

Minutes of the County Commissioners of Worcester County, Maryland

January 14, 2025

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

Following a motion by Commissioner Fiori, seconded by Commissioner Purnell, 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, and Human Resources Director Stacey Norton and Deputy Director Pat Walls. Topics discussed and actions taken included the following: a personnel update, receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Fiori, seconded by Commissioner Purnell, the commissioners unanimously voted to adjourn their closed session at 10:03 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Elder called the meeting to order, and following a morning prayer by Davida Washington 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, 2024 meeting as presented.

The commissioners presented a proclamation recognizing January as National Mentoring Month in Worcester County.

Upon a motion by Commissioner Mitrecic, the commissioners unanimously approved by consent agenda item numbers 2-10 as follows: Memorandum of Understanding for a software upgrade of \$8,600 in the Circuit Court; declaring certain property in Solid Waste to be surplus equipment; Berlin Health Department flooring replacement change order of \$17,820.02; purchasing a replacement trailer for the mobile belt filter press at a cost of \$110,350 for the Riddle Farm Wastewater Treatment Plant; awarding the highest scoring proposal for bathroom renovations at John Walter Smith Park in Snow Hill and Newtown Parkin in Pocomoke to Harvey Construction for \$120,175; renewing the Facility Dude contract maintenance software for three years for \$68,593.44; a revised Rural Legacy Area Agreement of Sale for 86.23 acres

identified on Tax Map 93 as Parcel 49 and owned by Robert Rose, Bonne Rose, and Freddie Ray Fair, Jr. Rose Fair; sending a letter to the U.S. Army Corps of Engineers requesting an updated Coastal Resources Study; and renewing the lease for the WJSOC building in Berlin for use by the Sheriff's Office.

Commissioner Bertino commended Procurement Officer Nicholas Rice for saving the County over \$16,000 when renewing the Facility Dude software contract.

Pursuant to the request of Commission on Aging Executive Director Brandy Trader and Deputy Director John Dorrrough and upon a motion by Commissioner Bertino, the commissioners unanimously approved an over expenditure of \$7,728 to cover the remaining local contribution toward the purchase of a passenger bus totaling \$100,811 after applying federal funds of \$74,326 and local encumbered funds of \$19,207.

Recreation and Parks Director Jacob Stephens reviewed a request from Vince Cannuli, owner and operator of Running Tide Charts, to install a public fish cleaning station at the West Ocean City commercial harbor utilizing public donations. Following some discussion and upon a motion by Commissioner Bunting, the commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to deny the request.

Pursuant to the request of Planning Manager Katherine Munson and upon a motion by Commissioner Bertino, the commissioners unanimously approved changes to the County's payment values to protect the Conservation Reserve Enhancement Program.

Pursuant to the request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Bertino, the commissioners unanimously approved certain notifications to educate agricultural landowners about some of the predatory tactics used by solar companies.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Bertino, the commissioners unanimously approved extending the operating hours at the Central Landfill in Newark by opening at 7:30 a.m. one-half hour earlier, to accommodate the needs of local haulers for a total increased cost of \$195,000 annually.

Pursuant to the request of Mr. Baker and upon a motion by Commissioner Bertino, the commissioners unanimously approved funding of \$33,574 to relocate a gas main currently on the berm of the emergency storage lagoon at the Ocean Pines Wastewater Treatment Plant.

Pursuant to the request of Enterprise Fund Controller Quinn Dittrich and upon a motion by Commissioner Fiori, the commissioners unanimously agreed to transfer funds of \$9,061,187 from the General Fund as a grant of \$2,760,177 to the Riddle Farm and as loans to the following service areas: \$242,000 to Edgewater Acres; \$790,000 to The Landings; \$1,730,000 to Mystic Harbour; \$200,000 to Newark; \$3,339,010 to Riddle Farm. In response to a question from Commissioner Fiori, Mr. Dittrich explained that the County arrived at this point because the rates being charged to the users were not covering the actual expenses, and staff will be developing options to improve efficiency.

Pursuant to the request of County Attorney Roscoe Leslie and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved two Wastewater Purchase Agreements with Coastal Square, LLC and West Ocean City, LLC to purchase 155 and 12 equivalent dwelling units (EDUs), respectively, in the Riddle Farm Sanitary Service Area (SSA) at a cost of \$23,535 per EDU.

The commissioners met with Mr. Leslie to discuss regulations concerning local water sewer advisory boards. Upon a motion by Commissioner Fiori, the commissioners unanimously agreed to amend paragraph two of Resolution No. 05-3 to allow residents of other SSAs that are being serviced by the Mystic Harbour SSA be permitted to serve on the Water and Sewer Advisory Council for the Mystic Harbour SSA.

Upon a motion by Commissioner Abbott, the commissioners unanimously agreed to amend the resolution to establish a Water and Sewer Advisory Council Board for the Newark SSA.

Pursuant to the request of Budget Officer Kim Reynolds and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to add April 1, 2025 as an additional FY26 budget work session date.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the commissioners unanimously agreed to appoint Lauren Martin and Matthew Culbertson to the Lower Shore Workforce Alliance Board.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to appoint Scott Holland to the Recreation Advisory Board.

The commissioners conducted a work session to discuss draft legislation to repeal and replace Subtitle II (Vagabonds, Vagrants, Beggars, and Common Gamblers) of the Criminal Law Article with Title CL 1-201, Camping Prohibited on Public Property with new anti-camping laws aimed at strengthening the County's ordinance. The draft legislation was developed at the request of the commissioners on November 19, 2024; however, Mr. Leslie advised that staff is looking for direction from the commissioners on the matter. Those in attendance included Mr. Leslie, Health Officer Becky Jones, Homeless Committee Chair Tracey Simpson, Behavioral Health Manager Sandy Kerrigan, Department of Social Services Director Roberta Baldwin, and State's Attorney Kris Heiser. Ms. Jones discussed the state of the homeless population in the County, explaining that there are on average 19 to 28 chronically homeless individuals with ongoing behavioral health and addiction problems. Despite all the available resources, the County is having trouble getting them into treatment or long-term affordable housing. She also acknowledged that homeless individuals encamping on public property behind the Royal Farms in West Ocean City have been causing problems. Ms. Baldwin reviewed existing programs aimed at addressing the needs of the chronically homeless.

Commissioner Fiori noted that there has been an escalation in calls due to problems created by individuals who choose not to accept public assistance, but rather choose to be homeless. In response to questions by Commissioner Fiori, Ms. Heiser discussed the environmental and criminal issues that exist in areas that do not have anti-encampment legislation. She then discussed work being done by the Homeless Outreach Team in her office,

and their hopes to implement effective anti-encampment legislation, like the legislation in place in San Diego, which provides additional tools to law enforcement when programs through agencies, like the Health Department and DSS, are not enough.

In response to questions raised by Commissioner Bertino, Mr. Leslie stated that the aim of the legislation is to revise the current ordinance from a civil to a criminal offense. Commissioner Bertino recognized the role of the Health Department and DSS to address homelessness, and also recognized the need to adopt legislation to hold people accountable when they are involved in criminal infractions.

Commissioner Purnell expressed concerns that children could be impacted by any legislation they pass. Ms. Baldwin confirmed that there are very few shelter beds available for homeless families who often have to camp in public areas. She cautioned that, under the proposed legislation, a homeless individual charged criminally with camping on public property would not be eligible for public housing assistance. She then urged the commissioners to direct more funding toward preventative services rather than spending money to incarcerate them.

Commissioner Bunting stated that the County needs to take action to address crimes being committed by homeless individuals camping in public areas, and he outlined the issues created by transient individuals in the West Ocean City area.

Following much discussion and upon a motion by Commissioner Bertino, the commissioners voted 6-1, with Commissioner Purnell voting in opposition, for Mr. Leslie and Ms. Heiser to develop an anti-camping ordinance that enables the Sheriff's Office and the State's Attorney's Office to protect both protect property owners from becoming the victims of crimes committed by those encamping on public property, and the ability to abate any nuisances created by homeless individuals encamping on public properties.

Commissioner Mitrecic applauded Public Works crews for the outstanding job they did clearing County roads during the recent snowstorms.

The commissioners answered questions from the press, after which they adjourned to meet again on January 21, 2025.