

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

April 17, 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 Bertino, seconded by Commissioner Church, 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), (7) and (8) 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: transferring and promoting Taryn Bradley from part-time Library Services Assistant II within the Library to Office Assistant III within Tourism; posting to fill vacancies for a part-time Social Media Coordinator for Tourism, a Roads Worker II for the Roads Division of Public Works, and a Correctional Officer Trainee for the Jail; discussing pending litigation; receiving legal advice from counsel; and performing administrative functions.

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 and the closed session on April 4, to discuss school safety.

The Commissioners reviewed and approved the open and closed session minutes of their April 3, 2018 meeting as presented.

Pursuant to the recommendation of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Berlin area to Poseidon Plumbing and Home Services of Ocean City, Maryland at a cost of \$6,187.50.

Pursuant to the recommendation of Ms. Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Whaleyville area to Shoreman Construction, Co., Inc. of Delmar, Maryland at a cost of \$5,300. In response to a question by Commissioner Bertino regarding the significant difference between the bid from Shoreman Construction and the next low bid of \$12,348 from Poseidon, Ms. Bynum advised that Shoreman Construction was the only contractor to visit the site, making them better able to properly assess potential costs.

The Commissioners, joined by Superintendent of Schools Lou Taylor and Stephen Decatur High School (SDHS) Principal Tom Zimmer, presented a commendation to SDHS senior Brandon Yusuf for his service as Worcester County's Page to the 2018 Maryland General Assembly, for his dedication to academic excellence, and for demonstrating a great potential for leadership.

The Commissioners met with Tony Clark of the U.S. Army Corps of Engineers (COE) and Bill Anderson of the Maryland Department of Natural Resources (DNR) to discuss steps being taken to address the continued silting of the Ocean City Inlet, which has posed significant problems for the commercial fishing industry and commercial sportfishing captains whose operations depend upon safe access through the Ocean City Inlet to the Atlantic Ocean. Officials noted that, barring immediate action by the COE, and State, Worcester County, and Ocean City governments, the continued shoaling of the Ocean City Inlet will have a significantly deleterious effect on both the commercial fishing industry in Worcester County, causing significant adverse impacts on the local and State economies. Mr. Clark reviewed a PowerPoint presentation on the two-phase implementation process for study and design of Ocean City Inlet and Harbor dredging activities under the Continuing Authorities Program (CAP) - Section 107, as well as near and long-term dredging activities by the COE. The PowerPoint highlighted the following: CAP 2-Phase Implementation Process Overview to include the current feasibility phase (3 years) to be funded at a 50/50 federal and non-federal sponsors cost share, for which the initial \$100,000 has been federally funded, and the design and implementation phase (18-24 months), with a 90/10 federal and non-federal project cost share, respectively; Process for Study and Design; Status of Federal Interest Determination (FID), which evaluates whether there is sufficient justification and federal interest in pursuing a detailed (feasibility level) investigation; Status of FID Schedule, Status of FID - Local Input Needed, including an economic evaluation that identifies the number of commercial vessels utilizing the Ocean City Inlet and Harbor, disposal facility (County Landfill), and survey in preparation for the feasibility study; Near Term Dredging Activities (Assateague Island restoration spring dredge to be completed in two, 15-day periods, April 25 to May 8 and again in mid August), with funding based on a demonstrated commercial need; and Long Term Dredging Activities, including twice-yearly Assateague Island Restoration dredging activities (President's FY19 Budget did not include navigation maintenance dredging for the inlet), though the COE has two special dredges (Currituck and Murden, which can remove approximately 2,000 cubic yards of material per day) that may be contracted out to local parties at approximately \$22,000 per day, with a suggested schedule of three, six-day visits annually, costing a total of \$396,000 per year.

Mr. Clark advised that the feasibility phase, which includes an economic evaluation benefit to cost ratio (with a federal CAP total project cost limit of \$10 million) had an anticipated completion date of April 22, 2018, but that the project is running two weeks behind schedule due to the need for additional information. The design and implementation phase is currently in its fourth month and expected to take five years to complete. The District Quality Control Review and Sponsor Review should run from May 7-13, 2018, with the draft FID to be submitted to the North Atlantic Division (NAD) June 4, 2018, and final FID approval on August 2, 2018. He stated that the actual feasibility study has an anticipated cost of \$1.2 million, with the sponsors potentially eligible to receive credit for in-kind services, while a Project Partnership Agreement

(PPA) with the non-federal sponsors will be required prior to the initiation of the Design and Implementation Phase.

Mr. Anderson advised that DNR recently provided inlet depth surveys and a historical model to the COE to identify areas of the inlet that are nearly impassible to most boats, which justifies the need for continued dredging activities in the Ocean City channel. He stated that the surveys are also provided to the Coast Guard and local mariners to help them identify the most navigable areas at all times.

Commissioner Church commended Mr. Clark and Mr. Anderson for their efforts to work with local officials to address the need to deepen and continue dredging the inlet. In response to a question by Chief Administrative Officer Harold Higgins regarding the State and local contribution to fund \$600,000 of the \$1.2 million feasibility study, Mr. Anderson advised that Waterway Improvement Funds to Worcester County are self-sustaining funds that are derived from fees and taxes assessed to the boating community. He further advised that the State previously allocated \$200,000 toward the local cost share of the feasibility study, and recently the General Assembly passed legislation, which must still be signed by Governor Larry Hogan, to allocate an additional \$100,000 to the study, leaving a remaining local cost share of \$300,000 to be funded by the County and possibly Ocean City. He stated that normally DNR would not participate in such a study, but that the State chose to become a partner in the project due to the impact of shoaling on recreational boating in the area.

Commissioner Mitrecic stated that Ocean City officials previously announced that they could not use beach replenishment funds to help cover the local cost share for the feasibility study.

Upon a motion by Commissioner Bertino, the Commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to send a letter to the Town of Ocean City advising them of the critical nature of this study and asking town officials to partner with them as local non-federal sponsors of the COE study and to share in the remaining non-federal sponsors cost share of \$300,000 for the feasibility study. The letter is also to seek Ocean City's continued support of long-term dredging operations in the Ocean City Inlet to ensure the continued viability of the Ocean City Inlet, as a means of ocean access for the commercial fishing fleet primarily headquartered at the West Ocean City Harbor, as well as the Commercial Sportfishing fleet, with home ports throughout the Town of Ocean City and West Ocean City.

Senator Jim Mathias gave a general recap of 2018 General Assembly activities and advised that the State is restoring Highway User Revenues (HURs). He thanked Mr. Clark and Mr. Anderson for their project leadership, and he stated that everyone stepped up to the plate to assure this vital project moves forward to protect the long-term viability of the local fishing industry, and that can only happen if the federal, State, and local partners continue working together on this important issue.

Delegate Mary Beth Carozza also thanked Mr. Clark and Mr. Anderson, and she extended special thanks to DNR officials for stepping up to contribute project funding of \$200,000 for the two-pronged approach to address the causes of continued shoaling. She further stated that the State has allocated \$40 million to address school safety issues statewide, and urged local officials to work with the Eastern Shore Delegation to assure individual school needs are identified and thus eligible for a portion of these funds. She concluded that the State is returning an additional \$32 million in HURs to the 23 counties and Baltimore City, with Worcester County to receive an additional \$1 million in HUR funds for FY19. She further stated

that bills HB 458 and HB 719, about which the County had expressed concerns, did not move forward during the 2018 General Assembly as requested.

The Commissioners met in legislative session.

The Commissioners conducted a public hearing to receive public comment on Bill 18-2 (Zoning - Seasonal Resort Developments), which was introduced by Commissioners Church, Elder, Lockfaw, Mitrecic, and Purnell on February 20, 2018. Development Review and Permitting (DRP) Director Ed Tudor reviewed the bill, which would amend the Zoning and Subdivision Control Article to provide for Seasonal Resort Developments, also known as cottage courts, and set forth the requirements for such developments, which would be permitted by special exception in the R-4 General Residential District. He stated that, while the bill was drafted at the request of Hugh Cropper, Attorney for Mark Odachowski, this is strictly enabling legislation that provides for this use in the Zoning Code along with a process by which such projects may be approved, and this is not a public hearing for any particular project or property. He stated that the bill renumbers the existing subsection 17 to subsection 18 and adds a new subsection 17 to add seasonal resort developments to the list of principal uses and structures permitted by special exception in the R-4 District and adds a new section ZS 1-350 to the Zoning Code to establish specific regulations for comprehensively planned seasonal resort developments, and he reviewed the accompanying requirements. He noted that, if the Commissioners are inclined to adopt Bill 18-2, a minor correction should first be made to amend ZS 1-350 (I) subsection (f), which should reference subsection (e).

In response to a question by Commissioner Mitrecic, Mr. Tudor confirmed that these structures would be short-term rentals and thus subject to room tax requirements. In response to a question by Commissioner Bunting, Mr. Tudor confirmed that the units would be available for rental only, rather than ownership. In response to a question by Commissioner Bertino, Mr. Tudor confirmed that cottage campgrounds would be required to remain closed for four months each year, from November through February, with DRP staff to monitor for compliance.

Commissioner Purnell opened the floor to receive public comment.

Hugh Cropper, Attorney for Mark Odachowski, thanked the staff for their help drafting this enabling legislation and reconfirmed that cottage courts would only be permitted by special exception in R-4 Zones on a minimum of five contiguous acres, with a minimum open space requirement of 30%, and he asked the Commissioners to adopt Bill 18-2 as presented. He stated that West Ocean City was once home to a wide range of cottages that attracted families, who would bring their boats and grill outdoors, and this bill would make it possible to reestablish that valued tradition. He briefly reviewed the plans for the cottage court development proposed by Mr. Odachowski. In response to a question by Commissioner Bertino, Mr. Tudor confirmed that currently mobile homes would be permitted in the R-4 Zone, and mobile home units are much larger than the proposed cottages.

Mr. Odachowski urged the Commissioners to adopt Bill 18-2, which would make it possible for him to seek a special exception to construct a charming seasonal resort development on his 10-acre property in West Ocean City, and he thanked Mr. Tudor and his staff for their support in drafting this enabling legislation. In response to a question by Commissioner Bertino, Mr. Odachowski advised that, while this legislation would permit him to construct eight cottages per acre, or roughly 80 units, project plans call for only 68 to 69 units. In response to a question

by Commissioner Elder, Mr. Odachowski stated that each site would have two parking spaces side-by-side.

Harold Scrimgeour of Salisbury expressed his support for Bill 18-2, but urged the Commissioners to expand the scope of this enabling legislation to permit cottage courts in agricultural zones too, to give farmers options other than building more chicken houses.

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

Upon a motion by Commissioner Church, the Commissioners unanimously amended Bill 18-2, as recommended by Mr. Tudor. Upon a further motion by Commissioner Church, the Commissioners unanimously adopted Bill 18-2 (Zoning - Seasonal Resort Developments) as amended.

The Commissioners conducted a public hearing to receive public comment on Bill 18-3 (County Government - County Ethics Law), which was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic, and Purnell on March 20, 2018. County Attorney Maureen Howarth reviewed the bill, which repeals and reenacts the Worcester County Ethics Law to conform to amendments to the State Ethics Law passed by the 2017 Maryland General Assembly, as referenced in the General Provisions Article, Title 5 Maryland Public Ethics Law, of the Annotated Code of Maryland and as requested by Maryland Attorney General Brian E. Frosh. Ms. Howarth reviewed the proposed changes required by the State and advised that Section 5-106 Financial disclosure of employees and appointed officials requires the reporting of gifts and disclosure of conflicts of interest by deputy directors and all non-classified employees holding supervisory positions. She advised that the new County Ethics Law has been reviewed and approved by the State.

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 Mitrecic, the Commissioners unanimously adopted Bill 18-3 (County Government - County Ethics Laws) as presented.

Commissioner Purnell closed the legislative session.

The Commissioners conducted a public hearing on Rezoning Case No. 416, for an application submitted by Attorney Hugh Cropper, IV, on behalf of MEJ Investments, LLC (Giovanni Tomasello), which seeks to rezone approximately 0.372 acre of land located on the west side of Golf Course Road and on the south side of Townsend Road, and more specifically identified on Tax Map 27 as Parcels 309 and 485 - Lots 13, 14, and 15 in the Tenth Tax District of Worcester County, Maryland, from R-3 Multi-Family Residential District to C-2 General Commercial District. Staff members present at the hearing were Mr. Tudor and Zoning Administrator Jennifer Keener. County Attorney Maureen Howarth swore in those individuals who planned to give testimony during the hearing. Mr. Tudor reviewed the application, which he noted had received a favorable recommendation from the County Planning Commission. Ms. Keener entered the Planning Commission's Findings of Fact into the record and stated that, according to the application for rezoning, the applicants' claim as the basis for their rezoning request was that there has been a change in the character of the neighborhood since the 2009 Comprehensive Rezoning, noting that the commercial use of the West Ocean City (WOC) harbor area has intensified, as have the associated impacts, such as traffic, and that as a consequence, the lots along Golf Course Road and other nearby roadways are no longer suitable or attractive

for residential use. Additionally, the property owners cannot rebuild any larger than the cottage-type dwellings that exist because the building envelopes of the two lots are so small. She further stated that the Planning Commission agreed with Mr. Cropper's assertion that there has been a change in the character of the neighborhood since the 2009 Comprehensive Rezoning, and that commercial use of the WOC harbor area has intensified, as have the associated impacts, such as traffic. She stated that other notable changes include an intensification in the WOC harbor and an increase in the marine activity it has generated, increased popularity of eateries in the area, to include the addition of a small restaurant with a liquor license at the Martin's Fish Company, and the upgrade of power service in the vicinity by Delmarva Power with very large, tall poles, which are unappealing to residential use and appear much more commercial in nature. Therefore, the Planning Commission had concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to rezone the petitioned area from R-3 to C-2.

Mr. Cropper, attorney for the applicant, concurred with the Planning Commission and staff's assessment, advised that the basis for the rezoning is that there has been a change in the character of the neighborhood. Therefore, he asked the Commissioners to support the Planning Commission's Findings of Fact and recommendation for rezoning. He stated that the two small dwellings are located on what was once a single parcel that was subdivided in 1939, both cottages were built in the 1940s and by today's standards are nonconforming in that Golf Course Road is a collector highway and requires an increased front yard setback, and both properties are located within those setbacks. He reviewed notable changes in the character of the neighborhood, including intensified marine activity, traffic generated by nearby eateries, including his client's property, which is located adjacent to these two parcels, the recently issued license for off-shore wind energy systems near Ocean City, and upgraded power service in the vicinity by Delmarva Power with very large, tall poles.

Land Planner Bob Hand of Bishopville stated that Rezoning Case No. 397 reclassified a 3.45-acre property located on the westerly side of Golf Course Road to the south of this petitioned area from R-3 to C-2, based upon an argument of mistake in existing zoning. Mr. Hand defined the neighborhood and asserted that there have been several substantial changes in the character of the neighborhood since 2009 as well as since the Land Use Map was adopted as part of the Comprehensive Plan in 2006. He concluded that the petitioned area is located within the WOC and recently expanded Mystic Harbour Sanitary Service Areas (SSA), and the approval of Rezoning Case No. 397 constituted an unplanned change to the character of the neighborhood. He further agreed with the Planning Commission's findings and recommendation in this case.

Professional Land Surveyor Greg Wilkins of Ocean City stated that he had done a survey of the parcel and house, comprising the southerly portion of the petitioned area, noting that the required front yard setback is 75 feet from the center line of Golf Course Road and the house on this parcel is almost completely within this required setback. He asserted that, if either house was torn down or otherwise destroyed, there is no reasonable use that could be put back in its place without extensive variances. He also agreed that there has been a substantial change in the character of the neighborhood, which has become intensely commercial. He also agreed that the commercial zoning is more consistent with the area and current surrounding uses and with the Existing Developed Area land use classification of the Comprehensive Plan.

Pino Tomasello, who also owns Sello's Italian Oven & Bar in WOC adjacent to the two parcels, stated that he is not seeking to expand his restaurant, but that he purchased these two

parcels specifically to accommodate overflow parking. He stated that he would like to demolish the existing structures on these properties for that purpose, and he asked the Commissioners to support his rezoning request.

Jeffrey Allen, of Towson Lane whose property is located in the vicinity of the two parcels being considered for rezoning, stated that the properties in question are residential, like all the surrounding properties, including his own. He further stated that Mr. Tomasello's plan to turn the two parcels into one big parking lot are not consistent with the surrounding residential neighborhood, which is already being impacted by Sello's clients who park their cars on his and other residential properties and block their driveways. He stated that he and his neighbors love their community and feel increasingly squeezed out by commercial growth. Therefore, he implored the Commissioners to deny this rezoning request.

In response to a question by Commissioner Church, Mr. Tomasello confirmed that the planned parking lot would alleviate issues pertaining to restaurant guests parking on nearby residential properties, to include Mr. Allen's property. Mr. Tudor confirmed that any future parking lot on this site could not be used to expand the existing restaurant, and screening would be required.

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

Upon a motion by Commissioner Church, the Commissioners unanimously adopted the Planning Commission's Findings of Fact and approved the rezoning from R-3 to C-2 based on a change in the character of the neighborhood since the last comprehensive rezoning on November 3, 2009.

The Commissioners adjourned for lunch, after which they reconvened at 1:15 p.m.

The Commissioners conducted a public hearing on Rezoning Case No. 417, for an application submitted by Attorney Hugh Cropper, IV, on behalf of L & B Ocean City, LLC (Lewis Bush, Managing Member), which seeks to rezone approximately 7.517 acres of land located on the westerly side of MD Rt. 611 to the north of Sinepuxent Road, and more specifically identified on Tax Map 26 as Parcel 274 - Lots 1A and 1B in the Tenth Tax District of Worcester County, Maryland, from C-1 Neighborhood Commercial District to C-2 General Commercial District. Staff members present at the hearing were Mr. Tudor and Ms. Keener. Ms. Howarth swore in those individuals who planned to give testimony during the hearing. Mr. Tudor reviewed the application, which received a favorable recommendation from the County Planning Commission. Ms. Keener entered the Planning Commission's Findings of Fact into the record and stated that, according to the application for rezoning, the applicants' claim as the basis for their rezoning request was that there was a mistake in the existing zoning rather than a change in the character of the neighborhood. She stated that the petitioned area, which was zoned B-1 Neighborhood Business District in 1984, was comprised of two lots and was originally developed with a large structure, which functioned as an indoor and outdoor tennis facility with tennis courts. In 1999 the property owner received a special exception to convert the enclosed structure into a warehouse facility, a use not permitted in the B-1 District. During the 2009 Comprehensive Rezoning the property was given a C-1 District zoning classification (successor to the B-1 District zoning). However, the use of structures of this size for wholesaling or warehousing was removed from the C-1 District regulations in the updated Zoning Code and instead allowed in the C-2 District. Consequently, the current use is legally existing but

nonconforming. She advised that the Planning Commission found that there is a mistake in the existing zoning of the petitioned area. Given the existing 14,000-square-foot warehouse, the Planning Commission found that because the structure and its use as a warehouse was existing on the site at the time of the 2009 Comprehensive Rezoning, the petitioned area should have been given a C-2 District zoning classification to prevent the warehouse structure from being made nonconforming through no action of the property owner. Based on this review, the Planning Commission concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 417, seeking a rezoning of the petitioned area from C-1 to C-2.

Mr. Cropper, attorney for the applicant, concurred with the Planning Commission and staff's assessment, advised that the basis for the rezoning is that there was a mistake, albeit a good faith mistake, in the existing zoning, and he asked the Commissioners to support the Planning Commission's Findings of Fact and recommendation for rezoning.

Professional Land Surveyor Greg Wilkins of Ocean City stated that he had prepared a survey of the petitioned area, and that the structure on the site is a bit over 14,000 square feet in gross area. He noted that MD Rt. 611 is a collector highway, and that the property immediately to the north of the petitioned area is zoned C-2, as are most of the properties along this corridor extending north to its junction with U.S. Rt. 50. He stated that this property recently applied for and received three equivalent dwelling units (EDUs) of sewer capacity from the Mystic Harbour Sanitary Service Area (SSA).

Lewis Bush concurred with the testimony provided by Mr. Cropper and Mr. Wilkins, as well as the Planning Commission's Findings of Fact, and he asked the Commissioners to support his rezoning request.

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

Upon a motion by Commissioner Church, the Commissioners unanimously adopted the Planning Commission's Findings of Fact and approved the rezoning from C-1 to C-2, based on a mistake in the existing zoning, since the last comprehensive rezoning on November 3, 2009.

Pursuant to the request of Colonel Doug Dods of the Sheriff's Office and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Commission President Purnell to sign the Mutual Aid Agreement between the County Commissioners of Worcester County Maryland, the Worcester County Sheriff, and the Mayor and Council of the Town of Berlin to provide for shared resources and services between the Worcester County Sheriff's Office and the Berlin Police Department.

Pursuant to the request of Local Management Board (LMB) Director Jessica Sexauer and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign the 2019 LMB grant proposal for funding through the Governor's Office for Children to renew funding for the following current programs: The Cricket Center; Comprehensive Parenting Program Initiative; Youth as One; the Local Access Mechanism, which includes System/Family Navigation and Community Service Centers; Building Bridges: Transitional Care from Jail to the Community; and WE3: Worcester Employment, Education, and Empowerment Program.

Pursuant to the request of Economic Development Deputy Director Kathryn Gordon and upon a motion by Commissioner Bertino, the Commissioners unanimously approved out-of-state travel for Ms. Gordon to attend the International Economic Development Council (IEDC) for professional development courses to become a Certified Economic Developer (CecD), with training to take place in Atlanta, Georgia from June 7-8, 2018 at a total estimated cost of \$1,659, with funds available in the FY18 budget for this expense.

Commissioner Elder left the meeting.

Pursuant to the request of Environmental Programs Director Bob Mitchell in response to a written request from Maryland Coastal Bays Program (MCBP) Executive Director Frank Piorko and upon a motion by Commissioner Bertino, the Commissioners unanimously approved an in-kind match of approximately \$600,000 for the Environmental Protection Agency (EPA) National Estuary Program (NEP) grant for the period of October 1, 2018 to September 30, 2019. Mr. Mitchell explained that the County will use non-federal Rural Legacy Program funds expended during FY19 for this match. He further noted that County staff will utilize the FY19 Bay Restoration Fund (BFR) grant for sewer connections and septic pre-treatment upgrades to satisfy the match requirements without any additional cash required by the County.

Pursuant to the recommendation of Mr. Mitchell and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign the Agreement of Sale between Aydelotte Farms, Inc. (Seller) and the County Commissioners of Worcester County, Maryland (Buyer) for the purchase of a Conservation Reserve Enhancement Program (CREP) easement for \$1,735.50 per acre, to be funded by the Maryland Department of Natural Resources (DNR) at no cost to the County, on approximately 60 acres of land identified on Tax Map 78 as Parcel 65.

Pursuant to the recommendation of Public Works Director John Tustin in response to a request from Maryland Department of Agriculture (MDA) Administrator Daniel Schamberger and upon a motion by Commissioner Bunting, the Commissioners unanimously authorized Commission President Purnell to sign the Local Government Acknowledgment/Approval of Aerial Spraying Operations for Mosquito Control to control the mosquito populations through aerial larvicide operations in both rural and populated areas of Worcester County. The Commissioners further granted Chief Administrative Officer Harold Higgins continuing authority to review and approve the aerial spraying contracts in the future.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners agreed to extend the contract for the blacktop resurfacing of roughly 4.42 additional miles of County roadways under the existing contract from Chesapeake Paving & Sealing, Inc. of Salisbury, Maryland at a fixed price per ton of \$70, for 3,243 tons for a total additional cost of \$227,010. The County entered into the original contract of \$777,490 with Chesapeake Paving on February 20, 2018 for blacktop surfacing of approximately 10.29 miles of County roadways. Mr. Tustin explained that various resurfacing project bids had come in substantially lower than estimated, resulting in funding of \$233,423.21 available for additional roads to be added to the blacktop schedule. In response to a question by Commissioner Bertino,

Mr. Tustin confirmed that County staff provided information to and offered an opportunity to piggyback on the existing blacktop resurfacing contract to the Town of Snow Hill to pave Coulbourne Lane.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bunting, 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 replacement Flygt NP 3127.060 HT Submersible Pump at Pump Station M in the Ocean Pines Service Area at a total cost of \$11,295 to replace a pump that failed.

The Commissioners met with Assistant Chief Administrative Officer and Sewer Committee representative Kelly Shannahan to review a request from Michael Jay Deem for the allocation of one equivalent dwelling unit (EDU) of sanitary service from the Mystic Harbour Sanitary Service Area (SSA), to serve an existing residential structure identified on Tax Map 33 as Parcel 322. Mr. Shannahan advised that the subject property is served by a private well and septic system and is designated S-3 (sewer service within 6-10 years) in the County Water and Sewerage Plan, though this designation does not guarantee any service or obligate the provision of services in that time frame. He stated that the request supports the County's goal of removing septic systems where more environmentally-sensitive public sewer facilities are available.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the request as presented and agreed to allocate 1 EDU of sewer service from the Single Family Dwellings category in Area 2 (south of the airport) of the SSA to serve the Deem property.

The Commissioners answered questions from the press, after which they adjourned to meet again on May 1, 2018.