

Minutes of the County Commissioners of Worcester County, Maryland

February 20, 2018

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

Following a motion by Commissioner Lockfaw, seconded by Commissioner Church, with Commissioner Elder temporarily absent, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions 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: promoting Derrick Babcock from Inventory/Shop Foreman to Fleet Management Superintendent for Public Works; hiring Jennifer Merritt as a Natural Resources Planner II for Environmental Programs and Jeff Ostrowski as an Information Technology Technician for Emergency Services; acknowledging the hiring of James Liveszey as a School Crossing Guard within the Sheriff's Office; receiving legal advice from counsel; and performing administrative functions.

Commissioner Elder was temporarily absent at the beginning of the closed session, but joined the meeting midway through the closed session.

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 open and closed session minutes of their February 6, 2018 meeting as presented.

Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to allocate \$35,000 to purchase additional radios under the existing 800 MHz P25 Radio System Migration project contract from Harris Corporation for the 14 public schools and the Board of Education (BOE).¹

¹ It was later determined that the 26 additional P25 radios (\$1,500 per unit) would cost \$39,000, which is \$4,000 more than initially approved; however, the revised cost was approved

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved bid specifications for the general rehabilitation of two owner-occupied, single-family homes in the Berlin and Whaleyville areas, which are to be funded through the County's current Community Development Block Grant (CDBG).

Ms. Bynum advised the Commissioners that the Coastal Association of Realtors is opposing a proposal to eliminate the Ocean Pines area from eligibility in the United States Department of Agriculture (USDA) Rural Development Housing Program, based on the 2015 American Community Survey data. She recommended that the Commissioners send a letter by the March 1, 2018 comment-period deadline supporting the continuation of the USDA Housing Program in the Ocean Pines area, given the population is less than 20,000, which qualifies as rural, and the median household income of \$67,405 and per capita income of \$39,867, which demonstrates the need in Ocean Pines. This program currently offers 100% financing with no money down and 30-year, fixed-rate mortgages for families of up to four earning less than \$96,150 per year, thus making housing accessible and affordable, especially to young families who wish to live and work in the community.

Upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to issue a letter of concern regarding the proposed elimination of Ocean Pines as an area of eligibility under the USDA Rural Development Housing Program.

Pursuant to the request of Health Officer Becky Jones and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign a Lease Extension for the building located at 424 W. Market Street in Snow Hill, Maryland to be utilized primarily by the Health Department for the Connector Entity, Medical Assistance Transportation, and Case Management staff, for an additional five years from July 1, 2018 through June 30, 2023 at a cost of \$65,000.00 annually, with funding available in the Health Department budget for this purpose.

Pursuant to the request of County Engineer Bill Bradshaw and upon a motion by Commissioner Church, the Commissioners unanimously approved Change Notifications 31, 32, and 36, with Whiting-Turner, for the Berlin Branch Library construction project for the following three items: incorporating steel roof eave brackets to improve air sealing at an additional cost not to exceed \$15,093; incorporating plywood to stiffen the railing frame for an additional cost of \$5,052; and the proposal from JND Landscape for the purchase and installation of bio-retention plantings for stormwater management, sod grass, and other landscaping and maintenance at a total cost of \$37,930, which is \$2,070 less than the landscaping allowance of \$40,000, but does not include the porch benches, fence addition, or tree trimming. Mr. Bradshaw advised that the new project cost is \$6,255,319, which is \$5,319 more than the original contract cost.

by a majority of the Commissioners by email on February 23, 2018.

The Commissioners met with Public Works Director John Tustin to review and discuss the Mosquito Control Program budget for the 2018 season, as outlined in a letter to the County from Brian Prendergast, Maryland Department of Agriculture (MDA) Mosquito Control Program Manager. Mr. Tustin stated that the proposed budget requires County funding of \$83,940 for the Mosquito Control Program in Worcester County, with State funding of \$82,260, and community funding of \$240,300 for a total budget of \$406,500. Mr. Tustin stated that staff has made no substantive changes to last year's program and, therefore, supported the project. Upon a motion by Commissioner Lockfaw, the Commissioners approved the proposed budget for Worcester County Mosquito Control for Calendar Year 2018 between MDA and the County Commissioners. Mr. Tustin advised that, like last year, area residents who participate in the program would be required to pay the \$65 fee per residential household up front to cover a portion of the cost of spraying.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously declared the proposed list of County vehicles, equipment, and miscellaneous items to be surplus property and agreed to notify the public of their intent to dispose of the surplus property by auction on GovDeals.com, with the public to have an opportunity to object to any items on the list either in advance or at 10:00 a.m. during the Commissioners' meeting on March 20, 2018 before these items are auctioned. In response to a question by Commissioner Lockfaw, Mr. Tustin stated that proposed surplus vehicles would be further inspected by staff and may be pulled from the auction if they can be put to use in other departments.

Mr. Tustin presented the Commissioners with the results of three speed studies conducted by the Roads Division of Public Works at the request of area residents to address speeding vehicles and for a speed limit to be established on Mumford Road, Selby Road, and Back Creek Road. Results of the speed study showed the following: on Mumford Road from November 29 thru December 6, 2017, of the 909 vehicles, the average speed was 31 miles per hour (mph), with 505 or 55.6% traveling at 36 mph or greater and 404 or 44.5% traveling at 35 mph or less; on Selby Road from December 6-11, of the 2,639 vehicles, the average speed was 25 mph, with 1,006 or 38% traveling at 36 mph or greater and 404 or 44.5% traveling at 35 mph or less; and on Back Creek Road from December 19-27, of the 3,365 vehicles, the average speed was 44 mph, with 2,923 or 86.8% traveling 36 mph or greater and 442 or 13.3% traveling at 35 mph or less. Mr. Tustin stated that all three roads are unposted, so currently a speed limit of 50 mph governs them. Based on the findings of the speed studies and the nature of the geographical area, he recommended all three roads be posted with a speed limit of 40 mph and to request the Sheriff's Office to police this area and provide enforcement.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to post a speed limit of 40 mph on Mumford, Selby, and Back Creek Roads.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners voted 5-2, with Commissioners Bertino and Elder voting in opposition, to waive the standard bid process and extend the fall paving contract with Chesapeake Paving & Sealing, Inc. of Salisbury, Maryland at a total fixed price of \$70 per ton

for the spring paving program, which calls for approximately 11,107 tons for a total cost of \$777,490 for blacktop surfacing of approximately 10.29 miles of County roadways. Mr. Tustin based his request on the satisfactory work and cost of Chesapeake Paving for the fall 2017 program and advised that funds of \$1.5 million are available within the FY18 Assigned Fund Balance for road repair projects.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved bid specifications for chip seal surfacing of approximately 334,319 square yards to pave roughly 31.67 miles of County roadways, with funds of \$1.5 million available within the FY18 Assigned Fund Balance for road repair projects.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved bid specifications for crack sealing the asphalt wearing surface on various bridges throughout the County, with funds of \$1.5 million available within the FY18 Assigned Fund Balance for road repair projects.

The Commissioners conducted a public hearing to receive public comment on the proposed adoption of the 2017 National Electrical Code, with local amendments, as unanimously recommended by the Board of Electrical Examiners, to take effect on June 1, 2018. Development Review and Permitting Director Ed Tudor reviewed the minor amendments, which includes an updated definition of "Minor Electrical Installation," a new article 547.11 Prefabricated Steel Truss Agricultural Houses, and local amendments for Article 547.5(A) Wiring Systems, 547.5(B) Mounting, and 547.8 Luminaries (Lighting Fixtures).

Commissioner Purnell opened the floor to receive public comment.

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

Upon a motion by Commissioner Bunting, the Commissioners unanimously adopted Resolution No. 18-4 adopting the 2017 National Electrical Code with Local Amendments as presented.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications prepared by Becker Morgan Group to renovate two jury assembly room bathrooms in the basement of the Court House to correct issues that include insufficient capacity and to comply with the requirements of the Americans With Disabilities Act (ADA). In response to comments by Commissioner Mitrecic, Mr. Tustin advised that, due to the complexity of the issues involving water and wastewater upgrades, staff was not able to develop bid specifications for this project in-house.

Mr. Tustin provided the Commissioners with a proposal for an assessment of the condition of the County Tourism and Economic Development Building at 100 Pearl Street in Snow Hill, noting that the roof, boiler chimney, HVAC, boiler, and foundation need to be evaluated for repair or replacement. He assured the Commissioners that the building is safe for occupancy, and he recommended accepting the proposal from Davis, Bowen & Friedel, Inc. of Salisbury, Maryland to provide a structural, mechanical, and electrical assessment of the building for a fixed fee of \$9,500 to determine the magnitude of the renovations that will be required to restore the structural and mechanical integrity of the structure for current and future needs. In

response to a question by Commissioner Bertino, Mr. Tustin stated that the assessment will evaluate the entire building envelope, a task that cannot be completed in-house. Upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal from Davis, Bowen & Friedel, Inc. in the amount of \$9,500 as presented.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously agreed to waive the standard bid process and approved the contract from Sherwood-Logan & Associates of Annapolis, Maryland for the provision of one spare Flygt NT 3153.185 Submersible Pump at Pump Station No. 2 in the West Ocean City Service Area at a total cost of \$15,129 plus estimated freight costs of \$400 for a total cost of \$15,529. Mr. Tustin stated that the new Flygt pump is consistent and compatible with the other new pumps.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Church, the Commissioners unanimously approved bid specifications for sewer line cleaning and inspection services for the West Ocean City (WOC) Sanitary Service Area (SSA), with funding of \$50,000 available in the FY18 budget for this project.

Mr. Tustin presented the Commissioners with proposed Design Guidelines and Standard Specifications for Water Mains and Sanitary Sewers, which was developed by Public Works staff to update the standards for water and sewer facilities that were last approved by the Commissioners in 1994. Mr. Tustin stated that the updated specifications include information on products and procedures that have been successfully implemented on other projects in the County along with a consolidated package of construction details and a listing of specific products approved for use when constructing water and wastewater facilities to be turned over to the County for future operation and maintenance. He advised that the specifications are not all-inclusive, as they are focused on construction of water and sewer pipelines, pumps and appurtenances, and though some of the information contained therein is adaptable to other facilities, mechanical and electrical equipment for pump stations, and treatment facilities must still be selected as needed for each particular application. In response to comments by Commissioner Bunting, Mr. Tustin agreed to amend the General Provisions sections as follows: 1.0 Definitions (G) Construction Easement to clarify that construction easements are not always temporary; and 5.0 Control of Work and Materials (C) Lines, Grades, Elevations, Etc. (1) to add the term "Professional" to the title "Land Surveyor." In response to a question by Commissioner Bunting, Mr. Tustin also agreed to clarify that as-built surveys must be produced by a professional land surveyor.

Following some discussion and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted Resolution No. 18-5 to repeal and replace Design Guidelines and Standards for Water and Wastewater Facilities in Worcester County, Maryland, as amended to address Commissioner Bunting's concerns.

The Commissioners met with Tourism Director Lisa Challenger and Paul Touart to discuss erecting an interpretive sign in the Berlin vicinity recognizing Briddletown, as requested last summer by Bridell family descendants. Ms. Challenger stated that she has been working with Mr. Touart to research and define the historic development of this African-American community, which dates back to 1866 in the Worcester County land records, and with 13 individual property titles making it possible to track the development of the community as far back as the close of

the Civil War. She stated that both oral and written histories make it possible for Mr. Touart to develop a factual narrative for the panel, which is to be posted on Flower Street in the Briddletown area, where a second African American panel stands in recognition of Isaiah "Uncle Zear" Fassett, who was born into slavery in Berlin and was the second to last living Civil War soldier in Maryland. She concluded that the Briddletown panel will be part of a group of panels that highlight African American people and places that are part of the County's history. Mr. Touart reviewed facts regarding the oral and written history of the area, including a timeline of historic developments. Commissioner Purnell thanked Ms. Challenger and Mr. Touart for their work on this project, noting that all too often the history of African Americans on the shore is lost. In response to a question by Commissioner Church, Ms. Challenger stated that the African American panel would cost less than \$2,000 to develop, with Public Works to install the marker once it is complete.

Upon a motion by Commissioner Church, the Commissioners unanimously approved the development of the interpretive sign at a cost not to exceed \$2,000.

The Commissioners met with Matthew Hurd, Wicomico County Forester, to discuss a new Invasive Species Program for the four lower shore Maryland counties (Dorchester, Somerset, Wicomico, and Worcester Counties) to provide framework for the program, and to request commitments of \$25,000 annually for five years from each of the four lower shore counties to fund the initial program costs and to leverage additional grant funding to make the program self-sustaining in the future. Mr. Hurd advised that the proposed program is designed to address the growing number of invasive plant species that have become established and spread along the lower shore over the last 10 to 15 years, noting that currently none of the lower shore counties have implemented systematic efforts to address this issue. He advised that the Invasive Species Program will include educating the public to identify invasive species and the harm they do and to develop and implement a plan to eradicate invasive species in these counties. He advised that the program, which will be housed and administered by the Tri-County Council (TCC) for the Lower Eastern Shore in Salisbury, Maryland, currently includes the following partners: Maryland Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA), University of Maryland Extension, and Salisbury University. He reviewed the immediate goals, which involve using funds from supporting counties to hire a program manager, to leverage support for grant funds and fundraising, to develop a flow chart of the program to identify the location of invasive species, and to inform other constituents (farm bureaus, county public works and recreation departments, garden clubs, environmental and sportsmen groups, and more) to solicit their support and input. He also reviewed the long-term goals, which include eradicating or controlling invasive species in the four lower shore counties, and establishing a self-sustaining management program for invasive species and incorporating as many partner resources and grants as possible. He then reviewed the PowerPoint "Invasive Species Program for the Lower Shore of Maryland," which identified invasive species, initiatives to address them, and how funding would be leveraged to sustain the program.

In response to a question by Commissioner Elder, Mr. Hurd advised that some non-native species, like ivy, honeysuckle, and Japanese knotweed, have been around since colonization, while terrestrial plant species like phragmites and bamboo, have appeared more recently and will be the first species to be addressed proactively by working with community partners and private property owners to eradicate them. Commissioner Elder expressed concern that this program

may evolve from voluntary compliance to mandatory requirements. Commissioner Bertino questioned what authority the program would have to address invasive species on private properties. Mr. Hurd advised that the program would not include an enforcement component. Rather it would rely largely on educating the public, identifying the location of invasive species and plotting them using Global Positioning System (GPS) maps, then working with program partners and landowners to remove and replace invasive species with native plants and when possible to help them obtain grant funding to help cover these costs. Commissioner Bunting stated that there are other programs, including County efforts that are already working to address these issues, and he felt the proposed program would create too many redundancies. Furthermore, he could not support the request because there appeared to be no way to quantify whether the program would be self-sustaining in five years or succeed in meeting program expectations. In response to a question by Commissioner Church, Mr. Hurd advised that the other three counties will consider this request during their annual budget deliberations. Following further discussion, Commissioner Purnell thanked Mr. Hurd for his presentation, and the Commissioners agreed to consider the request during their FY19 budget deliberations.

The Commissioners met in legislative session.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review a text amendment application drafted by staff to revise and modernize the language in Subtitle V of the Taxation and Revenue Article concerning Trailer Camp Licenses to enhance the provisions dealing with enforcement and penalties of trailer camp, mobile home park, and manufactured home park licensing, taxes and fees in Worcester County.

Following some discussion, Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic, and Purnell introduced the aforementioned text amendment as Bill 18-1 (Taxation and Revenue - Trailer Camp Licenses) and scheduled a public hearing on the bill for March 20, 2018.

The Commissioners met with Mr. Tudor to review a proposed text amendment application submitted by Hugh Cropper, IV on behalf of his client, Mark R. Odachowski, which seeks to amend the Zoning and Subdivision Control Article to provide for Seasonal Resort Developments, also known as cottage courts, and to set forth the requirements for such developments, which would be permitted by special exception in the R-4 General Residential District.

Following some discussion, Commissioners Church, Elder, Lockfaw, Mitrecic, and Purnell introduced the aforementioned text amendment as Bill 18-2 (Zoning -Seasonal Resort Developments) and scheduled a public hearing on the bill for April 17, 2018 at Mr. Cropper's request.

Commissioner Purnell closed the legislative session.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 11:25 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (10) 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; Stacey Norton, Human Resources Director; Sheriff Reggie Mason, and Colonel Doug

Dods of the Sheriff's Office. Topics discussed and actions taken included meeting with the Sheriff regarding personnel and public safety matters.

Commissioner Lockfaw left at the end of the closed session meeting due to a prior commitment.

The Commissioners met with Environmental Programs Director Bob Mitchell, Planner V Katherine Munson, and Parks Superintendent Bill Rodriguez to review the draft 2017 Worcester County Land Preservation, Parks and Recreation Plan, which identifies specific actions for improving parks, recreation, and open space preservation in Worcester County for the next five years. This plan, which is a pre-requisite for County participation in the Maryland Department of Natural Resources (DNR) Program Open Space (POS), must be reviewed and approved by the County and DNR, as required by Maryland Natural Resources Article 5-905 (b)(2). Staff presented a PowerPoint entitled "Draft Land Preservation, Parks, and Recreation Plan," which identifies the needs of both current and future populations for recreation lands and programming; describes and reviews goals and objectives for the County's parks and recreation, agriculture, and natural resource lands; evaluates the ability of existing programs and funding sources to achieve these goals and objectives; identifies weaknesses of and desirable improvements to existing programs and strategies; recommends actions needed on the part of the County and the State to address shortcomings; provides an update on and evaluates the progress of land preservation programs since 2012; and demonstrates that public investment in land preservation and recreation is supported by the County's Comprehensive Plan and associated implementation programs. Mr. Mitchell advised that the draft has been reviewed and approved by the Worcester County Recreation Advisory Board and the Planning Commission and underwent a public review period, during which comments were received from DNR and the public, which lead to a few revisions.

Commissioner Bertino thanked staff for their work on the plan. In response to a question by Commissioner Bertino, Mr. Rodriguez advised that the plan recognizes the park facilities in Ocean Pines, as well as the four municipalities in the County.

Upon a motion by Commissioner Bertino, the Commissioners unanimously adopted Resolution No. 18-6 adopting the 2017 Worcester County Land Preservation, Parks and Recreation Plan as presented.

The Commissioners reviewed a letter from Walid Saffouri, Program Administrator for the Engineering and Capital Projects Program Office of Budget and Infrastructure Financing for the Maryland Department of the Environment (MDE), announcing that the Ocean Pines Wastewater Treatment Plant is exempt from paying into the Bay Restoration Fund (BRF) during the calendar year 2018. Enterprise Fund Controller Jessica Wilson advised that this exempts residents in the Ocean Pines Sanitary Service Area (SSA) from paying the monthly charge into the BRF, commonly referred to as the Flush Fee, which was \$2.50 per user per month from July 1, 2005 through June 30, 2012, and increased to \$5.00 per user per month beginning July 1, 2012 (\$60 per year). Ms. Wilson stated that the Ocean Pines Wastewater Treatment Plant (WWTP) meets the criteria for exemption, which requires a maximum effluent concentration of 3 milligrams per liter (mg/l) of total nitrogen and 0.3 mg/l total phosphorous. She concluded that this exemption has saved individual customers in the Greater Ocean Pines Sanitary Service Area

(SSA) \$540 annually since July 1, 2012 and has saved the SSA roughly \$4.4 million since the fee was instituted on July 1, 2005.

Pursuant to the written request of Sandi Smith, Development and Marketing Coordinator for the Maryland Coastal Bays Program (MCBP), and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized the MCBP to conduct the 19th Annual Osprey Sprint Triathlon at Public Landing on Saturday, September 29, 2018, and authorized assistance from several County agencies, including Public Works, Tourism, and Recreation and Parks. The annual event begins and ends at the Public Landing boat ramp and includes swimming, bicycling and running.

Mr. Tudor provided the Commissioners with a general survey of conditions for the County-owned 3,200-square-foot building at 100 Belt Street in Snow Hill that houses the Board of Elections. He stated that the 77-year-old building is dated and largely uninsulated, but it is generally in good condition, with the shingles and roof decking in overall good repair and no evidence of leaks. He reviewed the layout and use of the facility and concluded that future recommendations with regard to building improvements will vary widely depending on the proposed use. However, two recommendations will remain constant and include the following: the second floor attic space should not be used for storage until a more thorough examination of the structural elements is conducted and any needed repairs are made to prevent any further movement of the structural elements; and steps should be taken to minimize the heating losses through the material conveyor lift to the second floor to save energy and enhance the comfort of those occupying the space below. He concluded that the property is located in the Town of Snow Hill's R-2 Medium Density Residential District, where government facilities are permitted by special exception, as well as the town's Historic District, so any future exterior changes to the building will require additional review and compliance with the Historic District requirements. Commissioner Purnell thanked Mr. Tudor for the update.

Pursuant to the recommendation of Chief Administrative Officer Harold Higgins and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to increase the proposed temporary space for the Elections Board at the Royal Plus building in Snow Hill from 4,500 square feet for a period of three years, as preliminarily approved by the Commissioners at their January 16, 2018 meeting, to 5,000 square feet for a period of three years, with two one-year extensions, at a yearly lease cost of \$73,600 and with a State reimbursement of \$20,000 for a net County cost of \$53,600 annually and an annual contribution toward the electric bill of \$1.75 per square foot (\$8,750 or roughly \$729 per month) in the proposed lease, which is still being finalized and will be subject to review and final approval by the County Attorney. The Commissioners further authorized Commission President Purnell to sign the lease upon approval by the County Attorney.

In response to a question by Commissioner Elder, Mr. Higgins advised that the County spent roughly \$6,000 annually on electricity costs for the Belt Street property.

Pursuant to the request of Mr. Tudor and upon a motion by Commissioner Bunting, the Commissioners unanimously authorized Commission President Purnell to sign requests for Transportation Priority Letters from the Towns of Ocean City, Berlin, Snow Hill, and Pocomoke,

seeking responses from each of the towns no later than March 13, 2018 for the Commissioners review and consideration on March 20, 2018.

Mr. Tudor reiterated that in 2017 the Maryland Legislature passed Senate Bill 307, now known as Chapter 30, a project-based scoring system, which requires local jurisdictions to submit their transportation priority projects estimated to exceed \$5 million (excluding system preservation projects) through an online portal, with said projects to be substantiated with a feasibility study, numerous checklists and a detailed project cost estimate. Mr. Tudor stated that, even though written guidance was not provided in draft form until December 2017, the deadline for proposed major projects meeting the criteria for scoring to be included in the evaluation process is March 1, 2018, a submission date that for Worcester County is improbable at best. He further advised that the new process does not preclude the County from submitting the annual priority letter to include both major and minor projects by the April 1, 2018 deadline, though projects contained therein that exceed \$5 million will not be scored. He stated that a great emphasis is placed on cooperation between the County and municipal governments in the selection of transportation priority projects, and it is for that reason he recommended that the County Commissioners, rather than staff, solicit each town's capital transportation projects for the Commissioners to consider for inclusion in their priority letter to the Maryland Department of Transportation.

Mr. Mitchell updated the Commissioners on State environmental bills of particular concern to Worcester County and other rural counties. After careful review and upon a motion by Commissioner Bunting, the Commissioners unanimously authorized Commission President Purnell to send a letter asking the Eastern Shore Delegation to support House Bill 1360 -Environment - Sewage Sludge - Land Application, as it would assist Worcester County and Berlin with respect to spray irrigation in wintertime, and to oppose the following House Bills and Senate Bills: HB 361 - Bay Restoration Fund (BRF) - Fee Exemption, Disbursements, and Financial Assistance (Septic Stewardship Act of 2018), which would change the BRF distribution for septics and cover crops from a 60/40 to 50/50 split, decreasing revenue for septic upgrades and sewer connections; HB 458 - Environment - Sale or Transfer of Home with On-Site Sewage Disposal System - Nitrogen Removal Technology Requirement, which could make home buying unaffordable for many as it would reduce septic upgrade funding and require septic upgrades for every home transfer in the Critical Areas; HB 719 - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal - Requirement, which essentially reverses Governor Larry Hogan's regulatory changes to concentrate the pretreatment requirement for septic systems solely to the Critical Areas; and SB - 610 Natural Resources - Forest Conservation Act - Standards and Requirements, which would result in additional review time and costs for applicants and could lead to more development of open spaces as increased reforestation cannot be required in areas that currently have no forests.

Pursuant to the written request of Comptroller Peter Franchot and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Commission President Purnell to sign a letter to the Eastern Shore Delegation seeking their support for HB 518 - Reform on Tap Act of 2018, recognizing the valuable contributions that local craft breweries make to the local economy, where these family-owned, local businesses play a vital role in the revitalization of economically disadvantaged areas and support other industries that provide well-paying jobs;

supporting HB 1370 - Alcoholic Beverages - Maryland Beer and Brewery Promotion Program - Establishments, which will also serve to benefit micro breweries, which have become a significant engine for economic growth in the County and State; and opposing HB 1052 -Alcoholic Beverages - Class 5 Brewery License - Alterations, which would negatively impact local micro brewers. Mr. Shannahan stated that according to Comptroller Franchot this bill removes arbitrary limits and burdensome regulations and requirements that have made it more difficult for craft brewers to do business in Maryland, and sends a clear message to craft brewers and all small businesses that Maryland promotes their growth and success.

Following actions by the Commissioners on February 6, 2018 in response to a request for them to oppose wind turbines visible from Ocean City and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign a letter to Governor Larry Hogan, with copies to State and federal representatives, opposing offshore wind turbines visible from Ocean City, and proposing wind turbines be located either east of the Delaware Bay Shipping Channel or at least 26 miles offshore of Ocean City.

Pursuant to the recommendation of Mr. Shannahan and County Attorney Maureen Howarth and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted Resolution No. 18-7 establishing rules and regulations for the County-owned Washington Street and Franklin Street parking lots. Mr. Shannahan advised that, while planning for parking lot improvements on Franklin Street, staff determined that the prior rules and regulations applied only to the Washington Street parking lot.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by the Worcester County Commission on Aging Board and a motion by Commissioner Bertino, the Commissioners unanimously agreed to reappoint Larry Walton, Clifford Gannett, and Lloyd Parks to the Commission on Aging Board for three-year terms each expiring September 30, 2020.

At the recommendation of Commissioner Mitrecic in response to a request from Ocean City Mayor Rick Meehan, the Commissioners agreed to reschedule the Town of Ocean City's meeting with the Commissioners to discuss their FY19 budget request from March 6, 2018, when Mayor Meehan will be in Annapolis for a public hearing, to March 20, 2018.

In response to a verbal request from Mayor Meehan, as represented by Commissioner Mitrecic, and upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to send a letter supporting Senate Bill 872 Vehicle Laws - Special Event Zones, which places restrictions on vehicle events by authorizing the State Highway Administration (SHA), on its own initiative or at the request of a local authority, to designate an area on a State highway as a special event zone and reduce established speed limits in that special event zone, authorizing a local authority to designate an area on a highway under its jurisdiction as a special event zone and to reduce established speed limits in the special event zone.

Commissioner Mitrecic noted that following the Commissioners' vote on February 6, 2018 for staff to identify \$300,000 to cover the local cost-share of a feasibility study to deepen the Ocean City Inlet and to ask the Town of Ocean City to share the cost equally with the County

as a local partner, it has been determined that the local cost share will likely be closer to \$600,000. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously agreed to send a letter to the Eastern Shore Delegation, asking them to introduce legislation during the 2018 General Assembly Session for the State to cover half of the local sponsor share of the proposed Ocean City Inlet dredging study. Mr. Higgins advised that he was in the process of arranging for Bill Anderson to attend an upcoming Commissioners' meeting to provide more details on the proposed study and the role of the County in the effort.

The Commissioners answered questions from the press, after which they adjourned to meet again on March 6, 2018.