

Minutes of the County Commissioners of Worcester County, Maryland

May 15, 2007

James L. Purnell, Jr., President  
Louise L. Gulyas, Vice President  
Judith O. Boggs  
Linda C. Busick  
James C. Church  
Robert L. Cowger, Jr.  
Virgil L. Shockley

Following a motion by Commissioner Shockley, seconded by Commissioner Cowger, the Commissioners unanimously voted to meet in closed session at 9:30 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 10-508(a)(1), (7) and (8) of the State Government Article of the Annotated Code of Maryland and to perform executive actions. Also present at the closed session were Gerald T. Mason, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Edward H. Hammond, Jr., County Attorney; Kim Moses, Public Information Officer; and Deedee Rouse, Human Resources Director. Topics discussed and actions taken included: hiring Courtney Parker as a GIS Intern within Comprehensive Planning from May 21, 2007 through August 17, 2007 and considering other personnel matters; nominating Mary Knight to serve on the Wor-Wic Community College Advisory Council; reviewing potential and pending litigation; receiving legal advice from counsel; and performing executive actions.

After the closed session, the Commissioners reconvened in open session. Commissioner Purnell called the meeting to order and announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the minutes of their work session of April 10, 2007 as presented and their regularly scheduled meeting of May 1, 2007 as amended.

The Commissioners presented a proclamation to Worcester County Social Services Director Peter Buesgens recognizing May as National Foster Care Month and thanking area residents who open their homes to help bring stability back into the lives of hurting children. Mr. Buesgens thanked foster mother Brenda Kelly for caring for many foster children and even choosing to adopt one of them. He stated that individuals like Ms. Kelly inspire him because of their commitment to stick with challenging children through thick and thin.

Public Works Director John Tustin updated the Commissioners on the results of the County's Household Hazardous Waste (HHW) & E-Cycling Day, which was held at the West Ocean City Park and Ride on Saturday, April 28, 2007. He advised the Commissioners that 204 vehicles responded to the event, dropping off 98 HHW products or 10,180 pounds (lbs.) and 397 electronics items or 10,380 lbs. Mr. Tustin stated that the event was very successful and

recognized the efforts of Recycling Coordinator Ron Taylor to promote recycling in the county.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized staff to apply for a one-time grant through the Maryland Department of the Environment (MDE) of up to \$50,000 for the collection and recycling of electronics and computers through the Statewide Computer Recycling Pilot Program.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously agreed to waive bidding and approved the proposal from Telewire of Salisbury Maryland for improvements to the telephone system at the Water and Wastewater Division of Public Works, which is located in Ocean Pines, at a cost of \$10,772.85 using budgeted funds for office improvements.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously approved bid specifications for the rehabilitation of Pump Station 1 in West Ocean City, which includes new pumps and enhancements to the station's monitoring and controls.

Mr. Tustin met with the Commissioners to review and discuss the Master Plan for Public Landing Marina. Mr. Tustin stated that the County has been completing this project in phases, in conjunction with the annual awarding of Waterway Improvement Grant funds of \$100,000 from the Maryland Department of Natural Resources. He stated that the County has completed the following phases: Phase I, construction of the boat ramp, the associated parking lots and lighting, dredging of the Marina Basin and some shoreline stabilization around the ramp; Phase II, Shoreline stabilization and creation of a low profile marsh area along the north-westerly side of the marina basin. He stated that Phase III, as proposed, includes the replacement of bulkhead, construction of approximately 30 boat slips for recreational use and moving existing structures along the dirt parking lot on the south-east side of the area. Mr. Tustin stated that once this work is completed, the parking lot will be constructed along with an eight-foot wide walkway and nature trail if the Commissioners so desire. In response to a question from Commissioner Gulyas, Mr. Tustin advised that if the Commissioners chose to permit commercial use at Public Landing, Waterway Improvement Funds would not be eligible and, therefore, funding would be jeopardized. Mr. Tustin noted that the Commissioners could lease finger piers for recreational purposes if they so choose. Following some discussion and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved the proposal to complete Phase III of the project and reaffirmed that the 30 boat slips are for recreational use only.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Gulyas, the Commissioners unanimously awarded the best bid for design services for Phase III of the Public Landing Marina Project to Soule & Associates, P.C. of Salisbury, Maryland in the amount of \$11,700.00. Mr. Tustin explained that the low bid from Barry Isett & Associates, Inc. of Berlin, Maryland in the amount of \$5,540.00 did not include any narrative to design of the water and sewer facilities that would be necessary to provide for recreational boating activities.

The Commissioners held two public hearings to obtain the views of citizens on Community Development and Housing needs and to offer citizens the opportunity to comment on two separate applications the Commissioners proposed to submit to the State on or before May 30, 2007 for Small Cities Community Development Block Grant (CDBG) funds. The proposed projects would provide funding for countywide housing rehabilitation and design and renovation of the Berlin Community Improvement Association's (BCIA) Multi-Purpose Community Building in the Berlin area of Worcester County. These grant requests would be submitted to the Maryland Department of Housing and Community Development (DHCD) and the Department of Business and Economic Development (DBED). The proposed applications call for \$300,000 in CDBG funding to assist low to moderate income persons and households in the rehabilitation of 18 owner-occupied homes, and \$94,668 in CDBG funding to provide for the Planning Phase of the replacement of the BCIA Multi-Purpose Community Building located at 130 Flower Street in Berlin. Commissioner Purnell recused himself and left the room due to a potential conflict of interest as a member of BCIA.

The Commissioners conducted the public hearing on the filing of a CDBG Application to fund the Housing Rehabilitation Program Grant request for FY08. Housing Program Administrator Jo Ellen Bynum outlined the grant application. She stated that under the County's current CDBG Housing Rehabilitation Grant (MD-05-DC-6), all funding has been obligated and all expenditures will be complete by the grant deadline of June 30, 2007, with \$250,000 in grant funding being used to rehabilitate 18 owner-occupied homes throughout the rural areas of Worcester County. She stated that the State CDBG Office is accepting applications until May 30 from local jurisdictions for funding from the total allocation of \$8,157,818 designated to Maryland by the federal government. Ms. Bynum suggested that in addition to the application for an additional \$300,000 to continue the work of the Worcester County Housing Rehabilitation Program that the Commissioners approve a commitment of local matching funds of 25% (\$75,000) of the grant request in order to receive the maximum credit under the local commitment section of grant review and consideration. She stated that the current grant period ends June 30, 2007, with new funds becoming available sometime in September. Ms. Bynum stated that 100% of the grant funds awarded benefit low to moderate income families, 65% of which was awarded to individuals who were also disabled.

Commissioner Gulyas opened the floor to receive public comment.

Ellie Diegelman of Ocean City asked for information regarding the types of homes that qualify for assistance. Ms. Bynum advised that the homes must be owner-occupied, not rental properties, and average project costs per home are just over \$52,000.

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

Following some discussion and upon a motion by Commissioner Boggs, the Commissioners unanimously adopted Resolution No 07-9, authorizing the filing of a CDBG Application to fund a Housing Rehabilitation Program in Worcester County in FY08 and authorizing Commission President Purnell to sign all appropriate documents.

The Commissioners held a public hearing on the filing of a CDBG Application on behalf of BCIA to fund the design and renovation of the BCIA Multi-Purpose Community Building in the Berlin area of Worcester County. Berlin Town Council member and Head Start Director Dean Burrell and Shore Up! Inc. Executive Director Freddie Mitchell explained that the existing structure is in desperate need of replacement, and he reviewed the proposal to construct a new

community center on the site of the existing facility. He advised that the community center is needed to continue to prepare meals for Head Start, and plan and carry out community activities. He asked the Commissioners to support their grant request to complete the first phase of this project to design a facility for which the community can be proud. Diane Purnell of the BCIA advised that the primary use of the community center is to serve the children of the community. However, it also helps boost tourism by hosting cultural events each year for locals and visitors. She asked the Commissioners to support the grant request. In response to a question from Commissioner Shockley, Mr. Burrell stated that the Town of Berlin fully supports the grant request as outlined, but is unable to submit the request on behalf of BCIA since it is currently using CDBG funds to complete another project which would not be 50% complete by the deadline to file the application for the Multi-Purpose Community Building. He stated that Berlin should be able to sponsor the CDBG application for the construction phase of the project. Mr. Burrell stated that before and after school programs for Buckingham and Berlin Intermediate Schools were previously held at the facility. However, the programs can no longer be housed there due to the deteriorating condition of the building. In response to a question from Commissioner Shockley, Mr. Mitchell advised that Shore Up! Would manage the CDBG reporting requirements in keeping with State and Federal guidelines.

Commissioner Gulyas opened the floor to receive public comment.

Ellie Diegelman of Ocean City, asked about plans to renovate the facility as indicated in the notice. Mr. Mitchell stated that the existing structure cannot be renovated and, therefore, must be replaced.

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

Following some discussion and upon a motion by Commissioner Church, the Commissioners unanimously adopted Resolution No. 07-10, authorizing the filing of a CDBG application to fund planning and design of replacement of the Multi-Purpose Community Building on Flower Street in Berlin, Worcester County, Maryland and authorized Commission President Purnell to sign all appropriate documents.

Michael A. Franklin, President and Chief Executive Officer of Atlantic General Hospital (AGH), met with the Commissioners to formally ask them to extend the \$250,000 per year Expansion Capital Campaign pledge from FY08 to FY09 and to allow them to apply this year's pledge of \$250,000 toward a matching fund requirement of \$700,000 from the State that will be used to expand and renovate the Atlantic Health Center, which is an existing building on the hospital campus. Mr. Franklin stated that the funds would be used for the following purposes: renovation and expansion of the primary care clinic with services especially focused on serving lower income patients with inadequate or no health insurance; comprehensive diabetes patient education and care center; an outpatient pulmonary care center; and a child advocacy center. He advised that the expansion would allow them to increase service at the primary care clinic from 12,000 to 18,000 visits per year, and expand mental health services to keep pace with the growing needs of the County. He also stated that the proposed Child Advocacy Center would be the only one of its kind on the shore and would be used to serve residents of Somerset, Wicomico and Worcester Counties. In response to a question from Commissioner Boggs, Mr. Franklin stated that AGH received the highest ranking in the State for this project. However, the

hospital must meet the matching grant requirement by May 29, 2009 to receive this award. Following some discussion, the Commissioners thanked Mr. Franklin for his presentation and agreed to consider the request during budget deliberations.

The Commissioners met with Human Resources Director Deedee Rouse to discuss a recommendation from the Health Benefits Committee to offer long-term care insurance through Genworth Financial to County employees and their families. Ms. Rouse stated that the County was able to secure a plan for employees with premiums that are significantly lower than costs for individual plans. She further stated that County employees would be able to continue participating in the program at the discount rate even after County employment ends. Following some discussion and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved the proposal to add Genworth Long-term Health Care Insurance to the County employee benefit package as available coverage with 100% of the premium paid by the employee and no cost to the County. Ms. Rouse advised that the eight-week campaign to offer the long-term care insurance would begin August 1, 2007.

Pursuant to the request of Assistant Library Director Karen Neville and the written request of Library Director Mark Thomas and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized the acceptance of a Public Libraries Capital Project Grant of not more than \$75,000 and County matching funds for library construction to be used to purchase furniture and equipment for the new Worcester County Branch Library in Ocean City for FY08.

Pursuant to the request of Environmental Programs Deputy Director Bob Mitchell and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized Commission President Purnell to sign an application for a grant for supplemental funding under the BEACH Act for Beach Monitoring and Notification Activities. Mr. Mitchell noted that the total budgeted for this project is \$2,789.44. He advised that the supplemental activities would include the following: conducting additional monitoring for the Ocean City beaches during the 2007 bathing season (an increase from once to twice weekly); updating the department's website to allow users to click on an interactive map detailing the beaches being monitored, including the two new bathing areas added to the schedule this year at the Pocomoke YMCA and Eagle's Nest Campground, to access sampling data; other updates to the County website related to beach monitoring; and adding a Recreational Water Quality Email Alert System option to be made available via the website to concerned citizens. Mr. Mitchell advised that beach monitoring would begin in late May. In response to a question from Commissioner Gulyas, Mr. Mitchell stated that beginning with the summer beach season of 2006, Environmental Programs stepped up its monitoring of Ocean City beaches from once to twice per week.

Pursuant to the request of Superintendent of Schools Dr. Jon Andes and upon a motion by Commissioner Church, the Commissioners unanimously authorized the Board of Education to purchase and install five portable classrooms at a cost of approximately \$200,000 with funding to be provided in the FY08 budget for use as follows: two to replace old, existing portables and one additional portable at Showell Elementary School; one portable at Buckingham Elementary

School; and one portable at Snow Hill Elementary School.

Pursuant to the recommendation of Finance Officer Harold Higgins and the request of Anthony Bowen, President of the Berlin Community Improvement Association (BCIA), and upon a motion by Commissioner Church, the Commissioners unanimously adopted Resolution No. 07-11, Authorizing a 100% Tax Credit for Real and Tangible Personal Property owned by the BCIA for such property which was exclusively for non-profit activities of BCIA for the July 1, 2007 tax year.

Pursuant to the request of Mr. Higgins and upon a motion by Commissioner Shockley, the Commissioners unanimously agreed to schedule public hearings on June 5, 2007 to receive public comment for the Enterprise Funds FY07/08 budgets for Solid Waste and Water and Wastewater Services.

The Commissioners met in Legislative Session

The Commissioners met with Development Review and Permitting Director Ed Tudor and County Attorney Edward H. Hammond, Jr. to review recommendations from County staff and the Planning Commission with regard to draft legislation that would serve as an interim accommodation regarding the use of Adult Entertainment Establishments through December 31, 2008 to allow Worcester County to complete a study of such businesses in order to appropriately regulate them. Mr. Tudor advised that both the Planning Commission and County staff favorably recommended the proposed legislation. Following some discussion, Commissioners Boggs, Busick, Church, Cowger, Gulyas, Purnell and Shockley introduced the aforementioned proposed bill as Emergency Bill 07-1 (Zoning – Adult Entertainment Businesses). The Commissioners unanimously agreed to hold the public hearing on the bill during their next legislative session on June 19, 2007.

The Commissioners closed the legislative session.

Comprehensive Planning Director Sandy Coyman met with the Commissioners to review a Request for Proposals (RFP) for a North County Transportation Study, as recommended by the West Ocean City Transportation Interjurisdictional Review Committee and the Comprehensive Plan to examine existing and projected traffic conditions and provide possible solutions to improve safety, capacity, and alternate transportation in northern Worcester County. Mr. Coyman advised that \$100,000 is budgeted for the study, \$50,000 of which was designated in FY05/06, which has been encumbered and \$50,000 in FY06/07. In response to a question from Commissioner Gulyas, Mr. Coyman advised that he would invite a representative from Shore Transit to assist in the planning process. Commissioner Church advised that sidewalks are needed to accommodate pedestrians and bicyclists in West Ocean City. Commissioner Boggs stated that the dualization of US Rt. 113 and upgrades to MD Rt. 90 continue to be the Commissioners primary concerns. Mr. Coyman advised that these issues would be included in a letter to the State Highway Administration (SHA) listing their priorities. In response to a question from Commissioner Boggs, Mr. Coyman advised that the study is to be conducted beginning July 3 and continuing through the summer. Following some discussion and upon a motion by Commissioner Gulyas, the Commissioners unanimously approved the RFP.

Pursuant to the request of Mr. Coyman and upon a motion by Commissioner Gulyas, the Commissioners unanimously authorized Chief Administrative Officer Gerald T. Mason to sign a letter to James A. Conrad, Executive Director of the Maryland Agricultural Land Preservation Foundation (MALPF) in response to House Bill 1131, which stated that the Worcester County Commissioners will not require the establishment of a district as a prerequisite for agricultural preservation easement applications. Mr. Coyman advised that the elimination of this requirement would be a win-win for the County as it would eliminate an unnecessary step from the process.

The Commissioners answered questions from the press, after which they adjourned for a luncheon meeting with the Pocomoke Marketing Partnership (PMP) and to tour the Pocomoke Discovery Center.

The Commissioners reconvened in open session at 2 p.m.

The Commissioners met with Planning Commission Chair Carolyn Cummins to review a PowerPoint Presentation and recommendations from the Planning Commission regarding the proposal from ADC Builders to convert the existing Perdue Wastewater Treatment Plant (WWTP) to a public WWTP providing for Enhanced Nutrient Removal (ENR) level of treatment, to continue discharging treated effluent into an unnamed tributary of the Church Branch, a tributary of the St. Martin's River; a flow capacity of 1.2 million gallons per day (MGD) or 4,000 residential equivalent dwelling units (EDUs), with 1,000 EDUs to be allocated to the developer, 500 EDUs to Perdue Farms, and 2,500 EDUs to the County. Also present at the meeting were Planning Commission members Costin Gladding, Brooks Clayville, Tom Pitts, Jim Bunting, Doug Slingerland, Jeanne Lynch, and County staff members Public Facilities Project Manager Dennis Escher, Environmental Programs Director Rick Wells and Deputy Director Bob Mitchell, Public Works Deputy Director John Ross, Development Review and Permitting Director Ed Tudor and Comprehensive Planning Director Sandy Coyman.

Ms. Cummins outlined the Planning Commission's recommendations, advising that since the adoption of the new Comprehensive Plan, the Planning Commission has been concentrating on revising the Water and Sewerage Plan by the end of the year to create a working document that reflects "planning" for the future rather than simply inventorying the existing facilities. She advised that per the Commissioners' request, the Planning Commission was asked to provide comment on the Johnson, Mirmiran & Thompson (JMT) Report, which was undertaken to determine the best use for the Showell WWTP and its associated discharge. Ms. Cummins reviewed six key factors that helped the Planning Commission to determine the most prudent use of the WWTP, which includes the following: 2004 State of the Bays report prepared by the Maryland Department of Natural Resources (DNR), which concludes that the state of the Maryland Coastal Bays are getting worse, with the St Martin's River being in the worst condition; total maximum daily load (TMDL) requirements; removal of septic systems, which contribute between 26 and 45 pounds of nutrients per septic system to the bays while an ENR treatment plant contributes less than 3 pounds per EDU; Watershed Restoration Action Strategy (WRAS) for Newport Bay, which concluded that even if every single nutrient management Best Management Practice (BMP) for non-point sources were implemented 100% the County would

not be able to meet the TMDL reduction goals without discontinuing discharges from Trappe Creek & Marshall Creek; 2005-2006 University of Maryland study showing sewage to be the primary culprit behind increased nutrient levels in the Coastal Bays; and a revised WRAS for Isle of Wight Bay concluding that TMDL reductions could only be reached through the implementation of spray irrigation.

Ms. Cummins advised that the 1989 Comprehensive Plan calls for no new discharges in the Coastal Bays, and the 1994 Sewerage and Water plan contained the same policy. She confirmed that the newly adopted Comprehensive Plan contains a similar policy. Ms. Cummins reviewed the six options for use of the Showell WWTP as outlined in the JMT Report as follows: Option 1 - continue point source surface discharge; Option 2 - provide traditional spray irrigation for complete disposal of all the effluent; Option 3 - provide a hybrid system of options 1 & 2, utilizing spray for the 6 to 8 months of the growing season and use the discharge in the wetter months; Option 4 - expansion of Option 3 to include water reuse on "green spaces" within the development; Option 5 - construct wetlands for utilizing the treated effluent, and Option 6 allow the area to develop out as septic systems. Ms. Cummins stated that the JMT Report recommends Option 4, with winter discharge. However, the Planning Commission and County staff strongly recommend a revised version of Option 4 to take a holistic approach that will fully incorporate spray irrigation and eliminate the need to discharge effluent during the winter months. She advised that spray irrigation continues to be the preferred option for the disposal of effluent for the Showell WWTP, and recommended acquiring land for this purpose along with constructing holding tanks with a capacity of 4,000 EDUs. However, the County should retain the Showell WWTP discharge permit for emergency situations and for use during maintenance of the spray systems. She further stated that a capacity management plan must be developed for the entire 4,000 EDUs, which includes placing high priority on the conversion of septic systems to public sewer, and a variety of land uses which include residential, industrial, institutional and commercial. She recommended user fees include costs for the monitoring of Church Creek and Shingle Landing Prong; user fees include costs to install proper equipment for the reuse of treated effluent; and acquire spray fields at fully 133% of the capacity of the development, with developers having the ability to pay fees in lieu that could be used only for providing spray fields or piping to existing septic areas.

Ms. Cummins advised that users must be located in the existing community, the designated growth area, the existing commercial zoning in what is commonly called the Showell oxbow or the existing industrial zoning along Rt 113 north of Showell, with the only exception being the current estate zoned properties between Beauchamp Road and Route 113 and only if those properties have received planning approval. Ms. Cummins stated that Perdue must provide nutrient reduction for 500 EDUs from one of three options, with the provision of additional spray fields being the preferred option. She advised that ADC Builders must construct the plant to the proposed 4,000 EDU capacity, providing trunk lines along the perimeter of their property on Pitts Road and on Old Worcester Highway and locate the transfer pumps in a location that allows septic systems across both roadways to hookup up to public sewer; design and install water reuse systems and piping for their development; and provide the County with additional capacity over 1,000 EDUs as their nutrient reduction contribution.

She stated that ADC Builders submitted a letter to the Planning Commission agreeing to all of the recommendations. She further stressed that the County cannot meet TMDL

requirements through non point source reduction alone, and stated that the Planning Commission recommends that each County WWTP convert from point source discharge to spray irrigation, as is recommended in the Water and Sewerage Plan.

To avoid the possibility of being unable to acquire the needed spray fields and, therefore, revert back to point source discharge, she recommend the County appoint a point person to pursue spray fields, with the first spray field to be available by 2010 and acquire enough spray fields for the entire 4000 EDU capacity by 2017. Ms. Cummins reviewed other recommendations regarding 100' setbacks from US Rt. 113 and water reuse in the industrial zoned land on US Rt. 113 north. Ms. Cummins concluded that if the County is diligent in its effort to pursue spray irrigation, the spray fields could be available in a timely fashion that allows ADC Builders to get through the MDE and County approval process, construct the plant and build and sell enough homes to make the plant operational.

Mr. Gladding stated that County staff and the Planning Commission are working closely to produce a Water and Sewerage Plan that will be good for the County and lead the State in the conversion to spray irrigation. He advised that failing to convert to spray irrigation throughout the County would have disastrous effects on the waterways.

Mr. Clayville stated that the recommendations made by the Planning Commission are the best path for reaching TMDL compliance in these watersheds.

Mr. Pitts endorsed the plan and asked the Commissioners to implement various tools and guidelines to achieve the County's goals and objectives. Mr. Bunting agreed that spray irrigation is the best alternative for protecting the bays, and stated that Worcester County is leading the State in developing alternative means of effluent disposal. He stated that in the worst case scenario, the WWTP will continue to discharge 1,000 EDUs of effluent treated to three parts per million of nutrients into the Turville Creek, a standard that is considered nearly drinkable. He advised that this proposal is a win-win for Worcester County. Mr. Slingerland stated that the Planning Commission has worked diligently to solve sewage issues in the County and asked the Commissioners to support their recommendations. Ms. Lynch thanked the Commissioners for meeting with them, and stated that the County must take the initiative for the public health and the environment by implementing the recommendations of the Planning Commission.

In response to questions from the County Commissioners, Ms. Cummins stated that ADC claims that they are unable to provide spray irrigation at this time and must be permitted to use the point source discharge initially in order to meet their development schedule. Under the Planning Commissions' proposal, ADC would utilize the point source discharge for their 1,000 EDUs initially with the understanding that they would later be served by spray irrigation once the County acquires and develops the spray sites. Ms. Cummins recommended that the County assign a staff person to concentrate on acquiring the spray sites. She explained that the initial costs of providing spray irrigation would be borne by the County and ultimately reimbursed by the users in the service area. Ms. Cummins explained that service would be affordable to the users since there would be no cost for construction of the plant, which would be provided by ADC, and the only capital cost to the users would be for pipes and pumps. Ms. Cummins stated that neither an engineering nor a financial feasibility study had been performed to determine an estimate of the costs to the users. Commissioner Boggs stated that the County only has one opportunity to do this right and ensure that the water quality in the St. Martin's Neck River was protected and improved.

Mark Cropper, attorney for ADC, stated that his client is in agreement with the Planning Commissions' recommendations and needs an answer from the County Commissioners as soon as possible in order to move forward with their project. Commissioner Busick stated that she needs time to review the information presented to the Commissioners today before making a final decision. Commissioners Boggs and Gulyas agreed. Commissioner Cowger stated that he would support the Planning Commission and staff recommendation on this matter. Mr. Hammond reminded the Commissioners that in accordance with County law they first need to be presented with an analysis of the engineering feasibility and financial feasibility of this project before making a decision. He suggested directing staff to continue their review of the application submitted by ADC and to bring forth a formal recommendation on the application. Mr. Cropper requested that the Commissioners schedule a Work Session as soon as possible to discuss the Planning Commissions' recommendation. The Commissioners agreed to get the budget behind them, after which they would schedule a Work Session to further review this matter.

Commissioner Purnell thanked the Planning Commission for their presentation and for a job well done.

The board adjourned to meet again on June 5, 2007.