under County zoning, and the town is proposing to rezone the properties to B-2 Shopping District upon annexation. He explained that pursuant to the provisions of Section 4-416 of the Land Use Article of the Annotated Code of Maryland the annexed land cannot allow uses substantially different than those in the zoning category of the County for a period of five years after the annexation, unless the County consents to the proposed rezoning upon annexation. However, the proposed annexation is consistent with the land uses recommended by the Comprehensive Plan and with existing zoning and land use in the area. Therefore, no action is required by the County Commissioners.

In response to a question by Commissioner Bunting, Mr. Tudor confirmed that the town will provide public sewer service to the properties.

Following some discussion and upon a motion by Commissioner Elder, the Commissioners unanimously agreed to send a letter to the Town of Berlin concurring with the rezoning upon annexation of the subject properties.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor, in response to a request made by Carpenter Engineering, LLC, on behalf of their client, Sea Oaks Village, LLC, and upon a motion by Commissioner Purnell, the Commissioners unanimously adopted Resolution No. 20-2, approving a proposal for approved private roads and the associated road construction standards for Sea Oaks Village Residential Planned Community (RPC) on Stephen Decatur Highway (MD Rt. 611). Mr. Tudor stated that the project contains two proposed roads to be known as Oak Leaf Lane, which is 619 feet in length, and Sea Oaks Lane, which is 1,887 feet in length and comprised of 1,373 feet in the residential section and 514 feet in the commercial section.

In response to a question by Commissioner Bunting, Public Works Director John Tustin stated that he concurs with this request, noting that both proposed roads meet and in some respects exceed County road construction standards.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved Change Order No. 1 with Whiting-Turner for the Ocean Pines Branch Library building envelope and heating, ventilation, and air conditioning (HVAC) renovation project. Mr. Tustin stated that the project was completed, leaving a surplus of \$15,077, thus reducing the final contract sum to \$1,239,562.

The Commissioners conducted a public hearing on Rezoning Case No. 422 for an application submitted by Joseph E. Moore, attorney, on behalf of M and G Route 50 Land, LLC, which seeks to rezone approximately 18.65 acres of land located on the south side of U.S. Rt. 50 and north side of Old Ocean City Boulevard (MD Rt. 346) west of Main Street (MD Rt. 818) near Berlin, and more specifically identified on Tax Map 20 as Parcels 47 and 318, from A-1

Agricultural to C-2 General Commercial Zoning District. Staff members present at the hearing were Development Review and Permitting Director (DRP) Ed Tudor and DRP Deputy Director Phyllis Wimbrow. County Attorney Maureen Howarth swore in those individuals who planned to give testimony during the hearing. Mr. Tudor reviewed the application, which received a favorable recommendation from the County Planning Commission. Ms. Wimbrow stated that according to the application for rezoning, the applicants' claim as the basis for their rezoning request was that there was a mistake in the existing zoning. She stated that all of Parcel 318 and most of Parcel 47 are located within the Growth Area category, while the most easterly portion of Parcel 47 is within the Agricultural Land Use Category of the County Comprehensive Plan. She then entered the Planning Commission's Findings of Fact into the record, noting that the petitioned area is within a designated Growth Area and at a gateway location for Berlin, an area of significantly increased population over the last 30 years and adjacent to a power substation, rendering the site unattractive for residential use, too small and irregularly-shaped for farming with today's large equipment, and is more appropriate for commercial zoning. Furthermore, the Planning Commission concluded that for these reasons a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

Mr. Moore stated that this site is the westerly gateway to Berlin, and is bounded by highways on two sides and Delmarva Power's electric substation on the east side, resulting in an isolated property that is not suited for residential or agricultural use due to its size and shape. He stated that, while the Comprehensive Plan indicates that there is an overabundance of commercially zoned lands, this parcel is not related to the abundance of commercial zoning situated 4.8 miles to the east of Berlin along U.S. Rt. 50, and the closest commercially zoned property is at the intersection of U.S. Rt. 50 and MD Rt. 818 (North Main Street). He further noted that, because the population of Berlin has grown by 48% since the 2000 Census, the petitioned area is better suited for commercial uses to serve this population, and that MD Rt. 346 would act as a service road since the property is denied access to U.S. Rt. 50. He concluded that, though an annexation agreement could not be reached between the property owner and the Town of Berlin due to the substantial cost to connect the property to public sewer, the town has no objection to the rezoning. Therefore, he urged the Commissioners to find that there is a mistake in the existing zoning and that C-2 zoning would be more appropriate in terms of the goals and objectives of the Comprehensive Plan.

Mr. Moore proceeded to question his four witnesses.

Attorney Hugh Cropper, IV, a private citizen who owns six agricultural properties, leases farms, engages in some farming activities, and has served as a land use attorney for 31 years, agreed that the site cannot be farmed with large farming equipment due to its odd shape, small size, and the location of power lines and ditches. He stated that a farmer would only till the site to keep the weeds down or for insurance purposes. He concluded that it was a mistake to retain the A-1 zoning during the 2009 comprehensive rezoning for these reasons and stated that commercial use is the only logical use for the petitioned area.

Betty Tustin of the Traffic Group stated that a traffic study concluded that the proposed commercial use of the petitioned area will have no adverse impact on future traffic during any peak hours, with a Level of Service A being maintained on all roadways and at both proposed entrances.

John Salm of J. W. Salm Engineering, Inc. stated that without public sewer there is limited on-site wastewater disposal, which would limit the overall amount of commercial use;

however, between the existing and potential on-site septic capacity of the property, adequate septic service is available to serve commercial uses, such as a convenience store or warehouse/storage, on the petitioned area.

Chris McCabe, environmental consultant and owner of Coastal Compliance Solutions, advised that, while much of the soils in the petitioned area are primarily hydric soils, there are still areas to develop for reasonable commercial use of the property. He further stated that there is an area of nontidal wetlands for which they have applied and received conceptual approval from the Maryland Department of the Environment (MDE) for proposed nontidal wetland impacts of less than 5,000 square feet.

In response to a question by Commissioner Bertino, Mr. Moore acknowledged that the Comprehensive Plan calls for growth areas to be annexed by the incorporated towns, but that it also recognizes that properties within growth areas cannot always be successfully or satisfactorily annexed, as occurred in this case in which he worked with the town for over a year to resolve the issue of public sewer service to the site. Mr. Moore advised that the County Commissioners may still permit development in these growth areas without annexation.

In response to a question by Commissioner Bunting, Environmental Programs Director Bob Mitchell noted that the existing well and septic, which have been abandoned and would require permitting to be re-established, have a maximum flow capacity of 600 gallons per day (gpd) for each property, with a total potential onsite capacity of 1,200 gpd if the two prior septic areas are protected, though total future onsite capacity is unknown at this point without confirmed seasonal testing.

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

Upon a motion by Commissioner Church, the Commissioners conceptually adopted the Planning Commission's Findings of Fact and approved the rezoning from A-1 to C-2, based on a mistake in the existing zoning.

The Commissioners met with Information Technology Director Brian Jones and Joanne Hovis, President of CTC Technology & Energy of Maryland to discuss the findings of the Worcester County Broadband Feasibility Study.

Ms. Hovis reviewed a PowerPoint that included the following: CTC's findings and recommendations based on a six-month study that included assessing the existing fiber/cable infrastructure, identifying where gaps exist in which there currently is no fiber/cable broadband infrastructure to serve the needs of residents, businesses, and institutions, and a high-level design and cost estimate and potential grants and loans that might support the expansion of broadband services. She stated that CTC solutions are based on the private sector, rather than the County, becoming an internet service provider, but with the understanding that the County, State, and federal government engagement will be part of the solution to make it economically viable for the private sector to fill those infrastructure gaps. She noted that the lack of infrastructure has to do with the lack of economic viability, which is the story of every single county in the United States, all of which have areas of low density where there are broadband gaps, with the exception of counties that are entirely cities, like San Francisco and Washington, D.C. She then reviewed overall strategies and solutions from a technology standpoint (including designed fiber and fixed wireless networks), and strategies for the County to work with a private sector partner, and state, federal partners, which offer funding programs that represent important opportunities to help

reduce infrastructure costs through a combination of State and federal grants and low interest loans, and with a potential County contribution. Ms. Hovis stated that infrastructure is economically viable in high-density locations where the cost to build on a per-customer basis is much lower and potential revenues are much higher because there are so many potential customers. Therefore, a lack of adequate broadband infrastructure is a persistent rural problem. She stated that, based on a desk and field study analysis, about 6,400 homes and businesses in Worcester County are not served by infrastructure that meets the federal definition of broadband (25 Mbps down/3 Mbps up), meaning high-speed access to the internet, which is increasingly a foundational element of economic activity, civic engagement, education, and healthcare, is not available to those homes and businesses. She then reviewed maps identifying the unserved areas of the County, and discussed a series of design solutions, noting that wireless service appears to be a lower cost option up front to build, but fixed fiber, which will require a capital investment of approximately \$46.7 to \$49.7 million, is the holy grail of infrastructure because once built it will be there in perpetuity and allow for increased speeds over time as the market demands it. Thus, fixed fiber is a better and lower-cost, long-term solution than wireless, which would require costly, wholesale replacement every five to 10 years due to exposure to the elements and because the technology continues to advance at a rapid pace, making decade-old wireless equipment mostly obsolete.

With regard to moving forward, Ms. Hovis stated that the State of Maryland has made a commitment to partner with the counties and appropriated funds to solve the lack of broadband in low-density areas; and the federal government currently offers multiple programs, including the U.S. Department of Agriculture's (USDA) ReConnect grant and loan program and Federal Communications Commission grants and low-interest loans, creating opportunities to reduce the net cost of providing broadband in unserved areas of the County. She further stated that the County has a potentially strong potential partner in Choptank Electric Cooperative, which is seeking to cover much of the unserved areas with broadband service and are particularly well positioned to apply for federal funding. She stated that CTC has met with and had very positive engagement with Choptank, which is very interested in solving this problem in all nine counties on the Lower Eastern Shore of Maryland. She further noted that Choptank is asking the General Assembly to adopt legislation that would make it possible for the cooperative to go into this business, and if given the opportunity to do so under State law, will likely become very competitive bidders for federal funding to be available later in 2020, provided that the County supports Choptank as a private sector partner.

Ms. Hovis then reviewed the challenges to obtaining the federal funding, specifically Bloosurf, an existing wireless provider recognized as the rural utility service (RUS) borrower in the County. She stated that Bloosurf was awarded \$3.2 million in USDA Broadband Initiatives Program (BIP) grant and loan funds in 2010 for service across the County and won the Connect America Fund II (CAF II) auction for additional portions of the County, and those areas are technically ineligible for ReConnect funding; and though the CAF II exclusion will continue, the ReConnect is a protected status that is expected to expire in 2021. She stated that this represents a significant obstacle, not to State funding, but to federal funding opportunities, and the County would be required to challenge this existing federal grantee's service claims to be eligible to receive certain grants and loans, as federal funding cannot support a second federal grantee in these areas of the County. She stated that the data suggests that the company is not delivering on the coverage it has reported and which is identified on the federal maps. She stated that, because

Bloosurf is here in the County, another provider would not be eligible to apply for federal funds. With respect to future funding sources, she stated that both grants are likely to be renewed because the State and federal governments recognize the scope of the problem and how much money it will take to solve the problem countrywide.

Ms. Hovis suggested the following multi-year strategy to collaborate with partners and to make substantial progress over time to comprehensively extend broadband service throughout the County: collaborate with private sector partners to apply for State and federal broadband grants, noting that the State program does not place restrictions on geographic areas; pursue State funding immediately, and encourage Comcast, ThinkBig, and others to apply; ReConnect will be difficult because of protected status areas; Engage with Choptank on Rural Digital Opportunity Fund (RDOF) funding opportunities; partner with ThinkBig on State grant application, possibly ReConnect; encourage Comcast to apply for a State broadband grant; and explore opportunities to support fixed wireless providers as a last resort.

In response to concerns raised by Commissioner Bertino, Mr. Jones advised that, if the County or its partner's application for federal funds is denied on the grounds that the County already has an RUS provider, the County can challenge that decision by requiring Bloosurf to prove that it is providing the coverage identified on existing federal maps.

In response to a question by Commissioner Bunting, Ms. Hovis stated that all of CTC's anecdotal data suggests that the wireless service provided by Bloosurf is spotty at best, and it would likely require a huge expense for the company to construct the additional towers needed to resolve this issue.

Commissioner Elder stated that most of the unserved population of the County reside in his district, and it is imperative to extend broadband to these areas. In response to questions by Commissioner Elder, Ms. Hovis stated that the federal funding available would allow County partners to begin to move forward with plans to extend fiber to the rural areas. In response to questions by Assistant Chief Administrative Officer Kelly Shannahan, Ms. Hovis stated that the RUS protection was based on a 2010 USDA grant that will not expire until 2021, unless the County can show that the promised coverage level is not there. Thus, it would be very helpful to know exactly what Bloosurf's true performance levels are and to partner with the State to test that performance. She further noted that Bloosurf is a likely competitor for the next round of federal funding, and it is in the County's best interest to support one or more bidders, such as Choptank or Comcast, that will be able to install the fiber needed to extend broadband to the unserved areas.

Commissioner Nordstrom stated that broadband is critical to success in southern Worcester County to attract businesses that support NASA's Wallops Island Flight Facility, and he offered his support for developing the needed infrastructure to provide reliable broadband services in Worcester County.

Following much discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously requested CTC to provide them with a proposal to test the existing wireless broadband services provided by Bloosurf in their federal award areas in the County and for staff to present them with a plan at their next meeting to outline the steps the County needs to take to facilitate the extension of broadband to the unserved areas of the County.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the one-year contract

extension with Atlantic Pumping at a cost of \$20,724 for portable restroom services throughout the County at the Solid Waste facilities, firing range, and County parks and boat ramps.

Pursuant to the request of Public Information Officer Kim Moses and Recycling Manager Mike McClung and upon a motion by Commissioner Nordstrom, the Commissioners voted 6-0-1, with Commissioner Mitrecic abstaining from the vote due to a potential conflict of interest, to authorize Commission President Mitrecic to sign the contract between D3 and the County Commissioners, which includes fees totaling \$1,995 for video production and billboard design, along with an administrative fee of \$475 for the Keep Worcester Clean (KWC) campaign. Ms. Moses explained that the billboards, proposed to launch in early February/March, and the commercials, proposed to begin running in early April/May, will both run for approximately six months to provide the widest possible coverage. She further noted that staff will work with D3 to produce the video and billboard graphics based on KWC campaign initiatives and will determine the actual advertising costs and request the Commissioners' approval for the final advertising purchases at a future meeting.

Commissioner Nordstrom stated that at their February 5, 2019 meeting the Commissioners were presented with a petition requesting the establishment of a second early voting site in the Pocomoke area of the County, which would provide greater access to voting and voter registration, eliminating for some the impracticality of a 30-minute ride from the south end of the County to the existing early voting site in Berlin. However, the current law establishing the parameters of early voting sites in Maryland require the site to remain open all week, which is impractical, restrictive, and, ultimately, too expensive for a county with a smaller population. Therefore, he urged his fellow Commissioners to petition the State to amend the existing law to state that, "In addition to the required main early voting site - operating under established parameters - counties with a population of less than 125,000 registered voters shall have the option of opening additional sites for no fewer than two consecutive days at a length of no less than six consecutive hours on either day, encompassed in the established time frame for early voting."

In response to a question by Commissioner Bunting, Assistant Chief Administrative Officer Kelly Shannahan stated that the County requested the Board of Elections provide them with a cost estimate to open a second early voting site for a period of only two days, but that they have yet to receive the requested information. However, Mr. Shannahan stated that, based on the estimated cost of a full-time early voting polling place at \$116,709 and extrapolating the per-day costs of rent and manpower, the operational costs could likely be reduced by \$50,000 to operate a second early voting site for only two days. Mr. Shannahan further noted that in an email from Board of Elections Director Patricia Jackson dated January 15, 2020 the Maryland Association of Election Officials (MAEO) Legislative Committee chairs are against any legislation regarding part-time early voting for the following reasons: Maryland elections are run on uniformity; there is already legislation allowing for an additional center for the full duration of early voting; and voter confusion is a big factor in having things set up for brief periods of time that are not consistent.

Following some discussion, a motion by Commissioner Nordstrom to send a letter to the Eastern Shore Delegation requesting that they introduce legislation during the 2020 General Assembly session that would allow counties with populations of less than 125,000 registered

voters to have the option to open additional early voting sites for no fewer than two consecutive days at a length of no less than six consecutive hours each day failed 3-4, with Commissioners Mitrecic, Nordstrom, and Purnell voting in favor of the motion and Commissioners Bertino, Bunting, Church, and Elder voting in opposition. Commissioner Bunting stated that he was not prepared to consider this request without a detailed cost estimate.

Pursuant to the request of County Attorney Roscoe Leslie and upon a motion by Commissioner Bertino, the Commissioners unanimously named Mr. Leslie as the attorney to prosecute County civil infractions, pursuant to Annotated Code of Maryland, Local Government Article 11-206.

Upon a motion by Commissioner Bunting, the Commissioners unanimously directed Information Technology Director Brian Jones to research the possibility of transitioning from regularly revised to permanent cell phone passwords.

Commissioner Nordstrom thanked Public Works Roads Division staff for their quick response to a constituent concern to clean up trash dumped illegally along the road in the south end of the County.

Commissioner Elder left the meeting.

In response to a question by Commissioner Bertino, Development Review and Permitting Director Ed Tudor agreed to present a plan at their February 4, 2020 meeting to further increase security in the Worcester County Government Center atrium area.

Commissioner Bertino also requested a list of expenditures between \$10,000 and \$25,000 over the last year for which competitive bidding was not required.

In response to a question by Commissioner Bertino, Assistant Chief Administrative Officer Kelly Shannahan stated that, in accordance with the lease agreement between the Ocean Pines Association (OPA)(landlord) and the County Commissioners (tenant) dated December 23, 1997, County staff has drafted a letter to the OPA Board of Directors requesting approval to use a small office (approximately 175 square feet) in the Ocean Pines Branch Library as a satellite facility for the Worcester County Treasurer's Office to collect payments and receive applications submitted by the public.

In response to a prior inquiry by Commissioner Bunting, Mr. Higgins advised that the County Health Department does not pay rent to the County for use of the Isle of Wight facility, but the County does receive income by way of permit fees for inspections performed by the Health Department staff at the Isle of Wight office.

The Commissioners recognized outgoing County Attorney Maureen Howarth for her service to the County and wished her well as she assumes her new position as partner with Ayres, Jenkins, Gordy, & Almand in Ocean City.

The Commissioners answered questions from the press, after which they adjourned at 12:07 p.m. to meet again on February 4, 2020.