

Minutes of the County Commissioners of Worcester County, Maryland

January 17, 2023

Joseph M. Mitrecic, President
Theodore J. Elder, Vice President
Caryn G. Abbott
Anthony W. Bertino, Jr.
Madison J. Bunting, Jr.
Eric J. Fiori
Diana Purnell

Following a motion by Commissioner Elder, seconded by Commissioner Bunting, 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 Candace Savage, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, and Lieutenant Bob Trautman. Topics discussed and actions taken included the following: certain personnel matters with human resources; receiving legal advice from counsel; and performing administrative functions, including: an update from the Sheriff's Office, discussing potential board appointments, and receiving an FY23 monthly financial update.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Bunting, the commissioners unanimously voted to adjourn their closed session at 10:02 a.m. to attend the Oath of Office ceremony for the members of the Board of Education.

The commissioners reconvened in open session at 11:30 a.m. Commissioner Bertino called the meeting to order, and following a morning prayer by Davida Washington of Development Review and Permitting and pledge of allegiance, announced the topics discussed during the morning closed session.

Upon a motion by Commissioner Purnell, the commissioners unanimously approved by consent agenda item numbers 1-4 as follows: bid specifications for the rehabilitation of two, single-family homes in the Snow Hill and Pocomoke areas; the low bid of \$32,192 from Atlantic Pumping, Inc. for portable toilet services at various County locations; an application to recertify the Maryland Agricultural Land Preservation Program through June 30, 2028; Maryland Agricultural Land Preservation matching funds of \$75,000 for easement acquisition program.

The Commissioners met with Finance Officer Phil Thompson and Chris Hall of TGM Group, LLC, Certified Public Accountants to review the County's Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ending June 30, 2022. Mr. Thompson stated that this is the most important financial document the County produces each year, and it is placed on file with the federal clearing house, the State of Maryland, and many other entities the County

does business with. He then reviewed the contents of the document and advised that the greatest change in the FY22 report is the impact on the Other Post-Employment Benefits (OPEB) liability for General Government, which decreased by more than \$22.47 million and effectively became an asset totaling \$13.3 million in FY22. Similarly, the OPEB liability for the Board of Education (BOE) decreased from \$427.8 million in FY21 to \$151 million at the end of FY22. The total OPEB liability decreased by almost \$300 million in FY22, making the County's funding goals more realistic and attainable than ever before.

Mr. Thompson then announced that the County was awarded the Certificate of Achievement for Excellence in Financial Reporting for the fourteenth consecutive year by the Government Finance Officers Association (GFOA) of the United States and Canada for its ACFR for FY21. This award is the highest form of recognition awarded to local governments in the areas of accounting and financial reporting and assures the users of the County's financial statements that the County is complying with the most recent accounting and finance pronouncements in a format that is widely acceptable. He recognized key members of the finance team, Deputy Chief Administrative Officer Candace Savage, Budget Officer Kim Reynolds, Deputy Finance Officer Jessica Wilson, Tax Manager Michelle Carmean, and Enterprise Fund Controller Barbara Hitch for their contributions to the creation of this document.

Mr. Hall reviewed the Independent Auditors' Report, issuing Worcester County an unmodified opinion, which represents the highest assurance TGM can give. He then reviewed the Independent Auditor's Report and other areas of the ACFR. He commended the County's financial team for the job they do and for partnering with TGM auditors to complete this project. The commissioners thanked Mr. Hall and his team for all their work.

The commissioners met in legislative session.

The commissioners conducted a public hearing on Bill 23-01 (Emergency Services – General Provisions), which was introduced by Commissioners Bertino, Bunting, Abbot, Elder, Fiori, Mitrecic, and Purnell on December 20, 2022. Development Review and Permitting Director Jennifer Keener reviewed the bill, which would amend the Public Safety Article to include a provision for the naming of a private lane and installation of signage when it is to be served by three or more buildable lots, and to clarify the responsible party for any costs associated. Public Hearing on Electrical Standards Bill 23-02

Commissioner Bertino opened the floor to receive public comment.

There being no public comment, Commissioner Bertino closed the public hearing.

Upon a motion by Commissioner Bunting, the commissioners unanimously adopted Bill 23-01 as presented.

The commissioners conducted a public hearing on Bill 23-02 Electrical Standards, which was introduced by Commissioners Bertino, Bunting, Abbot, Elder, Fiori, Mitrecic, and Purnell on December 20, 2022. Ms. Keener reviewed the bill, which would repeal and reenact this subtitle for consistency with the Maryland Electricians Act as revised and adopted by the Maryland General Assembly during the 2021 and 2022 legislative sessions.

Commissioner Bertino opened the floor to receive public comment.

There being no public comment, Commissioner Bertino closed the public hearing.

Upon a motion by Commissioner Bunting, the commissioners unanimously adopted Bill 23-02 as presented.

Commissioner Bertino closed the legislative session.

Pursuant to the request of Procurement Officer Nicholas Rice and upon a motion by Commissioner Bunting, the commissioners unanimously awarded the low bid of \$108,247.85 from Lane Enterprises, Inc. for the purchase of corrugated metal and plastic pipe for the Roads Division of Public Works.

Pursuant to the request of Mr. Rice and upon a motion by Commissioner Bunting, the commissioners unanimously authorized the ordering and purchasing of the following vehicles from Hertrich Fleet, the sole bidder: \$30,164 for a compact SUV for Development Review and Permitting; \$48,215 for one ¾-ton 4x4 full-size, double extended cab pickup truck for Emergency Services; \$57,748 for one ¾-ton full-size pickup truck with plow for the Maintenance Division, and \$63,688 for one ¾-ton full-size double/extended cab pickup truck with plow for the Roads Division of Public Works. Mr. Rice stated that each vehicle's pricing came in over the approved budget amount due to supply chain shortages and related issues; however, staff found savings in other areas of their budgets to cover the overages. Commissioner Bertino thanked staff for identifying funds within their departmental budgets to cover these costs.

Pursuant to the recommendation of Chief Administrative Officer Weston Young and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to seek support from the other Eastern Shore Code Home Rule Counties for enabling legislation granting the Eastern Shore Code Home Rule Counties the authority to increase the hotel room tax from five percent to a maximum of six percent. Mr. Young stated that a year ago the commissioners endorsed a request from the Ocean City Mayor and Council for this legislation. He advised that since that time, the County was informed that they would need support from the other Eastern Shore Code Home Rule Counties to introduce this legislation. In response to a question by Commissioner Bunting, Mr. Young confirmed that this is strictly enabling legislation, and if passed, it would require a unanimous vote from the commissioners to raise the room tax rate.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bunting, the commissioners unanimously agreed to reappoint Debbie HILEMAN to the Housing Review Board.

Upon a nomination by Commissioner Fiori, the commissioners unanimously agreed to appoint Ivy Wells to the Local Development Council for the Ocean Downs Casino.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to appoint the 18 youth selected by the Health Department to the Worcester County Youth Council.

Following concerns raised by Commissioner Mitrecic, the commissioners unanimously agreed to send a letter of concern to Representative Andy Harris regarding the seismic testing taking place off the Atlantic Coast, which could be responsible for the growing number of recent whale deaths.

In follow up to their January 10, 2023 discussions about the Alyosha, Commissioner Mitrecic noted that it costs roughly \$7,200 annually to lease a 100-foot boat dock capable of housing up to two vessels at the West Ocean City commercial harbor, so the Alyosha's lease was

considerably higher. He then reviewed the Alyosha's 2022 operations, including its participation in the County's annual Harbor Day at the Docks festival.

The commissioners answered questions from the press, after which they adjourned to meet again on February 7, 2023.