

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

February 18, 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 Abbott, seconded by Commissioner Fiori, 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, Sheriff Matthew Crisafulli, Chief Deputy Nate Passwaters, Human Resources Director Stacey Norton, and Human Resources Deputy Director Pat Walls. Topics discussed and actions taken included the following: a personnel update; hiring Anthony Harmon as a vehicle mechanic intern within the Fleet Management Division, Ian Cameron as a part-time liquor license inspector within Development Review and Permitting, and Katherine Ilin as a security analyst within IT; receiving legal advice from counsel; and performing administrative functions, including discussing potential board appointments.

Following a motion by Commissioner Fiori, seconded by Commissioner Abbott, the commissioners unanimously voted to adjourn their closed session at 10:11 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 Pastor Mary Boyd 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 February 4, 2025 meeting as presented.

The commissioners presented a proclamation recognizing Black History Month to Commissioner Purnell and Henry Hotel Board member Nancy Howard. Ms. Howard discussed the history of the hotel and the project getting underway to restore the three-story hotel to its former glory. Visit [henryhotel.org](http://henryhotel.org) to learn more about this landmark hotel and how to support the project.

The commissioners presented a years-of-service commendation to Registered Nurse Jean Lynch, who is retiring following 14 years of service to the County Jail.

The commissioners conducted a public hearing on Emergency Bill 25-01 (Zoning – Public Utility Operation Center), which was introduced by Commissioners Abbott, Bertino, Bunting, Elder, Fiori, Mitrecic, and Purnell on January 21, 2025. Development Review and Permitting Director Jennifer Keener advised that Emergency Bill 25-01 was drafted to address various marine uses and public utility operation centers in the Zoning Code. She advised that on January 2, 2025 the Planning Commission gave a favorable recommendation to the draft bill, which creates definitions to previously undefined terms including “marine activity,” and “marine yard,” and “transportation station or terminal.” It also refines marine yard uses in the A-2 Agricultural and E-1 Estate Districts consistent with the new definitions. It removes as a principal permitted use public utility structures and properties in the CM Commercial Marine District. This would prohibit uses in the CM District including electric substations, propane tanks, and even county-owned public facilities. The bill also creates a new use and definition for “public utility operation centers,” a use that would be more appropriate for the business offices and maintenance facilities associated with a public utility. This use is proposed to be added as a principal permitted use in the C-2 and C-3 Commercial Districts and the I-1 and I-2 Industrial Districts. Currently, such facilities would fall under the public utility structure or property classification allowed in all zoning districts. Lastly, it refines the purpose and intent statement of the CM Commercial Marine District in further support of the commercial and recreational fishing industry. In the late 1990’s the County Commissioners recognized the need to protect the commercial fishing industry, as outlined in Resolution 99-32, which established the CM Commercial Marine District. Ms. Keener advised that legislative findings in that document include the following statements: the commercial fishing industry has substantial historic, cultural, and economic values for Worcester County, and its protection is critical; and the Comprehensive Plan provides that, as West Ocean City develops, it will become more difficult to maintain the Harbor as a facility for commercial vessels, and that existing seafood handling and processing businesses (unless otherwise protected) may be replaced by other uses. Furthermore, the proposed text amendment is consistent with the current Comprehensive Plan, which promotes the continuation of the seafood landing and processing facilities by way of land use controls and incentives and the maintenance of the West Ocean City harbor as a working commercial harbor. Also, tourism uses and other commercial development, when compatible, should remain secondary to the commercial marine activities.

Commissioner Elder opened the floor to receive public comments.

Attorney Hugh Cropper, representing Pat and April Reese, owners of Southern Connection Seafood, opposed the bill, noting that deleting one of the nine permitted uses is effectively rezoning the commercial harbor, which would impact the property rights of his clients and devalue their property. He provided a copy of the recent property reassessment from the Maryland State Department of Assessment and Taxation of his clients’ property, noting that while the property value would go down, their assessment is going up. Speaking on his own behalf as the owner of Seaside Fish, LLC, Mr. Cropper opposed the legislation, noting that he does not support having his own property devalued.

Professional Planner Richard Hall, speaking on behalf of Mr. and Mrs. Reese, opposed the bill, stating that this reaches in and extracts one use out of many because of opposition for a specific project. He stated that the bill amounts to spot zoning.

US Wind Attorney Tom Prevas opposed the bill, noting that he submitted a 24-page, single-spaced letter to the commissioners on Friday morning, and he concurred with Mr.

Cropper's testimony. He stated that, if fishing is the issue, the County should enter into talks with US Wind to consider what is possible for this harbor and to make commercial fishing work for everybody.

Ron Sloane, president of the Glen Riddle Homeowners Association (HOA), applauded the commissioners and advised that the HOA supports the bill. He stated that they recognize that tourism is vital to the economic wellbeing of the community and support doing whatever it takes to stop the negative environmental impact of US Wind.

Attorney Spencer Cropper, speaking on behalf of the Ocean City Marlin Club, Sunset Marina, Ocean City Fishing Center, and Fisherman's Marina, stated that his clients fully support the bill.

Pat Schrawder read a statement from Senator Carozza who is in strong and full support of Emergency Bill 25-01 to make clear that the primary purpose of the CMD is to support the commercial and recreational fishing industries.

Jim Motsko, founder of the White Marlin Open, stated that the White Marlin Open has a huge economic impact on Worcester County, the State of Maryland, and the federal government. He stated that his organization is in total support of the bill and wished the commissioners much luck.

Cheryl Middleton of Glen Riddle spoke in favor of the bill. She stated that she is against the concept of wind turbines and supports everything the commissioners are doing to stop US Wind. She advised that wind turbines effect marine life, birds, commercial fishing, sport fishing, the view from Ocean City, and therefore tourism, and the security of the East Coast, to include Wallops Island.

Pat Barbely of Newark stated that Worcester County relies on tourism, and wind turbines are going to be a tourism disaster. He supported the emergency legislation, to protect tourism, and the County's way of life.

Kim Quillen of Waterside Drive urged the commissioners not to let fear and big challenges cause them to be biased against wind energy. She then noted that there is overwhelming evidence of the win/win effects of wind energy for Ocean City.

Cory Quinn, speaking on behalf of the Waterman's Association of Worcester County, stated that they fully support the emergency bill, as it would safeguard commercial and recreational fishing interests.

Pelican fishing vessel owner and operator Edward Smith stated that a lot of his peers who support the draft bill could not be here today, and he spoke on their behalf in support of the bill. He cautioned that, without the two fish packing houses, there would be no ability for their small businesses to bring fresh products to the County and local restaurants.

Pat Schrawder, speaking on her own behalf, supported the bill and disputed certain claims made by Hugh Cropper and Mr. Prevas, specifically that the proposed amendments are addressing utilities in general, so it is not specific just to that one company (US Wind), and that eliminating the two fish houses does eliminate, by and large, commercial fishing in the area. She concluded that any claims by Mr. Cropper or Mr. Prevas that the amendments are unconstitutional are issues for the courts to decide. She concluded that it is well within the purview of the commissioners to decide what is and is not appropriate in certain areas, which is why zoning codes exist.

John Dennis of Berlin discussed public safety issues associated with windmills, noting that a windmill broke up in the Northeast and caused pieces of the blades to wash up on the

beaches off of Nantucket and Martha's Vineyard. He asked who would be responsible for the cost of cleanup when it happens here, and he pointed out that it would be the Worcester County taxpayers. He stated that the commissioners must use common sense to come to a conclusion that works for the taxpayers, the people that will have to foot the bill and who have to live here.

Scott Schuster of Ocean City supported the comments made by Hugh Cropper. He stated that this legislation is directed at US Wind. He then posed this question: if this goes to court, how much is the County going to spend of taxpayer dollars to fight this?

Mary Ochse of Sinepuxent Road and former Kite Loft owner, said that the issue of seeing wind turbines offshore is a nonissue, that it will be a positive and not a negative, and that she is totally against the proposed bill. She stated that folks need to think about the future, particularly green energy for the future.

There being no further public comment, Commissioner Elder closed the floor.

Commissioner Mitrecic stated that it is interesting that US Wind all of a sudden wants to deal with the commissioners. He stated that wind energy is not clean energy, confirmed the monthlong closure of beaches in the northeast after an offshore wind turbine blade broke off into the ocean, and urged everyone to consider the economic impact to Ocean City if the same thing were to occur here. He confirmed that he is not a fan of eminent domain – preferring to negotiate a property purchase with the property owners – but he also has to protect the fishing community, the commercial harbor, and those that surround it. He also stated that an outside company should not be allowed to come in and tell them what is best for the community. He stated that generations of commissioners have sat on this dais with the responsibility and the charge of protecting this community, and this board of commissioners owe it to their legacy to protect what needs to be protected. Commissioner Mitrecic noted that the commissioners received a 21-page letter on Friday afternoon for the hearing today, that not all of the commissioners have had an opportunity to read it, and for that reason he would be willing to temporarily table voting on the bill until the county attorney could respond to the allegations therein. He concluded by refuting a statement made by an earlier speaker that the commissioners should not fight with taxpayer dollars, by challenging Mr. Prevas to stand up and tell everyone how many dollars of taxpayers' money that US Wind has gotten, noting that the number will scare the hell out of all of them.

Commissioner Bertino stated that it is really frustrating to have somebody accuse the body of commissioners of bias because of one's nationality, and he suspected the law firm was paid a healthy sum to write that 21-page letter. However, that does not change the fact that the commissioners are trying to protect the legacy, the livelihood, and the identity of this community. He stressed that commercial fishing is an extremely important part of the County's legacy and economy and defines who they are as a people. He also confirmed that the West Ocean City harbor is the only Maryland harbor with ocean access, and it is their responsibility to protect it. He questioned the following: if the commissioners do not protect and advocate for themselves, who will?

Commissioner Elder held up a pocket copy of the constitution, noting that he carries this old, ragged constitution with him, reads it all the time, and cannot find anything about the commissioners' actions being unconstitutional. He then read an excerpt from Joseph Story regarding inheritance, and he noted that the County's inheritance – the fishing industry – is an inheritance to pass on. He stated that the commissioners need to protect it from the big money coming in that is looking to take their resources to gain even more big money before leaving and going back to wherever they came from and leaving the residents of Worcester to deal with the

aftermath.

In response to a question by Commissioner Bertino regarding whether the commissioners are within their rights to adopt the draft bill, County Attorney Roscoe Leslie stated that staff would not have brought the legislation forward if they did not have the grounds to do it.

In response to comments made by Commissioner Mitrecic that federal funding for dredging is contingent upon the continuation of commercial fishing, Environmental Programs Director Bob Mitchell confirmed that it would cost the County roughly \$500,000 per year to continue to dredge the inlet and another \$500,000 to continue the Assateague replenishment project if federal funding is no longer approved.

In response to a question by Commissioner Mitrecic, Mr. Leslie stated that County staff received and are still evaluating all of the documents, so he has not had a chance to provide the commissioners with a detailed response to all of it.

Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to table further discussion on Emergency Bill 25-01 until their next meeting on March 4, 2025 to provide the county attorney with time to evaluate and provide the commissioners with a detailed response to the US Wind letter.

Upon a motion by Commissioner Fiori, the commissioners unanimously approved by consent agenda item numbers 2-8 as follows: a modified Memorandum of Understanding for a courthouse security grant; a 2024 Emergency Management Performance grant of \$68,542.18; out-of-state travel for one individual to attend the Main Street American Now Conference in Philadelphia from April 7-9, 2025; scheduling a public hearing for the establishment of a floating zone for the proposed Crepe Myrtle Court Residential Planned Community; accepting a proposal from EA Engineering for groundwater monitoring and analytical services at the Central Landfill for 2025 and 2026 at a cost of \$229,200; the annual 911 Board Project Exacom contract renewal; and an amendment to the DBF professional services agreement to add \$7,500 to the cost to provide structural engineering services for the Fire Training Tower for a total revised cost of \$259,000.

Sandpiper Assignment representatives Government Relations Manager Derrick Craig and Accounts Manager II Larry Fortino met to address the commissioners' concerns regarding the need to improve the timeliness of responding to emergencies, the handling of constituent concerns, and the need to provide direct emergency contact information to local elected officials. At their January 21, 2025 meeting, the commissioners postponed approving a proposed 25-year franchise agreement with Chesapeake Utilities Corporation, the parent company of Sandpiper Energy to which the new agreement was to be assigned, until Chesapeake Utilities representatives could address their concerns. Mr. Craig provided his contact information to the commissioners, advised that GPS mapping issues identified previously by County staff have been resolved, and assured the commissioners that they have heard the County's concerns and made the necessary changes, including the installation of Mr. Fortino and him as points of contact. Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners voted 6-0-1, with Commissioner Bertino abstaining, to approve the new contract, provided that direct contact information is identified either within the contract or in a separate Memorandum of Understanding.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by Commissioner Fiori, the commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to create a new heavy equipment operator position in the FY25 Water and Wastewater budget for the purpose of operating a County-owned tanker truck to be used at the Riddle Farm Wastewater Treatment Plant for pumping and hauling.

Mr. Baker stated that several citizens have advised him that recent requests to ban on-street parking in Snug Harbor and Bayside Landings were made by individuals who were not authorized representatives of the Homeowners Associations and expressed their general displeasure that they were unaware these issues were being considered. Following some discussion and upon a motion by Commissioner Fiori, the commissioners unanimously agreed to schedule a public hearing to consider the creation of no-parking areas.

Recreation and Parks Director Kelly Rados presented a proposed reservation policy that outlines the criteria, restrictions, procedures, and waived/reduced rates for non-profit civic organizations to utilize Worcester County parks and facilities. Following some discussion and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the policy, with the revision that 50 percent of the fee be waived for the first year.

Pursuant to the request of Ms. Rados and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the proposed Vendor & Exhibitor Selection Policy. Commissioner Fiori congratulated Ms. Rados and her staff for developing so many popular events that the new policy has become necessary.

Environmental Programs Director Bob Mitchell met with the commissioners to review the 2025 Worcester County Greenways Trails Master Plan. In response to questions from Commissioner Bunting regarding local costs, Mr. Mitchell stated that all costs would be covered by grant funding, with administrative costs having been built into the grant applications. Mr. Baker stated that the \$1.5 million State grant to develop the West Ocean City bicycle/pedestrian path on MD Rt. 611 requires a 20% local match of roughly \$68,000 that was approved in the budget, with an investment of roughly 20 hours of staff time to complete the grant application and another 60 hours of staff time to be needed throughout the life of the grant. Following some discussion and upon a motion by Commissioner Fiori, the commissioners unanimously approved the plan as presented.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Mitrecic, the commissioners unanimously approved the Agreement of Sale for the purchase of a Rural Legacy Area (RLA) easement between Mark S. Drew and Mildred Kathy Drew (Sellers) and the County Commissioners of Worcester County, Maryland (Buyer), with FY23 Coastal Bays RLA funds to cover the cost of an easement on approximately 28.48 acres of land identified on Tax Map 10 as Parcel 55. This property is to be purchased at a cost of \$9,550.56 per acre.

Pursuant to the request of Human Resources Director Stacey Norton and upon a motion by Commissioner Mitrecic, the commissioners unanimously agreed to add comprehension and collision coverage to the County's auto policy to cover non-collision incidents for an additional

FY25 premium cost of \$46,148 and an FY26 estimated premium of \$136,450.16.

Chief Administrative Officer Weston Young met with the commissioners to discuss the potential consolidation of water and wastewater service areas, noting that staff have been working on potential scenarios for combining the 11 service areas under one roof. He stated that it would be beneficial for a group of up to three commissioners to sit in on the discussions and help guide the scenarios that will, ultimately, be presented to the full board of commissioners for approval. Commissioner Elder advised that this would just be an initial step, with a lot of work on the part of the commissioners to complete. Commissioner Fiori stated that, after the commissioners had to issue a loan from the General Fund to cover wastewater issues, a taskforce is needed.

Following some discussion and upon a motion by Commissioner Fiori, the commissioners unanimously appointed Commissioners Bertino, Elder, and Fiori to the taskforce and directed staff to take minutes at the meetings.

Commissioner Bertino left the meeting.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Abbott, the commissioners unanimously agreed to appoint Mike Buxbaum to the Newark Water and Sewer Committee.

Upon a motion by Commissioner Abbott, the commissioners unanimously agreed to send a letter opposing HB 161 Primary and Secondary Education – Comprehensive Health Education Framework – Established. Commissioner Abbott advised that the legislation includes adding gender ideology to school curriculums beginning with kindergarten.

The commissioners discussed concerns from area residents regarding increasing energy bills. Commissioner Abbott stated that Congressman Andy Harris is urging government officials, businesses, and residents to contact Governor Wes Moore to ask that the Empower Maryland fee of up to \$40 be removed from energy bills. Following some discussion, Mr. Young agreed to invite representatives from Delmarva Power and Choptank Electric to meet with the commissioners to discuss the cost increases.

The commissioners answered questions from the press, after which they adjourned to meet again on March 4, 2025.