

Open Work Session

Capital Improvement Program for Fiscal Years 2023 through 2027:

- **Public Works (Roads and Engineering)**
- **Recreation, Parks & Tourism**
- **General Services**

February 15, 2022

Public Works - Engineering Division

Mr. Mark Whitelock, Deputy Director of Public Works, and Ms. Pam Oland, Director of Finance, came before Council. Mr. Whitelock said he would like to go through each of the projects and then, if Council has any questions at the end, he would be happy to answer them.

He said, in looking at the Public Works Engineering Division, starting with the Chesapeake Bay WIP program, there are \$200,000 in reoccurring costs for water improvement programs (WIP). He explained, the little ponds around the County in places like Pemberton Park are WIP projects, which are based on taking phosphorus and nitrogen out of the water before it goes into the river. He said those little ponds are now done, so they are moving into a different phase where they are looking at large parcels the County may own where they can plant some trees and other vegetation to help carry on that work.

Mr. Dodd asked how long it has been since the County has been without a Public Works Director, to which Mr. Whitelock responded, he thinks Mr. Dallas Baker will have been gone two years in March.

Mr. Whitelock said next is the Wicomico River Dredging Support. He said the County has some wetland delineations for the Sharps Point Dredge site area and, when they need to clean out the dredge site, this money will support that effort. He said these projects generally run in two to three-year cycles.

Mr. Dodd asked if that is where they put spoil when they do the dredging, to which Mr. Whitelock responded, yes. He said Sharps Point is full right now as it is at capacity to take additional dredge, so if the Army Corps wanted to come back, he thinks he spent \$750,000 to clean out one of those cells, so they could come back and do that work. He said they are actually looking at expanding that site and they have some wetland mitigation work to do there.

Public Works – Roads Division

Mr. Whitelock said Riverside and Hunting Park is a project for a pipe off Riverside Drive. He explained, it is something that has been on the CIP for a very long time, but has just been kicked down the road and, from his understanding of the issues right now, he could probably move it back another year because it is not presenting any problems at this particular time.

Mr. Holloway asked if that is considered a capital project, as paving of the County's rural roads comes under operating, to which Mr. Whitelock responded, it is operating-capital. Mr. Holloway said the pipes that go under the roads have to be done before the roads can be paved, which is more of a long-term project, so, in other words, the pipes last longer. He said one of the holdups in getting some of the roads paved is not having the pipes replaced. He then asked if the pipes could be included in the CIP to speed the process up because the pipes last a while, to which Mr. Whitelock responded, they have looked at it two different ways. He explained, the 12-24 inch pipes that go under a road bed before the roads get paved come out of operating funds, and then they have other pipes, which are huge, that are drainage

area pipes, and they are starting to include them in the CIP. He explained, these are the 10 and 12 foot pipes that are underneath the ground that they do not have the capability of changing, so they want to move those into the CIP and start replacing them as they go because some of them are getting bad now as they have a significant age on them. He said Council will see those types of things start to appear in the CIP as large projects that have to be done. Mr. Holloway said one of the excuses he has heard in the past few years is that the County roads are not in very good shape, but they have had a lot of problems so it would be nice to accelerate some of the paving projects and actually put more money into the capital or operating budget for paving roads. He said, as he understands it, the County does not have enough employees to replace the small pipes before the roads get paved, and for those reasons he was wondering if those projects could be moved into capital or could be done some other way.

Ms. Oland said the small pipes are included in the operating budget as there is a section for drainage, to which Mr. Holloway responded, he understands that. Ms. Oland explained, they include the smaller pipes in the operating budget because they do not rise to the level of a capital project, but they are funded in the Roads operating budget. Mr. Holloway said he understands, but what he is asking is if there is any way they can accelerate getting these pipes by putting them in the capital budget, to which Ms. Oland responded, it is the same funding mechanism as it is all coming from General Fund revenue whether or not they transfer funds into the capital project fund or leave it in the operating budget. She said the reason they do not put the smaller pipes in the CIP is because they do not meet the definition of a capital project, which is that the project should be about \$100,000. She clarified, funding for the small pipes is more of an operating cost but they can increase the number they put in the operating budget if that is what is desired.

Mr. Whitelock said he thinks Mr. Holloway is asking if they can accelerate the pipe replacement to increase paving of the roads. Mr. Holloway said one of the problems is that they do not have the employees to do the work, to which Mr. Whitelock responded, that is correct. He said that is something they do internally in anticipation of road paving, but there could be some mix in the future if the employee base stays about the same where they start to mix pipe replacement with the companies that are paving. He said, if the pipe replacement is in front of the paving done by those same companies, that would help accelerate and keep up with the paving moving forward so that they have more roads paved.

Ms. Oland explained, they try to do major projects in the CIP and not the small pipes that go under a street that are 12 or 24 inches, as that is not a \$100,000 project. Mr. Holloway responded, but it is just as important to the people who live on that street. Ms. Oland said it is listed in the operating budget with funding.

Mr. Dodd thanked them for clarifying the difference between operating and capital funding.

Ms. Acle said the Barren Creek Road project for the prior year says \$850,000 was allocated, to which Mr. Whitelock responded, that is correct. Ms. Acle then clarified that there is nothing allocated for the next five years, to which Mr. Whitelock responded, the \$850,000 was the original allocation for the project. He explained, they spent \$300,000 on engineering and the project came back at \$1.4 million dollars. He said the cost-to-benefit ratio for that road is \$1.4 million dollars, which, for the number of cars it carries, he is not sure, as that is not a question for him, but for everybody sitting at the Council table. He said the alternative to closing the road is to put a cul-de-sac at either dead end and put a plaque where the mill was. He said the in-house costs would be about \$86,000 to do that work, so that is \$86,000 to close the road versus \$1.4 million dollars to replace the road. Ms. Acle said she would like to see something done

with that investment. She then asked if the County purchased the house along the road, to which Mr. Whitelock responded, yes. Ms. Acle said she would like to see something done with it.

Ms. Oland explained, part of the reason why it is listed in the CIP is because they are still trying to do that evaluation. She clarified, typically, projects that have prior year funding but no new funding do not go in the CIP, but due to the nature of this project, as well as a project for Recreation and Parks, they wanted to make sure Council still saw them knowing that they were not putting any new funding in the CIP at this moment. She said they are looking at those other alternatives that are more cost effective to the County as a whole.

Ms. Acle said she also wanted to ask about the Westside Collector Road as that has fallen off the CIP. She then asked if that project is no longer moving forward, to which Mr. Whitelock responded, he has not received any interest in pursuing phase three of that road, and that is why it is not listed in the CIP.

Mr. Whitelock said, in looking at storm drainage issues, after engineering is done they are looking at a \$1.2 million project in that development and, again, this is flooding that occurred during a period of heavy rain, but they have not received a complaint about it since. He said Kaywood Drive and that whole subdivision were built in the 1970s and they have 20 other developments in the County that were built in that same timeframe that carry the same stormwater standard. He said the question is, if the County moves forward with this project, will the County commit to resolving any other issues that came with any of these other developments.

Mr. Cannon asked if the County has a right-of-way behind those houses, to which Mr. Whitelock responded, he is not exactly sure, but he does know that the \$1.2 million dollars for the project is basically to relieve flooding for two different houses. Mr. Cannon said that is the reason he asked, because the majority of the problem was on the east side and the stormwater came up from the road as a result of the culvert going to the pond. He said he thinks the majority of the issues were behind the house and how well it was draining. Mr. Whitelock said the dynamics of that neighborhood have actually changed. He explained, that is where Francis Whittington backed up to the property and parked all of his dump trucks. He said, since Mr. Whittington passed, his dump trucks have been sold, so they do not get that impact to the ground anymore and maybe it just absorbs a little better. He said they have asphalt millings that Mr. Whittington parked his dump trucks on basically making it an impervious surface.

Mr. Cannon said they put a little tiny pipe under it which did not really help. He clarified, he asked if the County had a right-of-way because there was a culvert pipe further down. Mr. Whitelock responded, that was a small pipe. Mr. Cannon said he did not know if the County has the right-of-way all the way through because it surely would not be \$1.2 million to improve the ditches behind the house if it is the County's responsibility. Mr. Whitelock responded, it is a pipe that goes underneath the road and goes down an embankment, and that has to be piped completely to get the water where it needs to go so that it does not impact any other homes along the way.

Mr. Whitelock said those are the two high-dollar projects that he knows Council has asked about before.

Mr. Dodd asked if they are putting the drainage project on hold for now since they have not had any complaints, to which Mr. Whitelock responded, he would not say it is put on hold, but they have other drainage projects that will impact a greater number of people for a lesser amount of money. Ms. Oland said right now they have it budgeted in FY24, so it is not a number that would be coming before Council

for FY23. She clarified, it is still on the CIP list, but it is one they will continue to evaluate. Mr. Dodd clarified that they will keep it on the CIP, to which Ms. Oland responded, yes, at this point in time.

Mr. McCain said, before they move past the Kaywood discussion, as they are still getting calls, he would like to ask if there was an abandoned road that the spur was off of that was also causing an issue, to which Mr. Whitelock responded, that does not ring a bell with him. Mr. Cannon said he thinks it was nearby. He said Mr. Whitelock mentioned the gentlemen who had the dump trucks, Mr. Whittington, and past that property there is a culvert. Mr. Whitelock said he will take a look at it. Mr. McCain said the County might be able to do a little something, or whatever they can do to help the situation. Mr. Whitelock clarified, he does not want to say that the flooding is not important to them, they are just trying to get the most out of what they can. Mr. Cannon said they recognize that. Mr. McCain requested that Mr. Whitelock please check into that situation.

Mr. Whitelock said they have flooding issues on Athol Road now and the problem with the Athol Road properties is that the County drains into private ditches that go across private property that they cannot maintain. He said they did a drainage study, and hopefully they have a solution to that. He said he could certainly use the money to go down there and dig a much bigger ditch that carries everything down to Barren Creek and alleviate multiple homes.

Mr. Cannon said they recognize that Mr. Whitelock has his hands full. He said the study that Mr. Baker did before he left the County was very comprehensive, and they recognized from that alone that there are issues. He said he was in the Tyaskin area Saturday and they were really up in arms about wanting to try to resolve those drainage issues, to which Mr. Whitelock responded, in that area the County's drainage system runs into the State's drainage system, and some things are out of the County's control. He clarified, they can request the State do something, but that does not mean the State will do it, so it is a battle. He said he has a very good counterpart at State Roads, so hopefully they can get some of those things done. Mr. Cannon said it is a really big issue for them. Ms. Acle added, they were not happy.

Ms. Oland said the landfill is not technically on the CIP Work Session topic list, but it does fall under Public Works. She explained, when the CIP gets adopted, they are requesting an amendment to the plan because they have just bid out the construction of two new cells at the landfill, and originally the plan was that they were going to fund the construction costs over two years. She said they bonded for a portion of it in this fiscal year and they were taking the other portion from this fiscal year out of their fund balance, and that funding is \$7 million dollars. She said the contract came in at \$7,011,000 to do two cells versus one. She said they do not need the \$6.5 million that is listed in the CIP in the next fiscal year, so they will be coming to Council in March. She clarified, the question becomes whether or not Council will count this discussion as their Work Session as they need a budget amendment for fiscal year 2022. She explained, it would all be fund balance out of the enterprise fund for \$1,150,000 to give them contingency on that project and construction administration from a company that would do inspections, etc. She said they would be able to reduce next year's borrowing, and they would be taking all of the funding out of the fiscal 2022 fund balance, so they are asking Council that, when this CIP gets adopted, it would be adopted with the \$6.5 million off the list, and they will do a budget amendment in March.

Mr. McCain says it certainly makes economic sense and is a good thing for the County. Mr. Whitelock said they presented it that way because Council can strike line items in the CIP, so it would just be easier to strike it now. Ms. Oland said they need a budget amendment for this fiscal year to be able to start the contract, and then they will not need anything in fiscal year 2023.

Mr. Cannon asked about the dynamics of amending the CIP, as it has been presented to Council and the public has seen it, to which Mrs. Hurley responded, as Ms. Oland is aware, it would require a public hearing to amend this year's CIP. She said, typically, Council holds a Work Session before they have a public hearing, and Ms. Oland is asking for that Work Session to be considered today's discussion and then Council can move forward with the public hearing at the next meeting, even though she is not going to be at that meeting. Ms. Oland clarified, Mr. Whitelock is perfectly capable of discussing this matter on March 1. Mrs. Hurley explained, Council would then have to amend the CIP that has been presented to Council for fiscal years 2023-2027. Ms. Oland said she can get Council amended sheets that would show the new numbers as they roll up. Mr. Cannon said they are willing to cooperate if she can get Council the amended sheets. Mr. Dodd asked if this needs to be advertised, to which Ms. Oland responded, the budget amendment portion would need to be advertised, and that only requires one week notice. Mrs. Hurley clarified, it only needs to be advertised one time. Ms. Oland said it could be on the March 1 agenda as a budget amendment for the landfill project in the Capital Improvement Plan.

Mr. Whitelock said the Coulbourne Mill Pond Dam is sort of like of Morris Mill except they do not have to put in a whole dam. He clarified, the funding is to take off the vegetation on the downstream side and rock it so that the vegetation does not come back. Mr. Holloway asked if that is where the County just rebuilt it, to which Mr. Whitelock responded, Morris Mill is on one side and Coulbourne Mill is around the corner, but it has heavy vegetation and trees are growing out of it on the downstream side, and the State does not like that sort of thing.

Mr. Whitelock asked if anyone has any questions about the MS4 projects, to which there were none.

Mr. Whitelock said the Three Bridge Road project that is not on the CIP list anymore as it got removed.

Mr. Whitelock said the reason the landfill came in at a low cost is because of the big pile of dirt that is on the corner of Brick Kiln Road and Naylor Mill Road. He said that is the dirt they brought in from Connelly Mill, and they put that aside in anticipation of this construction, so all the structural fill is already onsite for the contractor so they do not have to haul it in, and that was a fairly significant savings.

Mr. Cannon said, regarding the borrow pit fencing, it looks like the cost has doubled from what was in the CIP last year, to which Mr. Whitelock responded, yes, they did not have enough funding last year and they did not get halfway around the borrow pit for some of the areas that they truly wanted to fence off. He explained, the biggest problems for them now are people filtering into the trailer park and parking by the church and they walk back through the woods. He clarified, they knew the costs were going to be phased in. Mr. Cannon said, because it is a five-year program, he would have thought the CIP would show \$150,000 from last year and \$150,000 for this year, to which Ms. Oland responded, she thought they put both of them in and she apologizes if they did not. Mr. Cannon clarified, he could be wrong, but that is in the notes he made. Ms. Oland said she thought they put two years in knowing that they could not do both, but, again, they could have missed it in last year's number. Mr. Whitelock said, when they were planning it, there were certain areas they really wanted to get fenced in using that number, so they were able to do that.

Mr. Cannon said it looks like the NPLF expansion project costs increased a bit more, to which Mr. Whitelock responded, yes. He explained, the landfill expansion is a five-year expansion, and that is basically what it will cost to expand a landfill like that as they are getting more technical now. He said they have dealt with the groundwater and some of the soil boring and the types of things that go along with a landfill, and now they are starting to get into more technical things, such as how the landfill is

going to be built, what the layout of the landfill cells is going to look like. He said now they are going to the State telling them what they intend to do, so there is a lot of engineering that goes into this portion of the project, but he believes they may be in the last phase now, which is a three-phase process.

Ms. Oland said Council will notice in the out years of the landfill construction that they have actually moved up the construction timeline for additional cells that they would be able to build. Mr. Whitelock added, looking at the landfill, when they are done with the construction of these two cells they are in now, there is only one more cell to the landfill and then they have to go somewhere else.

Ms. Oland said, as Council knows, the CIP plan is a moving, living document, and it changes as they are working on it. She said there is one item in the IT budget for \$600,000 for FY 23 that is to put the Sheriff's Department on the same platform as Corrections so those systems can talk back and forth. She said they have been able to get a further estimate from the vendor they want to go with, and the price would go down in half. She said, again, like the landfill, she is asking that, when Council adopts the plan, it adopt this project with a \$300,000 number, not a \$600,000 number. Mr. Cannon asked if any of the Councilmembers have concerns with that change, to which there were none. Ms. Oland said, when she sends Council the adjusted sheets, both of those will be adjusted so that Council can approve the adjusted sheets. She clarified, again, they are both reductions, and that is a good thing.

Recreation, Parks & Tourism

Mr. Steve Miller, Director of Recreation, Parks & Tourism; Mr. Chuck Russo, Deputy Director of Recreation, Parks & Tourism; and Ms. Katie Rouse, Deputy Director of Recreation, Parks & Tourism, came before Council.

Ms. Rouse said, for their Department they have 32 projects listed in the CIP, which includes the three divisions as well as the Arthur W. Perdue Stadium. She said, of those 32 projects, they have 15 projects that are scheduled to be included for FY23. She said the total estimated amount for all of the fiscal year 23 projects is just over \$10.5 million, and, of that \$10.5 million, they are requesting \$261,500 from County pay-go, which is 2.5 percent of the total amount.

Mr. McCain said the biggest chunk of the funding is the exterior renovations to the Civic Center, to which Mr. Miller responded, that is pending a grant they have applied for, so if they do not receive the grant, that project would not happen at that level.

Ms. Acle asked about the West Metro Park, to which Ms. Oland responded, this is the second project that, as she mentioned earlier, is in the CIP and they have the original funding, but there is no additional funding at this moment. Mr. Miller said he would have been disappointed if Ms. Acle did not ask about the West Metro Park project. He said, as Ms. Oland mentioned, they have current-year funding for the master plan. He said they did an RFP in the fall and they just awarded that contract, so they have a kickoff meeting next week with the master planner. He said they are out of Dover, so that process is underway, but it is going to be an eight-to-ten month process, so they anticipate having a plan next fall which would also include budget estimates. He clarified, the reason Council does not see funding in the CIP is because they do not know what it is going to be at this time, but by next year's CIP they will have a much better idea.

Ms. Acle said she appreciates them working with the citizens on Cove Beach as everyone seems to be very happy with that.

Mr. Cannon said, on the Perdue Major League Baseball Renovations Project, he is anticipating they are going to figure out a way to get the State to pay for it, to which Mr. Miller responded, that is their intention. He said there was an article in the Baltimore Sun about a week ago that the Governor has proposed a large pot of funding through the Maryland Stadium Authority that could help do these requirements for all the minor league stadiums in Maryland, so their intention is, one way or another, to look to the State to fund this in full. Mr. Cannon asked, what exactly takes \$2 million dollars of upgrades that Minor League Baseball needs to have, to which Mr. Miller responded, there is a long list of things, but, if Council recalls, about a year ago Major League Baseball renegotiated their deal with Minor League Baseball and kind of restructured, and, in that process, about 40 teams across the country were eliminated. He said they were fortunate to be able to keep their affiliation with the Orioles, but, as part of the new agreement, they put certain stipulations on franchise owners to meet certain standards. He explained, in most cases they are player safety, player comfort standards, they want to see the same level as a player advances through the Minor League System, and they want to see the same amenities throughout their stay in the Minor Leagues. He said there are other things; for example, when these stadiums were built there were not any females umpiring, but now they are, so they need separate locker room facilities. He said there are a lot of those types of requirements where they have to look at space differently and try to figure out a way to make it work. He said they hired a local engineer to do a preliminary assessment and that is where that \$2 million dollar number came from. He said Major League Baseball will do an official assessment, and they are on the schedule for next summer to get an official assessment, but, regardless of how that shakes out, their intention is to go to the State to fund those upgrades. Mr. Cannon asked if the upgrades are the responsibility of the County, to which Mr. Miller responded, yes, they are, as anything in the 20-year lease agreement that is mandated by Major League Baseball to keep the franchise is the responsibility of the County. Mr. Cannon asked if that is coming up for renewal, to which Mr. Miller responded, in 2036 or 2037.

Mr. Holloway asked Mr. Cannon if he remembers voting for that lease agreement, to which Mr. Cannon responded, yes.

Ms. Oland clarified, it was pushed out an extra year because of the COVID year. She said Council agreed to amend that deal to allow them to have two years to pay their taxes, so they gave the County an extra year on the end of the lease agreement.

General Services

Mr. Pate Matthews, General Services Supervisor, came before Council. Mr. Matthews said most of the money will be spent on the two courthouses this year, and the possibility of spending more money on the old courthouse still exists.

Ms. Oland said, as there has not been a comprehensive plan looking at all the buildings the County owns, they added building evaluation surveys to the CIP. She explained, they want to start the process of doing surveys across all of the County buildings so they can have a good inventory of where all of the systems are instead of trying to chase stuff. She said this way they will have a master plan as to what the timeline is on when things are supposed to be obsolete and when things should be replaced. She said, in the past, they really had only been looking one year at General Services, but they want to start planning down the road and actually have some stuff in the five-year plan.

Mr. Dodd said the County has been reactive instead of proactive, to which Ms. Oland responded, correct, and they are hoping with this additional funding to be proactive. She said they are kind of creating a pot of money that they can put \$100,000 into the capital project to work on a building and next year they will put another \$100,000 and do the next building, and that way they have these plans and they know what is coming down the line for all of the County buildings.

Mr. Matthews said the best way to explain it is that they are going to give every building a complete physical looking at the engineering, mechanical, and electrical and look at the building from the top to the bottom. He said right now he can fairly confidently say they have most every building in good condition with the exception of the old courthouse, and they are getting ready to do something about that. He said, in the overall scheme of things, like Ms. Oland said, once they get a good baseline on every building, they will be able to plan when a heating system needs to be replaced, or when a roof needs to be replaced, or when they need to do other things in the building that will be cheaper to do because they are ahead of the game.

Mr. McCain said he commends them for doing that. He said, anytime there are physical structures like the County has, they should be doing that, essentially, doing a capital reserve fund. He clarified, it is not necessarily called that, but they are going to be looking at the life of roofs, so that means they need to be putting money away, to which Ms. Oland responded, this is not really putting the money away, but this will give them the guideline as to when they will need the money for those things. She said it is kind of along the lines of Perdue Stadium when they entered into a Concession Agreement and had to look at every mechanical system and put a life on it, so they want to do that for every building in the County. She said they want to look at the life of all the mechanical, electrical, and structural aspects of those buildings so they know when they should be looking at doing something.

Mr. Cannon said the Airport suffered because of deferred maintenance and they are paying for it, so he applauds them for their forward thinking.

Mr. Cannon asked, on the old courthouse, do they have anyone to look for historical grants, to which Mr. Matthews responded, not that he knows of, but maybe Ms. Carter would have some knowledge on that, and he can certainly speak to her and to see if she knows of anything. He said he knows Ms. Gloria Smith is back a few days a week now, and she worked indirectly with the Historical District Commission.

Ms. Oland said a lot of times, unfortunately, those grants are for facade in making sure they are meeting the look of the historical district and not really the electrical and that kind of stuff to keep the building functioning as a building. Mr. Matthews said there is \$600,000 proposed for exterior repairs. Mr. Cannon said that is maintaining the same windows, etc.

Ms. Oland said she looks forward to having the CIP on the March 15th agenda with those two adjustments for adoption.

There was no further discussion.

Signatures on next page

Open Work Session

Capital Improvement Program for Fiscal Years 2023 through 2027:

- **Public Works (Roads and Engineering)**
- **Recreation, Parks & Tourism**
- **General Services**

February 15, 2022



John T. Cannon, President, At-Large



Ernest F. Davis, Vice President, District 1



William R. McCain, At-Large



Nicole Acle, District 2i




Larry W. Dodd, District 3



Josh Hastings, District 4



Joe Holloway, District 5



Laura Hurley, Council Administrator