

Minutes of the County Commissioners of Worcester County, Maryland

February 21, 2017

Madison J. Bunting, Jr., President
Diana Purnell, Vice President
Anthony W. Bertino, Jr.
James C. Church
Theodore J. Elder
Joseph M. Mitrecic
Merrill W. Lockfaw, Jr.

Following a motion by Commissioner Lockfaw, seconded by Commissioner Elder, with Commissioner Mitrecic temporarily absent, 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 3-305(b)(1) and (7) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Stacey Norton, Human Resources Director. Topics discussed and actions taken included: hiring Paige Gregory as a Program Manager II for Recreation and Parks; receiving legal advice from counsel; and performing administrative functions.

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

Commissioner Mitrecic arrived at the meeting.

The Commissioners reviewed and approved the minutes of their February 7, 2017 open and closed session meetings as presented.

Atlantic General Hospital (AGH) President and Chief Executive Officer Michael Franklin met with the Commissioners to discuss the Atlantic General Hospital and Health System 2016/2017 Community Update. Mr. Franklin presented a PowerPoint, which covered AGH's mission, 2020 Strategic Vision; Health and Health Care in Maryland - the Driving Forces for Change; Health Services Cost Review Commission (HSCRC)/Centers for Medical and Medicaid Services (CMS) Waiver Relationship; Delivery Systems Change - from provider centered to person centered; Maryland All-Payer Model Progression Plan; Tailoring Interventions to Patients' Needs; Reducing Potentially Avoidable Hospital Utilization (PAUs) Improves Care; Triple Aim - Improving Patient Experience, Improving Quality of Care; and Reducing Patient Costs for Care; AGH Achieving the Triple Aim; How Triple Aim is being achieved through Telemedicine, Transitions in Care Program, Prescription Concierge Service, Condition R

Program, Population Health Education, and IT Systems and Infrastructure; Avoiding the Balloon Effect, and the five Rights (care, people, place, partners, and hospital); Update on Medicare Data & Analysis; Health is About More than Clinical Care - 20% Environmental/Social Factors, 40% Personal Behaviors, 30% Family History/Genetics, and 10% Medical Care; Living Our Principles and Our Goals - Continuing to build on progress of 2020 Vision Five-Year Strategic Plan: Right Care, Right People, Right Place, Right Partners, and Right Hospital; Access to Primary & Specialty Care; Patient-Centered Medical Home; Pioneers in Health Literacy Improvement 2nd graders pilot program at Ocean City Elementary School extended to grades 3-5 and serving more than 2,400 students, with a 2016-2017 goal of instituting pilot programs in grades 7 and 8; Strategic Investment in Our Community - 2017 and Beyond; Atlantic General \$10 Million Campaign for the Future - Expanding Healthcare for Our Community through the John "Jack" H. Burbage, Jr. Regional Cancer Care Center, with July 2017 Groundbreaking and Spring 2018 Completion (\$681,000 Included in the Governor's 2018 Budget), Bringing Cancer Care, Recovery, and Comprehensive Women's Health and Modernized Surgical Facilities Close to Home, and Expansion of Emergency and Outpatient Services; Financing the Future; Year Over Year Comparison, with AGH to seek County grant funds of \$200,000 annually for the next five years for these projects; Hospital Annual Changes in Net Revenues and Expenses; Community Impact; and AGH & Health System Vision.

In response to a question by Commissioner Bertino, Mr. Franklin confirmed that the cost of care has been reduced in recent years. He noted that AGH's increased efficient handling of patients results in fewer inpatient days, which results in reduced expenses for medication, less food trays, and less inpatient healthcare. He also confirmed that AGH will be requesting an annual grant of \$200,000 from the County for the next five years to help with their capital campaign. In response to a question by Commissioner Mitrecic, Mr. Franklin confirmed that AGH collaborates with Sussex County, Delaware, as many lower Delaware residents seek care from AGH due to its close proximity to their homes and work. Commissioner Church thanked Mr. Franklin for meeting with the Commissioners. He pointed out that AGH is one of the largest employers in the County, with a payroll of \$48 million annually, and the Commissioners are proud of the service the hospital provides to the community. He reiterated that the two primary factors that attract new homebuyers are outstanding schools and access to quality healthcare, and Worcester County is fortunate to have both.

Pursuant to the recommendation of Tourism Director Lisa Challenger and the request of Phil Houck of the Offshore Powerboat Association, and upon a motion by Commissioner Church, the Commissioners unanimously approved the use of 2/3 of the West Ocean City Commercial Harbor parking lot from September 8-10, 2017 for the National Championship Offshore Powerboat Association Race at Ocean City, with Mr. Houck to provide insurance, security and traffic control as needed.

Pursuant to the request of Warden Garry Mumford and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the low bid for the purchase and installation of nine digital video recorders at the County Jail to Absolute Security Group, Inc. of Salisbury, Maryland at a total cost of \$22,514.27. In response to a question by Commissioner Bertino, Warden Mumford advised that this is not a proprietary system, meaning the digital video

recorders consist of standard components that are regularly manufactured to assure replacement parts will be available as needed in the future.

Pursuant to the recommendation of County Engineer Bill Bradshaw in response to a request by Berlin Town Manager Laura Allen and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to establish an escrow account with a beginning balance of \$2,500 to cover the cost of plan review for the new Berlin Branch Library and authorized Commission President Bunting to sign the Expense Agreement between the Town of Berlin and Worcester County. In response to a question by Commissioner Elder, Mr. Bradshaw advised that the Town of Berlin is anxious to assist in moving this project forward and has donated \$75,000 to the Library Board of Trustees. Commissioner Bunting stated that he understood that the town outsources plan review services to third-party inspectors, so town officials cannot waive these fees.

Pursuant to the request of Mr. Bradshaw and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to transfer one inactive equivalent dwelling unit (EDU) of water and sewer capacity from the Worcester County Senior Center in Berlin to the new Worcester County Library Branch to be constructed on Harrison Street in Berlin. Mr. Bradshaw advised that there is no charge to transfer the EDU.

In response to a question by Commissioner Elder, Mr. Bradshaw advised that two of the original 22 EDUs designated to the Berlin Senior Center are being utilized at that location and a third was transferred for use at the Worcester County Dental Clinic in Berlin, leaving 19 inactive EDUs prior to the transfer for the Berlin Branch Library.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Church, the Commissioners unanimously awarded the low bid for the purchase of two 2017 Chevrolet Impala four-door full-size sedans for the Sheriff's Office at a cost of \$22,488 per vehicle for a total cost of \$44,976.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the best bid for cleaning and inspection services in the Ocean Pines and West Ocean City Service Areas to Clark Environmental Services, LLC (CES) of Delmar, Maryland at a base bid of \$52,628 and possibly contingent items in the amount of \$8,752 if authorized for a total cost of up to \$61,380. Mr. Tustin explained that the apparent low bidder, TLC Drain and Sewer of Bridgeport, Pennsylvania failed to submit the required qualifications and references or approach to completing the work and was therefore disqualified. He advised that CES was the next lowest bidder to meet all bid specifications.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved Addendum No. 1 to the five-year contract for refuse collection services for Worcester County from 2017 to 2022 to include five-year costs totaling \$22,891.20 for the County Jail, and \$2,443.20 for the Bank Street Building in Snow Hill. Mr. Tustin stated that the Jail and Bank Street building were omitted in error from the original

contract, and he confirmed that these prices were in line with the cost of other services on the contract.

Mr. Tustin provided the Commissioners with a recommendation by the Solid Waste Advisory Committee to begin disposing of televisions and monitors in the landfill due to the high cost of recycling them. Mr. Tustin stated that Baltimore, Carroll, Anne Arundel, Cecil, Caroline, Dorchester, Harford, and Mid-Shore are currently landfilling televisions and monitors, and Worcester County would save \$0.275 per pound or approximately \$40,000.00 annually, which is the cost to recycle them. He stated that disposing of televisions and monitors in the landfill would only have a minimal impact on the County's mandated recycling rate, as electronics account for less than one percent of all recyclable items collected by the Solid Waste Division of Public Works, and the current Refuse Disposal Permit does not specifically address the recycling or landfilling of these items. Mr. Tustin concluded that, with the Commissioners approval, County staff would like to implement this cost-savings program immediately. In response to a question by Commissioner Church, Mr. Tustin stated that he had no environmental concerns with landfilling these items, which would occupy only minimal space in a cell. In response to a question by Commissioner Elder, Mr. Tustin stated that the Maryland Department of the Environment provided the County with a \$12,000 grant last year to help reduce the cost of recycling electronics, but the total net cost to the County was still more than \$40,000. Mr. Tustin concluded that the Solid Waste Advisory Board made several other recommendations as well that will be presented along with the FY18 Solid Waste Budget.

Upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved the request to cease recycling televisions and monitors and instead landfill these items effective immediately.

The Commissioners met with Mr. Tustin to review a request from Bishopville resident John Tartufo for one additional street light near the end of Bank Street and lighting to be installed at the Shell Mill boat ramp to improve nighttime visibility and deter crime. Mr. Tustin stated that it costs the County approximately \$15-\$18 per month in electric costs per Cobra-head light mounted on a pole, and the Roads Division of Public Works budgets \$96,000 annually for this street lighting. Mr. Tustin explained that if approved by the Commissioners he would submit an application to Delmarva Power for these additional street lights.

Commissioner Church advised that State-level discussions are taking place concerning light-emitting diode (LED) lighting, Energy Star certified lighting that consumes significantly less energy and outlasts incandescent lamps, and suggested the Commissioners consider replacing the existing Cobra-head lighting with LED lighting if the State approves this new standard for Maryland.

In response to a question by Commissioner Lockfaw, Mr. Tustin advised that none of the streetlights on County roads are powered by LED lighting, and agreed that the County should consider upgrading to LED lights once approved by the State and when authorized by Delmarva Power to do so. He stated that the State Highway Administration (SHA) is upgrading existing lights on State roads to LED lighting. However, Delmarva Power is still in the process of permitting these conversions to determine the tariffs and a multi-year approach to making such retrofits.

Following some discussion and upon a motion by Commissioner Church, the Commissioners unanimously authorized staff to submit an application to Delmarva Power to install the requested lighting. Mr. Tustin further agreed to investigate and report back on the potential conversion of street lights to LED lighting.

The Commissioners met with Mr. Tustin to discuss the possible placement of a new Worcester County welcome sign at the Pocomoke Welcome Center. Mr. Tustin advised that SHA has authorized the County to place the sign at the entryway subject to including a break-away component in the structure, as a safety measure to protect motorists in the event of a collision, rather than the brick foundation proposed by the County. He estimated the sign, including installation, landscaping, and lighting to cost less than \$13,000, but that he has yet to receive a revised estimate for the sign, with the breakaway support structure, from Selby Signs of Pocomoke. He stated that when the proposed sign is installed at the Welcome Center, the County could discontinue the 10-year land lease where the current sign is located, when it expires on May 1, 2017, for an annual savings of \$900.

Upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved the request to relocate the welcome sign and agreed to waive the standard bid process and award a contract to Selby Signs for the purchase and installation of the new sign, provided the revised price is reasonable.

Pursuant to the recommendation of Mr. Tustin in response to a request by Attorney William E. Esham, III, on behalf of Raymond and Kathleen Sullivan, and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved the proposed quitclaim deed for a portion of Waltham Road between West Torquay Road and Salisbury Road in Cape Isle of Wight. Mr. Tustin stated that this paper street is not listed within the Inventory of Public Roads of Worcester County, has never been improved, and the County has no plans to make improvements to it.

Pursuant to the recommendation of Mr. Tustin in response to a request by SHA Real Property Manager Doug Sommers, and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the offer from the SHA to purchase Item No. 109295, including right-of-way, easements, and/or other rights necessary, at a total cost of \$1,900 for Phase IV construction of the U.S. Rt. 113 dualization project from Five Mile Branch Road north of MD Rt. 365 (Public Landing Road). Mr. Tustin explained that the property, which is located north of Central Site Lane in Newark, previously served as an old dirt lane to access the Fire Training Center and is no longer utilized by the County.

The Commissioners met in legislative session.

The Commissioners conducted a public hearing on Bill 16-7 (Zoning - Commercial Non-Agricultural Functions in Agricultural Structures and Lands in the A-1 and A-2 Agricultural Districts), which was introduced by Commissioner Church on December 20, 2016. Development Review and Permitting Deputy Director Phyllis Wimbrow reviewed the bill, which seeks to renumber existing Sections ZS 1-201(c)(33) to ZS 1-201(c)(34) and 251-202(c)(46) to 251-202(c)(47) and to create new Sections ZS 1-201(c)(33) and ZS 1-202(c)(46) to amend the

A-1 and A-2 Agricultural Districts by the addition of a new subsection in each that would permit certain non-agricultural functions, specifically the commercial hosting of weddings, family reunions, children's parties, corporate parties and the like on farms and in agricultural buildings as a special exception. Ms. Wimbrow stated that this type of use has been discussed for quite a while, with a number of property owners having shown interest in such an operation; however, currently the only avenue to permit such uses is by a special exception for a transient use, which limits the approval to one year, with a single one-year extension. She advised that staff prepared the original text amendment as a result of discussions with Attorney Mark Cropper and his client, the Johnson Family Trust, and the Planning Commission granted the application a favorable recommendation, provided the necessary limitations and protections are included. She concluded that this bill does not permit the construction of a stand-alone structure for hosting events, but rather allows for the use of existing agricultural structures for such uses. She then reviewed an amendment to Bill 16-7, submitted by Attorney Mark Cropper in response to concerns he was aware of that includes certain modifications to the original language to increase the minimum lot requirement from five acres to 50 acres and to require any commercial event and associated uses to be located not less than 500 feet from any residential structure on an adjacent property or public road, and any amplified music associated with such a use must end by 11:00 p.m.

Commissioner Bunting opened the floor to receive public comment.

Mr. Cropper, representing the Johnson Family Trust, stated that Bill 16-7 is simply enabling legislation that would allow an applicant to apply for a special exception to the Board of Zoning Appeals (BZA) for the accessory use of a principal agricultural structure or use of land on a farm for the commercial hosting of non-agricultural functions and events, with all such uses to be accessory and subordinate to the principal agricultural structure or use of the property. He stated that until now such a request has never been addressed outside of a transient, temporary one-year use, with the possibility to reapply for a one-year extension. He pointed out that any neighboring property owners with concerns about a particular application would have the ability to voice their concerns, as each application would be considered by the BZA in a public hearing. He further noted that the proposed amendment to Bill 16-7 would increase the lot size and setback requirements to minimize the possibility of disturbing neighboring property owners. Lastly, Mr. Cropper submitted a letter written by Betty and Lloyd Whitehead, whose property is adjacent to the Johnson Family Trust Farm and Dr. Catherine Casto, supporting the proposed use and asking the Commissioners to adopt Bill 16-7.

Darren Casto of Cedartown Road stated that he has been facilitating weddings on his farm for the past year without drawing any complaints from his neighbors, and he requested the Commissioners adopt Bill 16-7.

In response to a question by Commissioner Lockfaw, Mr. Cropper confirmed that, with approval from the BZA, an applicant could advertise for the commercial use of his or her farm to host special events, like weddings and family reunions, provided the farm was 50 acres or more in size and met the 500-foot event setback requirements. In response to a question by Commissioner Bunting, Zoning Administrator Jennifer Keener stated that the County would not require paved parking as a condition of granting a special exception, since the hosting of these types of special events would be an accessory rather than principal use at each site. However, the County may require an applicant to provide a stabilized area for parking, which would then require them to address stormwater management issues.

Commissioner Elder stated that it is more important to meet the proposed setback requirements than to set a 50-acre minimum property requirement, which might be difficult for some interested farm owners to meet. Commissioner Bunting concurred. In response to a question by Commissioner Elder, Mr. Cropper stated that his amendment increased the acreage requirement from five acres to 50 acres based solely upon concerns that had been raised after he introduced the text amendment application.

Photographer Kim Knock of Salisbury stated that she receives weekly requests from couples seeking her services who would like to host their weddings at area farms, which she categorized as an emerging trend. She stated that these types of events often parlay into extended stays for guests in the nearby ocean resort, and she requested the Commissioners adopt Bill 16-7.

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

Upon a motion by Commissioner Church, the Commissioners unanimously approved the proposed amendment to increase the minimum lot area from five to 25 acres, to require a 500-foot setback to residential structures on adjacent properties and public roads, and to end amplified music by 11:00 p.m.

Upon a subsequent motion by Commissioner Church, the Commissioners conceptually approved Bill 16-7 as amended.

The Commissioners conducted a public hearing on Bill 16-6 (Zoning - Non-Agricultural Events at Wineries in the A-1 and A-2 Agricultural Districts), which was introduced by Commissioner Church on December 20, 2016. Ms. Wimbrow reviewed the bill, which would amend the A-1 and A-2 Agricultural Districts by the addition of a new subparagraph in each under the special exception for wineries that would allow the commercial hosting of certain non-agricultural functions, such as weddings, family reunions, children's parties, and corporate parties, as accessory uses at established wineries. She stated that such uses are authorized currently by a special exception for a transient use, which limits the approval to one year, with a single one-year extension. She advised that the Planning Commission granted the amendment a favorable recommendation, and County staff concluded that an amendment such as this would help make wineries more financially viable. In response to a question by Commissioner Bertino, Ms. Wimbrow advised that under the proposed legislation a vineyard owner must have a minimum of five acres and a lot width of 200 feet, with one-hundred-foot setbacks on all sides to meet the requirements to be granted a special exception. Commissioner Bunting suggested increasing the minimum lot requirement from five acres to 10 acres.

Commissioner Bunting opened the floor to receive public comment.

Jeannie Mariner of Old Ocean City Road in Berlin advised that her family has been making wine on their 12.5-acre farm for many years and would like to pursue this use as a business, but that such a venture could only be viable if they were able to host non-agricultural functions and events, such as wedding receptions, family reunions, and birthday celebrations. She also noted that her property abuts the Showell ballfields and is located in close proximity to five churches, making her property ideally suited for the proposed uses. Therefore, she requested the Commissioners adopt Bill 16-6 as presented.

In response to a question by Commissioner Bunting, Ms. Mariner stated that the primary use in the A-1 and A-2 zoning districts is agriculture, and those hosting events on her property

would do so with the understanding that the neighboring farmer may be engaged in agricultural functions, such as spreading manure. She also stated that her property is able to accommodate onsite parking of up to 100 spots to accommodate up to 200 guests. Furthermore, her property has been approved for the addition of a septic system. Ms. Keener advised that there is ample space on the property to accommodate overflow parking if necessary.

In response to a question by Commissioner Church, Ms. Wimbrow stated that currently wineries in the County are not permitted to host events other than wine tastings. In response to additional questions by Commissioner Church, Ms. Mariner stated that she would support an amendment to Bill 16-6 to increase the minimum lot requirement from five acres to 10 acres.

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

In response to a question by Commissioner Bertino, Ms. Keener advised that under the existing Zoning Code these types of requests are treated as transient uses, limiting each applicant to receive up to two one-year permits.

Upon a motion by Commissioner Church, the Commissioners unanimously approved the proposed amendment, which adds a minimum acreage requirement of 10 acres.

Upon a motion by Commissioner Church, the Commissioners conceptually approved Bill 16-6 as amended to revise the minimum lot area to 10 acres.

The Commissioners conducted a public hearing on Bill 17-1 (Zoning - Separation Distances for Antennas, Towers and Telecommunications Uses), which was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, and Purnell on January 17, 2017. Ms. Wimbrow reviewed the bill, which would amend the Zoning and Subdivision Control Article to provide flexibility for cell tower locations in heavy service demand areas along major transportation corridors in Worcester County. Specifically, the bill would reduce the required separation distance for such structures and uses to an existing or permitted residential structure on an adjacent lot from 1,000 feet to not less than 500 feet as a special exception where the proposed telecommunication site is located within a high demand transportation corridor. A high-demand transportation corridor is defined as the area between lines extending 1,000 feet parallel to the centerline of a State highway with an annual average daily traffic volume exceeding 10,000 trips per day, as shown on the most recent maps published by the State Highway Administration (SHA) Data Service Engineering Division for Worcester County.

Commissioner Bunting opened the floor to receive public comment.

Steve Smethurst, attorney for Cellco Partnership, doing business as Verizon Wireless, advised that the demand for cell service has increased so phenomenally that the existing towers in Worcester County cannot handle the traffic. This results in dropped phone calls and slow internet connection speeds. Due to current separation distance requirements, Verizon Wireless is unable to identify sites close enough to high traffic roads to meet the demand for service. He pointed out that the number of cellular devices people are using is phenomenal, so capacity requirements on the system have blown through the roof. He stated that Verizon Wireless is interested in adding two sites, one on Racetrack Road and one by the Ocean Pines Wastewater Treatment Plant, but that neither site is able to meet the current separation distance requirements. Therefore, Verizon Wireless worked with County staff to develop a bill that would allow cell providers to erect towers with reduced separation distance requirements in high demand areas,

and he asked the Commissioners to adopt Bill 17-1.

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

Upon a motion by Commissioner Church, the Commissioners unanimously adopted Bill 17-1 (Zoning - Separation Distances for Antennas, Towers and Telecommunications Uses) as presented.

The Commissioners met with Ms. Wimbrow to review a text amendment application submitted by Mark Cropper seeking to amend the Zoning and Subdivision Control Article to create a floating zone district for the provision of healthcare and certain associated and compatible uses in the C-1 Neighborhood Commercial District, C-2 General Commercial District, and C-3 Highway Commercial District, allowing flexibility of design in a unified plan of development. More specifically, the proposed bill would create a new Section ZS 1-348 for this floating zone and allow for the co-location of various specialties, such as cardiology and orthopaedics, as well as needed services, like x-rays and medical labs, in the same building or site to permit the consolidation of compatible medical uses into a single location near a population center. Ms. Wimbrow advised that the Planning Commission felt that the ability to provide a healthcare campus is appropriate for these commercial districts and gave a favorable recommendation to the text amendment application.

Following some discussion, Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic, and Purnell introduced the aforementioned legislation as Bill 17-2 (Zoning - Health Care Planned Unit Development District) and scheduled a public hearing on March 21, 2017 to receive comments on the bill.

Upon receiving and reviewing a copy of Bill 16-7 as amended and a motion by Commissioner Church, the Commissioners unanimously adopted Bill 16-7 as amended.

Upon receiving and reviewing a copy of Bill 16-6 as amended and upon a motion by Commissioner Church, the Commissioners unanimously adopted Bill 16-6 as amended.

Commissioner Bunting closed the legislative session.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Bunting to sign Addendum No. 2 to the terms of the Memorandum of Agreement Between the Maryland Department of the Environment (MDE) and the County Commissioners of Worcester County for a no-cost extension for completion of the Coastal Bays Watershed Plan by December 31, 2017. Mr. Mitchell explained that the funding agreement was originally approved by the Commissioners at their October 6, 2015 meeting, and on September 20, 2016 they approved Addendum No. 1 for a no-cost extension to the terms through March 31, 2017. The plan will utilize the prior Watershed Restoration Area Strategies (WRAS) and other local restoration efforts and achievements to plan future restoration projects to meet the necessary nutrient reductions in the established Total Maximum Daily Load (TMDL) limit for the Coastal Bays and its sub-watersheds. Mr. Mitchell stated that the second draft of the plan is underway, which adds area-specific information from local partners and the Maryland Coastal Bays Program (MCBP) Science and Technical Advisory Committee, and additional time is

needed to review specific technical issues and receive needed feedback to complete a final draft, seek public feedback on the plan, and ultimately to seek approval by the County Commissioners.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Purnell, the Commissioners unanimously approved the request from Dan and Laura Holland, owners of Chesapeake Bay Land Company, LLC, to relocate the existing residence at 3847 Whitesburg Road and identified on Tax Map 69 as Parcel 31, a 134.44-acre farm encumbered by a Dividing Creek Rural Legacy Area (RLA) conservation easement. Mr. Mitchell stated that the Deed of Easement restricts the property to one, non-subdividable homestead; therefore, approval by the Lower Shore Land Trust (LSLT) and the County is needed for the Hollands to relocate their home elsewhere on the property. He stated that the LSLT supports the request.

The Commissioners met with Environmental Programs Director Bob Mitchell to review the letter from the County to Kumar P. Barve, Chair of the Maryland House Environment and Transportation Committee, opposing House Bill 599 - Forest Conservation Act - Exemption, Reforestation Rate, and Forest Conservation Fund - Alterations because it makes three alterations to Maryland's Forest Conservation Act (FCA) that will be impractical to implement and are unnecessary, since the State's canopy cover goals are currently being met. These changes include increasing the minimum reforestation rate from 1/4 acre replaced to one acre replaced for every acre removed, limiting existing exemptions under the FCA to one acre limits for clearing of public utility rights-of-way; and authorizing the Department of Natural Resources (DNR) or a local jurisdiction to increase their fee-in-lieu rates.

The Commissioners reviewed and considered a letter from Merrill W. Lockfaw, Jr., Worcester County Commissioner and Chair of the Tri-County Council (TCC) for the Lower Eastern Shore, requesting the Commissioners consider and prioritize regional goals that the TCC can implement in 2017. Mr. Higgins explained that current programs under consideration include a regional revolving loan fund and regional marketing. The Commissioners agreed that they had no additional proposed programs to add.

Pursuant to the request of Assistant Chief Administrative Officer Kelly Shannahan, on behalf of the Department of Liquor Control Management Committee, and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the Request for Proposals (RFP) to sell the County-owned Shore Spirits Retail Liquor Store in Pocomoke City, as part of an exit strategy to discontinue retail liquor store operations by June 30, 2017. Mr. Shannahan advised that the County successfully discontinued wholesale operations by September 30, 2016, as directed by the County Commissioners, and is on track to wind up retail operations by June 30, 2017.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the Commissioners unanimously agreed to appoint Mary White to the Social Services Board for the remainder of a three-year term expiring June 30, 2019 to replace Judy Stinebiser who resigned.

Upon a nomination by Commissioner Bunting, the Commissioners unanimously agreed to

appoint Bob Poremski to the Water and Sewer Advisory Council for the Ocean Pines Service Area for a four-year term expiring December 31, 2019 to replace Gail Blazer whose term expired at the end of 2015.

The Commissioners answered questions from the press, after which they adjourned to meet again on March 7, 2017.