

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

April 7, 2009

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

Following a motion by Commissioner Purnell, seconded by Commissioner Boggs, 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 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; Sonny Bloxom, County Attorney; Kim Moses, Public Information Officer; and John Tustin, Public Works Director. Topics discussed and actions taken included: reappointing Brooks Clayville to the Agricultural Reconciliation Board; 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 Gulyas called the meeting to order and announced the topics discussed during the morning closed session.

Commissioner Gulyas announced and congratulated Commissioner Busick on being named one of the Top 100 Women in Maryland by the Daily Record, and Commissioner Boggs on her election to the Maryland Association of Counties (MACo) Board of Directors.

The Commissioners reviewed and approved the minutes of their March 17, 2009 meeting, as presented.

The Commissioners met with Public Works Director John Tustin to receive public comment on the proposal to dispose of surplus personal property, consisting of 24 vehicles and several pieces of furniture and equipment no longer used by the County, by auctioning these items on GovDeals.com.

Commissioner Gulyas opened the floor for public comment.

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

Upon a motion by Commissioner Shockley, the Commissioners unanimously approved the list of vehicles and equipment as County surplus property to be sold online at [www.GovDeals.com](http://www.GovDeals.com).

The Commissioners held a public hearing to receive public comment on the proposed inclusion into the Inventory of County Roads of the following roads, both of which are located

off Stephen Decatur Highway (Maryland Route 611) south of Assateague Road (Maryland Route 376) in the Tenth Tax District of Worcester County, Maryland as shown on Worcester County Tax Map 42 as Parcel 10 and known as the Winding Creek Subdivision: Winding Creek Drive being approximately 0.30 mile in length; and Timberneck Drive being approximately 0.19 mile in length.

Commissioner Gulyas opened the floor to receive public comment.

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

Following some discussion and upon a motion by Commissioner Purnell, the Commissioners unanimously adopted Resolution No. 09-5 amending the Inventory of Public Roads of Worcester County, Maryland to add these two public roads in the Winding Creek Subdivision.

The Commissioners met with Housing Program Administrator Jo Ellen Bynum to review a contract that was awarded on December 2, 2008 to M3 Group LLC of Berlin in the amount of \$17,417 for a general housing rehabilitation project in the Pocomoke area. Ms. Bynum advised the Commissioners that the contractor began the rehabilitation work in February and received one draw payment of \$1,050 after completing work to the crawl space of the home, but that he has not returned to the job site since February 24, 2009. Ms. Bynum stated that this week after numerous attempts by the homeowner, Program Inspector and herself to contact the contractor, a representative of the contractor notified the homeowner that he is unable to continue work at her property and will not be returning to complete the job. Ms. Bynum stated that she contacted Thermal Exteriors, Inc., which at a bid price of \$21,615 was the next lowest bidder for this project, and been advised they would be willing to complete the remaining work by June 30, 2009 for the original bid price less the cost of the work already completed by the M3 Group. Ms. Bynum recommended re-awarding the project to Thermal Exteriors, Inc. at the new contract price of \$20,565, advising that sufficient grant funds are available to cover this increased cost. In response to a question by Commissioner Gulyas, Ms. Bynum confirmed that work to the crawl space was inspected and approved prior to issuing payment to the M3 Group. Following some discussion and upon a motion by Commissioner Purnell, the Commissioners unanimously approved re-awarding the contract for a general rehabilitation project in the Pocomoke area to Thermal Exteriors, Inc. in the amount of \$20,565 pending expiration of the current contract held by the M3 Group which is scheduled to expire on April 11, 2009.

Pursuant to the request of Jean St Val, Family Services Supervisor with the Worcester County Department of Social Services (DSS), and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission President Gulyas to sign the Emergency Transitional Homeless Services (ETHS) Grant in the amount of \$39,282 to be awarded each year for three fiscal years from 2010 through 2012 from the Maryland Department of Human Resources Office of Transitional Services. Mr. St Val advised that these funds would be awarded for use in the following two categories: to assist homeless individuals with shelter bed nights, and to assist families who are facing evictions and home foreclosures. The grant provides ETHS funding of \$12,440 to Diakonia, \$12,448 to the Samaritan Shelter, and \$7,894 to DSS; and Homeless Prevention Program (HPP) funding to DSS of \$6,500.

Pursuant to the request of Economic Development Director Jerry Redden and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission

President Gulyas to sign the Community Development Block Grant (CDBG) Conditional Grant Agreement between the Maryland Department of Housing and Community Development (DHCD) and the County Commissioners of Worcester County (Grantee) for a grant of \$525,000 to be used to construct a 4,000 square-foot restaurant at the Delmarva Discovery Center as follows: \$25,000 for administrative expenses; and \$500,000 for construction. In response to a question by Commissioner Cowger, Mr. Redden stated that while it is too premature to consider awarding a restaurant contract, he has received calls from several individuals expressing interest in providing these services. Mr. Redden advised that CDBG funds would be used to construct the restaurant's shell. He further noted that the County may be able to secure grant funds of \$100,000 from the United States Department of Agriculture to complete the interior of the project once a restaurant is selected.

The Commissioners met with Comprehensive Planning Director Sandy Coyman to review a letter recently signed by Commission President Gulyas and sent to the Maryland Coastal Bays Program (MCBP) and the National Oceanic and Atmospheric Administration (NOAA) in support of a grant application to the NOAA to complete the Bishopville Pond/Lizard Hill restoration project. Mr. Coyman stated that due to the State deficit, the State Highway Administration (SHA) has deferred its portion of project funding in the amount of \$1.2 million away from the project. He stated that MCBP Executive Director Dave Wilson informed him that federal stimulus funds may be available through NOAA to complete the project, but that the grant application was due by April 6, 2009. Therefore, staff drafted the requested letter of support, which was then signed by Commissioners Gulyas and submitted to NOAA and MCBP. Commissioner Busick stated that given the circumstances, this grant is essential for moving the project forward. In response to a question by Commissioner Busick, Mr. Coyman provided the findings of the hydrology report, which outlines how the project could impact flooding in the area, and confirmed that the project would have no adverse impacts on surrounding properties or the SHA bridge over the Bishopville Pond. Following some discussion and upon a motion by Commissioner Boggs, the Commissioners unanimously concurred with the letter of support for the grant application as submitted.

Pursuant to the recommendation of Recreation and Parks Director Sharon DeMar Reilly and upon a motion by Commissioner Purnell, the Commissioners unanimously awarded the sole bid for Showell Park concession stand privileges to John Smack of Berlin, Maryland at a cost of \$231.00. Ms. Reilly confirmed that Mr. Smack has established a history of providing outstanding concession stand services and felt confident that he would continue to do so. In response to a question by Commissioner Purnell, Ms. Reilly stated that the food permit issued through the Health Department allows for the sale of prepackaged foods only due to the absence of water at that location.

The Commissioners met with Mr. Tustin to review the request for additional HVAC cooling and electrical upgrades in the Information Technology (IT) server room, located on the third floor of the Worcester County Government Center, that houses the computer systems that provide support services for the Emergency Services Dispatch Center as well as the County's financial reporting systems. Mr. Tustin informed the Commissioners that the computer systems have grown incrementally in size over the last several years, and the originally installed cooling units within that space are no longer adequate to properly cool this area. He stated that additional

equipment and upgrades were needed to protect these systems. Following some discussion and upon a motion by Commissioner Church, the Commissioners unanimously agreed to waive the standard bid process and contract with Absolute Cooling & Heating, LLC for labor and materials in the amount of \$12,736 and further authorized the Maintenance Division of Public Works to purchase the necessary ductless split system heat pumps and humidification equipment from R.E. Michel of Salisbury in the amount of \$14,073 to fully complete this project on an emergency basis.

Pursuant to a recommendation by Mr. Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously awarded a two-year contract for calendar years 2009-2010 to continue providing professional services for groundwater monitoring and analytical services at the Central Landfill in Newark to EA Engineering of Sparks, Maryland at a total lump sum cost of \$63,761.59.

The Commissioners met with Mr. Tustin and Jane Apson of the Health Department to review two Requests for Proposals (RFPs) for design services and dental equipment supply to support the planned renovation of the current Berlin Senior Center for use as a dental clinic. Mr. Tustin stated that the work is intended to be performed concurrently, as the equipment supply and equipment layout will dictate the building renovations and architectural design and resultant construction scope of work. He further stated that the specifications will govern the building renovation design effort, which is planned for completion by fall 2009 after which bids will be solicited for construction to begin after the Berlin Senior Center has been relocated. Mr. Tustin concluded that State grant funds in the amount of \$500,000 have been allotted to cover project costs. Following some discussion and upon a motion by Commissioner Boggs, the Commissioners unanimously approved the proposed RFPs.

The Commissioners met with Mr. Tustin to review and discuss correspondence from Joe Beatty and Mike Hegarty of Hegarty & Associates, Inc. as well as Jim Cassidy, a Pella windows sales representative with K.C. Company, Inc., regarding their positions on the Commissioners decision on March 17, 2009 to reject all bids for the replacement of windows in the Court House based on Pella window specifications and to rebid the project to allow the vendors to submit alternate bids for an equivalent window. The Commissioners arrived at that decision after being informed by an area contractor that Pella Windows and Doors had inflated window price quotes after the bid specifications were made public. Mr. Tustin stated that after the March 17, 2009 meeting, he contacted Mr. Cassidy and was informed that such was not the case. Rather, the same generic quote for replacement windows had been provided to each of the contractors who bid on the project. The County was originally quoted a price of \$300,000 by a Pella representative when cost estimates for the project were first developed. However, by the time bid specifications were finalized, the scope of work had increased to include two finish coats, larger grilles, jamb extensions, curved custom extrusion, and coil stock not included in the original scope of work and therefore the price quoted to vendors interested on bidding the project were higher than the original quote. Mr. Tustin confirmed that the scope of work had increased, but the project could still be completed within the proposed budget. He reviewed the original low bid from Hegarty & Associates, which included quotes for the purchase of four brands of windows as follows: Jeld Wen Custom Epic windows at \$300,333.22, Pella windows at \$317,831.00, Marvin windows at \$337,721.20 and Andersen windows at \$393,829.85. Mr. Tustin reviewed

the letter from Mr. Beatty, which states that his staff and sub-contractors made every effort to ensure the best pricing for material and labor for this project due to the poor economy and in an effort to provide work for sub-contractors who live and work within Worcester County. In response to a question by Commissioner Shockley, Mr. Tustin stated that funds for the Court House project have been allocated to cover the cost of power washing, sandblasting, window replacement and painting. He stated that staff chose to replace the windows first, since doing so would result in immediate energy savings. In response to a question by Commissioner Busick, Mr. Tustin stated that Mr. Beatty could provide a sample Jeld Wen window for the Commissioners' consideration within a week, and if they choose to go with this manufacturer the windows could be ready for installation within eight weeks. Commissioner Cowger reminded the Commissioners that they had voted to rebid the project and that awarding the contract before doing so would set a bad precedent. Commissioner Gulyas disagreed, stating that they had made a hasty decision based on inaccurate information at their last meeting. Following some discussion and upon a motion by Commissioner Boggs, the Commissioners voted 4-3, with Commissioners Boggs, Busick, Gulyas and Shockley voting in favor and Commissioners Church, Cowger and Purnell voting in opposition, to award the low bid for the Court House Window Replacement Project to Hegarty & Associates, Inc. at a total cost of \$367,939 for Pella Windows. Mr. Tustin agreed to discuss potential cost savings with the successful bidder.

The Commissioners met with representatives from each municipality and Ocean Pines to discuss their Fiscal Year 2010 grant requests from the County.

The Commissioners met with Pocomoke Mayor Michael McDermott to discuss the city's grant requests for FY09/10. Mayor McDermott thanked the Commissioners for their unified support of Pocomoke City, recognizing that the increases in grant funds they have received in past years have made it possible to complete projects that make Pocomoke attractive to businesses, such as improving roads and extending public water and sewer. Mayor McDermott extended his thanks to Economic Development Director Jerry Redden and Tourism Director Lisa Challenger for their efforts to draw business and tourism to the area, recognizing that their efforts are part of the reason that the Town of Pocomoke is one of 30 city's chosen from among 5,000 cities as a finalist for the All American City competition. He recognized that the County is facing challenging economic times and stated that the people of Pocomoke stand with them. He asked the Commissioners to maintain a level of funding equal to that which was awarded in the current year's budget to the towns and non-profit agencies, so financially strapped citizens would not shoulder the burden of covering revenue shortfalls. He referred the Commissioners to his letter asking them to maintain certain pass-through grants and other funds from the county as follows: a share of the state supplemental police aid grant; the financial corporation tax loss payment; street improvement grants; liquor license fees; 50% of the Pocomoke Dispensary profits; a 15% credit against tipping fees for their recycling efforts; non-categorical grant assistance of \$450,000 as in the current fiscal year, ambulance service support; and other miscellaneous revenues. Grant requests for special projects include the following: \$75,000 to cover 50% of the cost of a new ambulance; \$25,000 for the fourth year to assist Berlin and Pocomoke to retain the services of the Downtown Main Street Coordinator, Michael Day; \$400,000 for acquisition of two vacant industrial parcels; \$30,000 to complete a feasibility study for the historic fire house previously located on Fifth Street; \$200,000 for street improvements; \$400,000 for water and sewer system improvements in several neighborhoods; \$100,000 for Phase II of renovations to the Armory; \$120,000 to hire a contractor to clean water lines in one area of town and to

purchase a bucket truck; \$10,000 for operating costs for The Great Pocomoke Fair; \$20,000 for a new tent; and \$50,000 for storm drainage pipes. Mayor McDermott thanked the Commissioners for their past support of the MarVa Theater and Discovery Center projects. He concluded by recommending the County apply for “All American County” status.

The Commissioners met with Berlin Mayor Gee Williams to discuss the town’s grant requests for FY09/10. Mayor Williams expressed his thanks to the Commissioners for their past support and echoed Mayor McDermott’s request to maintain current year funding levels. He stated that even in this harsh economic environment Berlin is blooming and remains committed to doing more with a little less to protect and invest in the quality of life in Worcester County. He requested a grant of \$450,000 to help the town fulfill its three primary initiatives as follows: continue working toward the Maryland Main Street Initiative; enhance the Berlin Arts and Entertainment District, and move forward with the Grow Berlin Green Initiative. Mayor Williams thanked County staff from Tourism and Development Review and Permitting for their continued support in Berlin.

The Commissioners met with Snow Hill Mayor Stephen R. Mathews, who thanked them for their past support, acknowledged the difficult financial decisions that are before them and referred them to his letter asking for \$450,000 in grant requests for FY09/10 to help cover the cost of upgrading the Snow Hill Wastewater Treatment Plant and to continue addressing the goals laid out in the Snow Hill Strategic Revitalization Plan.

The Commissioners met with Ocean City Mayor Rick Meehan to discuss the town’s grant request for FY09/10. Mayor Meehan expressed his support of the requests made by his fellow mayors, noting that the towns have done great things with the grant funds awarded to them in the past. He congratulated the Town of Pocomoke for being named a finalist in the All American City competition and wished them the best of luck in earning the title for this year. Mayor Meehan advised that the Ocean City officials understand that the Commissioners have asked each County department and agency to reduce their budgets, and as part of the solution, Ocean City officials have also reduced their grant requests by 3%. Mayor Meehan stated that the town is experiencing the same budget difficulties that are before the County. He informed the Commissioners that the Ocean City FY09/10 Operating Budget has been reduced by \$2.2 million from the current budget, and further cuts and government downsizing are still being considered. He recognized the community’s dependence on tourism and stated that continued funding in this area is critical and, therefore, would not be cut. Mayor Meehan reflected on the accomplishments of the Ocean City Development Corporation (OCDC) with regard to revitalizing the downtown and establishing development guidelines that are being followed throughout the resort area. He noted that such improvements are evident to visitors even as they are crossing the U.S. Rt. 50 bridge into town, and he asked the Commissioners to continue to provide grant funding to the OCDC. Mayor Meehan referred the Commissioners to his letter asking for \$4,171,732 in grant funds as follows: \$1,055,032 for ambulance; \$15,100 for police aid; \$124,000 for the Ocean City Volunteer Fire Company; \$116,100 for street aid; \$2,328,000 in un-designated funds; \$97,000 for recreation; \$291,000 for tourism; \$48,500 for the convention bureau; and \$97,000 for OCDC.

The Commissioners met with Ocean Pines Association (OPA) General Manager Thomas J. Olson to review the OPA’s grant request for FY09/10. Mr. Olson thanked the Commissioners for their past grants to support the volunteer fire and ambulance company in Ocean Pines. He advised that the OPA deeply appreciates the Commissioners’ financial support, acknowledged the financial hardships the County is faced with and asked the Commissioners for

a grant of at least \$400,000, which is equal to 30% of the OPA's operating costs for police services.

On behalf of the Commissioners, Commissioner Gulyas extended her thanks to representatives from each of the towns and Ocean Pines for meeting with them. She stated that the towns and County are all facing challenging times, and that the County would consider each request.

The Commissioners briefly reviewed the County's Maintenance of Effort (MOE) Waiver request for FY2010, which was submitted to the State Board of Education on April 1, 2009, to inform the State of their intention to appropriate funds of \$70,134,450 to the Worcester County Board of Education (BOE), which is \$1,819,614 less than the MOE. The Commissioners agreed to seek a MOE waiver after determining that the County's estimated revenues have declined by 7.34% or \$13.9 million from the current budget year. Commissioner Gulyas advised those in attendance that the MOE Waiver application is available for viewing online at the County's website at [www.co.worcester.md.us](http://www.co.worcester.md.us).

The Commissioners recessed until 11:20 a.m.

The Commissioners met with Dr. Jon Andes, Superintendent of Schools, and Board of Education (BOE) President Bob Hulburd, and member Douglas Dryden to review and discuss the BOE's FY10 requested budget. Mr. Hulburd thanked the Commissioners for joining with the BOE to provide area youth with the best education possible. He stated that their commitment to funding education has made Worcester County a model of success throughout the State. Mr. Hulburd acknowledged that the County is facing economic challenges, and the BOE is willing to do their part. He advised that the proposed bare bones budget of \$92,481,107, with \$75,467,687 in County appropriations, meets the MOE required by the State, but falls short of funding the initiatives outlined in a recent parent survey completed by 67% of parents. He noted that this budget is \$208,161 less than the current budget, but does not reflect the 3% cut requested by the Commissioners. Mr. Hulburd informed the Commissioners that the BOE strives to make the best possible use of all school funding, with \$0.81 of every dollar going directly into the classrooms, and noting that administrative costs account for only 2% of budget. He advised the Commissioners that their past support has helped Worcester County achieve the highest on-time graduation rate and the third lowest dropout rate in the State. He advised that Worcester County has great teachers and support staff, whose willingness to forgo step increases and Cost of Living Adjustments (COLA) to their salaries during this time of economic hardship is commendable.

Dr. Andes presented information outlining improvements made by students from third to eighth grade in both reading and math, noting that there has been a 21% improvement in reading scores during the period between 2004 to 2007 and a 29% improvement in math scores. He stated that these successes are due to eight factors as follows: attracting and retaining highly qualified teachers; providing early learning opportunities; maintaining the smallest class sizes in the State; providing outstanding curriculum and development; providing support to teachers; providing extended learning opportunities for enrichment and remediation, including after school academies and summer school programs; supporting professional development; and maintaining technology.

Dr. Andes advised the Commissioners that the graduating class of 2009 is the first class that must pass the High School Assessments to graduate. He advised that 98% of the seniors

have already passed the four rigorous tests, which include algebra, biology, reading and government, with teachers and support staff still working hard to help the remaining nine students pass. He stated that the BOE remains committed to maintaining the highest on time graduation rate in the State and is doing everything possible to make sure that these youth do not become dropout statistics. Dr. Andes reviewed the BOE's success in helping to close the Achievement Gap, but noted that even though African American students from Worcester County have some of the highest MSA test scores in the state, a gap still exists between them and other students and this disparity must continue to be addressed. Dr. Andes reviewed school funding formulas, noting that because Worcester County is considered to be the wealthiest county in the State under the state aid formula, the BOE receives the second lowest amount of State aid per pupil at only \$2,584. He advised that though needs for County funding remain critical to the continued success of the school system, the BOE will receive federal stimulus funds (FSF) of up to \$800,000 each year for a period of two years for FY09 and FY10. He stated that the use of these funds is restricted to Title I schools, which include Berlin, Pocumoke and Snow Hill Elementary Schools, and cannot be used to supplant local funds. He stated that the BOE also expects to receive FSF to help with special education, though how much is unknown at this time. He advised that FSF will account for a significant amount of aid to the BOE, and he will keep the Commissioners informed on how this funding will be used. In response to a question by Commissioner Boggs, Dr. Andes stated that he should know by late April the amount of FSF to be awarded to the BOE, and the money would not be used to create long-term programs or to hire new teachers, since the funding is limited to only two years. He further confirmed that the BOE had been awarded grant funds of \$375,000 for after school academies and summer programs at area schools.

Dr. Andes summarized the proposed total revised budget request of \$92,481,107, which includes the following: \$88,667,474 for General Operating Expenses including Administration, Instructional Support Services, Instructional Salaries, Textbooks and Classroom Supplies, other Instructional Costs, Special Education, Student Personnel Services, Health Services, Student Transportation, Operation of Plant, Maintenance of Plant, Fixed Charges and Capital Planning; \$200,000 for Technology Program, \$100,000 for non-recurring Capital Outlay; \$500,000 for School Construction; \$3,051,247 for Retirees Medical Insurance and \$412,386 for Retirement Expenses. The Board of Education has requested a total County appropriation of \$71,654,064, which is \$160,547 less than the current year. He stated that the requested budget does not include salary increases for teachers, support staff or bus contractors and recognized these individuals for their willingness to forgo any increases in an effort to help the County address budget shortfalls.

In response to a question from Commissioner Boggs, Dr. Andes stated that the BOE currently funds roughly 15 students for out-of-county placement, but that number varies from year to year. Following some discussion, Commissioner Gulyas thanked Dr. Andes and the BOE members and staff who attended the meeting for all they do for the students. She advised that Worcester County has excellent schools and the Commissioners would do their best to match existing needs with limited resources. She noted that the Commissioners would discuss their requests in further detail at their budget work session on April 8, 2009.

The Commissioners answered questions from the press, after which they adjourned for lunch.

After lunch, the Commissioners reconvened in open session.

The Commissioners presented Wendy Myers, Cindy Whittmyer, Kevin Schablein and Lil Wilkinson of the Child Advocacy Center (CAC) with a proclamation recognizing April as National Child Abuse Prevention Month and encouraging residents to remain aware and involved so that abuse and neglect can be detected early or prevented from occurring altogether. Ms. Myers thanked the Commissioners for helping to fund the renovation and expansion of the Atlantic Health Center, an existing building on the Atlantic General Hospital campus where the new CAC will be located and advising them that construction of the facility is nearly complete and invitations to attend a ribbon cutting ceremony for the new facility would be forthcoming.

The Commissioners presented a proclamation recognizing the month of April as the 25<sup>th</sup> Anniversary of the Community Foundation of the Eastern Shore (CFES) to Spicer Bell and Gee Williams and recognizing the tremendous contributions made by its members to improve the lives of the people and communities on the Eastern Shore. Mr. Bell announced that the CFES, which has provided grants of \$35 million to non-profit organizations serving the Eastern Shore, serves as a philanthropic model of success. He invited the Commissioners to attend the 25<sup>th</sup> CFES Gala Celebration on Friday, May 8, 2009 at The Fountains Conference Center in Salisbury, Maryland.

The Commissioners presented a commendation to Stephen Decatur High School (SDHS) senior Tiara Stanley for taking the 2008-2009 Maryland 3A Indoor State Championship Title after throwing a shot-put 37 feet, 3 ½ inches.

The Commissioners presented a commendation to SDHS senior Daniel Miller for taking the 2008-2009 Maryland State Wrestling Championship Title in the 189-pound weight division to earn his third consecutive State wrestling championship title. SDHS Principal Lou Taylor stated that there have only been 23 three-time state wrestling champions in history and applauded this huge accomplishment by Mr. Miller.

The Commissioners held a public hearing to receive public comment on a petition for the donation of an agricultural easement in Worcester County. Mr. Coyman and Katherine Munson, Planner IV within Comprehensive Planning, met with the Commissioners to discuss the aforementioned petition. Mr. Coyman informed the Commissioners and the public that the petition is for the donation of a Maryland Agricultural Land Preservation (MALPF) easement on a property owned by John E. and Irma Lee Henshall Trust, consisting of 135.13 acres located on Nassawango Road and shown on Tax Map 62 as Parcel 36. Mr. Coyman advised that the donation is the first of its kind in Worcester County and only the second in Maryland. He further stated that the State requires the County to conduct a public hearing on the petition even though the applicant seeks to donate the easement. Mr. Coyman stated that the original parcel has been subdivided once to create a flag lot that may not be further subdivided, and the residue which would be subject to the donated easement, currently has the right to three more subdivisions and four single family dwellings. He stated that Mrs. Henshall would like to retain the right to one single family dwelling and has further asked that the deed of easement permanently eliminate the right to build poultry houses. The remaining rights to subdivisions and additional residential development would be prohibited by the terms of the easement.

Commissioner Gulyas opened the floor to receive public comment.

Ellie Diegelman of Ocean City stated that she appreciates the land owners' willingness to donate the easement and asked how people will know there is an easement on the property. Ms. Munson informed her that the easement would be recorded in the County land records and would become apparent upon a title search of the property.

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

Upon a motion by Commissioner Shockley, the Commissioners unanimously approved the aforementioned petition and agreed to forward a favorable recommendation on this petition to the State for their consideration.

The Commissioners answered questions from the press, after which they adjourned to meet again on April 21, 2009.