

Minutes of the County Commissioners of Worcester County, Maryland

August 7, 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 Elder, 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: hiring Kimberly Heath as an Office Assistant IV for County Administration, promoting Valerie Purnell and Ericka Johnson from Corporals to Sergeants at the Jail, and Catherine Zirkle from DRP Specialist I to DRP Specialist II in Development Review and Permitting; acknowledging the hiring of Ashley Cuffee and Katrina McDonald within the County Library; discussing a personnel disciplinary matter; 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.

The Commissioners reviewed and approved the closed session minutes of their July 3, 2018 meeting as revised and the open and closed session minutes of their July 17, 2018 meeting as presented.

Pursuant to the recommendation of Finance Officer Phil Thompson at the written request of Melanie A. Pursel, Executive Director of The Greater Ocean City, Maryland Chamber of Commerce, Inc. and upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted Resolution No. 18-20 authorizing a 100% tax credit in the amount of \$12,933.33 for real property owned by The Greater Ocean City, Maryland Chamber of Commerce, Inc. for the July 1, 2018 tax year.

Pursuant to the recommendation of Mr. Thompson at the request of David Lockwood, Jr., Chair of the Berlin Community Improvement Association (BCIA), and upon a motion by Commissioner Church, the Commissioners unanimously adopted Resolution No. 18-21,

authorizing a 100% Tax Credit in the amount of \$3,420.99 for Real and Tangible Personal Property owned by the BCIA for such property which was exclusively for non-profit activities of that association for the July 1, 2018 tax year.

The Commissioners reviewed a letter from Craig Kuhn, Program Manager for the Maryland Department of Agriculture (MDA) Office of Forest Pest Management (FPM), advising that his office plans to conduct a cooperative gypsy moth population survey in fall 2018, which will include conducting approximately 105 surveys on non-State land in Worcester County to predict the level of gypsy moth caterpillar populations the following spring. This would allow the FPM to identify developing gypsy moth infestations and respond appropriately before significant damage occurs. He further noted that, if the Commissioners agree to participate in the survey, the County's estimated portion of the 50/50 cost share would be \$1,575. This cost estimate does not include the cost of aerial spraying. Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the 50% local cost share of approximately \$1,575 for the gypsy moth population survey to be conducted in Worcester County.

Pursuant to the request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign the Maryland Community Resilience Grant Agreement between the Maryland Department of Natural Resources (DNR) and the County Commissioners for the design and permitting for the Selsey Road Protection and Marsh Restoration Project. Mr. Mitchell advised that future DNR grant funds will be requested to construct the project.

The Commissioners met with Environmental Programs Director Bob Mitchell and Frank Piorko, Executive Director of the Maryland Coastal Bays Program (MCBP), to consider a request from the MCBP to act as the permitting applicant for the proposed wetland restoration project on the Ilia Fehrer Nature Preserve on Ayres Creek. This project will close a 2.4-acre section of dead-end logging road, create three large-sized non-tidal wetland depressions, and install ditch plugs to alter site hydrology to complete this restoration, with design services and project funding to be provided by a Maryland Department of Natural Resources (DNR) grant. Mr. Mitchell stated that this project will help to protect and preserve natural habitat and improve local waterways and recommended approving this request, with the caveat that MCBP commit to being a good neighbor by sharing project details with the adjacent property owners to give them an opportunity to express their concerns prior to completion of the final plan. Mr. Piorko confirmed the MCBP will notify and involve the neighbors in the process. Mr. Mitchell advised that a management committee comprised of County staff from Environmental Programs and Recreation and Parks will provide oversight, and once design plans are completed, MCBP must receive approval from the Commissioners to bid project construction.

Upon a motion by Commissioner Church, the Commissioners unanimously approved the request for MCBP to act as the permitting applicant, provided that MCBP staff share project details with adjacent property owners and provide them with an opportunity to express any potential concerns prior to completing the plans.

Pursuant to the request of Warden Donna Bounds and upon a motion by Commissioner

Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the Memorandum of Understanding (MOU) between the Department of Public Safety and Correctional Services and the Worcester County Jail Regarding Deductions from Inmate Earnings. Warden Bounds explained that the Jail has historically collected court-ordered restitution and provided collected funds to the appropriate agency. She stated that those procedures changed in October 2017 to streamline this collection and distribution process, and will now include collecting 25% of institutional work earnings from inmates as payments to the dependents or a social services agency in accordance with any existing court order.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by the Commission on Aging (COA) Board of Directors and a motion by Commissioner Bertino, the Commissioners unanimously agreed to appoint Carolyn Dryzga to the COA Board of Directors for the remainder of a three-year term expiring September 30, 2020, to fill the vacancy created by the resignation of Larry Walton.

Upon a nomination by Commissioner Elder, seconded by Commissioner Bunting, the Commissioners unanimously agreed to reappoint Faith Coleman and Harry Hammond to the Social Services Advisory Board for additional three-year terms each expiring June 30, 2021.

Pursuant to the request of Emergency Services Director Fred Webster and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized staff to proceed with a three-phase telephone fiber upgrade project, and awarded contracts in keeping with the project as follows: \$41,411.90 to Skyline Technology Solutions of Glen Burnie, Maryland to install curb-to-rack fiber conduit; \$113,147 to Verizon Maryland LLC for fiber installation and termination to be routed through two separate Verizon Central Offices to provide redundancy; and \$12,159.99 to Carousel Industries to relocate existing audio code gateways, install and configure new Verizon PRI (primary rate interface) lines at each host location and install, configure, and test the new 911 trunks. Project funds of \$166,718.89 are available through a grant from the Emergency Number Systems Board (ENSB), which was approved on July 26, 2018.

In follow up to their July 31, 2018 work session on the P25 Radio System Project, the Commissioners met with Mr. Webster to receive additional information regarding the proposal in the amount of up to \$77,265 from Federal Engineering (FE), Inc. of Fairfax, Virginia to provide engineering consulting services to Worcester County to assist with final implementation of the Harris P25 Radio System Project. At their work session, the Commissioners tabled a motion by Commissioner Lockfaw to accept FE's proposal to provide the time needed to check FE's references. Assistant Chief Administrative Officer Kelly Shannahan advised that representatives from the State of Maryland, King and Queen County, Virginia, New Hanover County, North Carolina all provided positive references and noted that all the organizations indicated that they had been pleased with the services they received from FE.

Commissioner Mitrecic requested that the tabled motion be amended to include that funding for the proposal must be identified in the FY19 Emergency Services Operating Budget, rather than from budget stabilization funds. Commissioner Lockfaw amended his motion as requested, after which, the Commissioners unanimously accepted the proposal from FE for the provision of engineering consulting services at a maximum cost of \$77,265, as outlined in the proposal dated July 10, 2018, and including the FE Team Coverage Workshop at no additional

cost, as offered by FE in supplemental correspondence dated August 1, 2018.

Pursuant to the request of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved increasing recreation program fees from \$30 to \$35 to help cover the cost to implement a new online registration process. Mr. Perlozzo stated that even with these new costs, Recreation and Parks program fees are still \$5-\$7 less than those of neighboring communities, which will keep the core value of affordability in place. Furthermore, the new online platform will allow customers to view program availability and make it easier and more convenient to register, and staff will be able to process those registrations more quickly and securely through the new recreation registration software system.

In response to a question by Commissioner Bertino, Mr. Perlozzo advised that programs will remain affordable to lower income youth through the provision of sponsors and other funding mechanisms, which will provide the funds necessary to reduce or eliminate registration fees for those in need of financial assistance.

Pursuant to the request of Mr. Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners conceptually approved plans for six Recreation and Parks projects included in the FY19 budget, as follows: Stockton Playground, with a \$100,000 budget to install a new playground system and complete earthwork, and with Maryland Department of Natural Resources (DNR) Program Open Space (POS) funds to reimburse the County for 90% of project costs, and with project costs to potentially be reduced to \$60,000 by using in-house staff for portions of the project; Bishopville Pond Park Project, with a \$10,000 budget for technical services, and Public Landing, with an approved FY19 DNR Waterway Improvement Grant of \$80,000 to construct finger piers, to be amended and resubmitted prior to the August 20, 2018 application deadline to include engineering and permitting services for inlet dredging; John Walter Smith Park in Snow Hill, with a \$25,000 budget to improve the existing fields, develop a 220' x 360' multi-purpose Bermuda grass field, and the recently installed nine additional holes on the existing disc golf course, with POS funding to reimburse the County for 90% of project costs; West Ocean City Boat Ramp, with a \$6,000 budget to replace eight electrical panel boxes on the commercial pier; and Grey's Creek, with an estimated budget of \$125,000 to develop passive park elements, to include walking trails, waterway access, parking, and park-related amenities in phase one, with POS funds to reimburse the County for 90% of project costs, and with in-house labor expected to help reduce the County's 10% cost share.

With regard to the Bishopville Pond Park project, Commissioner Bunting stated that the County should work with the State Highway Administration (SHA) to complete a boundary line adjustment to correct the sharp alignment of the intersection of Bishopville and St. Martin's Neck Roads, as it is difficult for tractor trailers to make this turn. Furthermore, with global positioning system (GPS) devices directing beach traffic through this area, he expressed concern regarding plans to develop a park on one side of the street and parking on the other, as even with a crosswalk it would be too dangerous to cross this busy thoroughfare. Mr. Perlozzo stated that plans for the Bishopville Pond Park are strictly conceptual at this point, and County staff plans to develop a request for proposals (RFP) to determine whether it is feasible to pursue plans to develop this property. He agreed to contact SHA staff to discuss possible intersection improvements as well.

Mr. Perlozzo updated the Commissioners on the status of proposed Worcester County Recreation and Parks (WCRP) sports marketing and special events, utilizing existing County recreational amenities and requiring little equity while providing a large return on the County's investment and adhering to the following fundamental recreation program goals: to improve the quality of life for all county residents and businesses; control growth of government recreation and parks without taxpayer support by providing creative funding options; engage municipal governments to maximize their sporting resources, heritage, and natural resources; deliver sustainable economic, social and promotional benefits, such as generating hotel room nights, and increasing tourism; and increase community awareness of WCRP parks and programs. He then reviewed economic statistics for sports marketing, noting that locally the Mid-Atlantic Amateur Sports Alliance (MAASA) attracted 385 teams to the area for the 2017 United States Specialty Sports Association (USSSA) Fastpitch Softball World Series. This event alone generated 7,755 hotel room nights in Ocean City and Worcester County and resulted in estimated direct spending of \$7,732,802.96. He then updated the Commissioners on the status of plans to host new events in 2019, which include the following: Tough Mudder at Deer Run; Harbor Day at the West Ocean City commercial boat ramp; Fish and Paddle series in Pocomoke and Snow Hill; USA National Softball Tournament at Showell Park; Don Abramson - Corrigan Sports Volleyball events at the Recreation Center in Snow Hill, Northside Park in Ocean City and potentially Board of Education sites; Fishers of Men Bass Fishing in Pocomoke and Snow Hill; OC Tri-Running events (running and cycling) with dates and locations to be determined; and Hogan Lacrosse at the Northern Worcester Athletic Complex. He then reviewed miscellaneous events currently under consideration.

In response to questions by Commissioner Bertino, Mr. Perlozzo stated that the Tough Mudder event would include a one-year contract with a potential extension and agreed that the event location may change if Deer Run property was sold. He further explained that he is pursuing private sponsorship for any fees associated with these events. Commissioner Church thanked Mr. Perlozzo for the work he has done and stated that he looks forward to viewing the Bryant Gumbel video on the economic impact of youth sports tournaments at an upcoming meeting. Following some discussion, the Commissioners thanked Mr. Perlozzo for the update.

The Commissioners conducted a public hearing on the proposed comprehensive (sectional) reclassification of all properties currently zoned E-1 Estate District that are located along MD Rt. 611 (Stephen Decatur Highway) and South Point Road south of MD Rt. 376 (Assateague Road) to South Point in the Tenth Tax District of Worcester County, Maryland to R-1 Rural Residential District. Development Review and Permitting (DRP) Director Ed Tudor explained that the Planning Commission considered the rezoning in conjunction with four prior rezoning cases in these areas and more recently at their March 8, April 5, and May 10, 2018 meetings. He stated that the proposed sectional rezoning received a favorable recommendation from the County Planning Commission. He then reviewed the zoning history of the area, noting that in 1978 the majority of the zoning districts were R-1 Rural Residential District, R-1A Rural Residential District, R-3 Multi-Family Residential District, B-2 General Business District, and A-1 Agricultural District, with an R-1 District density of one lot per 20,000 square feet, R1A District density of one lot per 40,000 square feet, and R-3 District density of one unit per 6,000 square feet. Then in 1992 much of the area was comprehensively reclassified to the new E-1

Estate District zoning, which had a density of one lot per two acres. He stated that this zoning classification was retained in the 2009 Comprehensive Rezoning. He pointed out, however, that the 1978 R-1, R-1A, and R-3 District zoning densities were two to seven times more dense than those allowed by today's R-1 District regulations and four to 14.5 times more dense than today's E-1 District. Mr. Tudor advised that the 1989 Comprehensive Plan placed this area within the Estate Land Use Category, stating that it was so designated in order to maintain an open character and that a rural estate form of development would also be best for the environmentally sensitive nature of the inland bays. He advised that the 2006 Comprehensive Plan, which remains in effect, places the residentially developed areas of South Point and the MD Rt. 611 corridor within the Existing Developed Area Land Use Category, while farm land, golf courses, and other open areas are within the Agricultural Land Use Category. Sensitive areas, such as along the waterfront, are within the Green Infrastructure Land Use Category. He advised that there is no Estate Land Use Category in the 2006 Comprehensive Plan, though it does recommend the deletion of the Estate land use category and the associated zoning district, the E-1 District. Mr. Tudor further advised that the Plan states that, designed as a transition zone between urban/suburban development and the rural landscape, the Estate Land Use Category has consumed excessive amounts of land per housing unit, taking working farms out of production, been overtaken by the requirements of the Atlantic Coastal Bays Critical Area Program, and failed to achieve truly clustered open space development as called for in the 1989 Comprehensive Plan. Furthermore, the 2006 Comprehensive Plan states that large lot zoning is incompatible with this plan's approach to new growth and that extensive areas of large lots result in sprawl, which is expensive to serve, damaging to water quality and wildlife, and incompatible with increased mass transit service. Mr. Tudor further noted that during the Comprehensive Rezoning process 10 years ago, both County staff and the Planning Commission recommended that properties zoned E-1 District in the area be given a R-1 District zoning classification because of its low-density, single-family residential nature, typical lot sizes, and historical development patterns. He pointed out that, while the E-1 District allows single-family dwellings and major subdivisions, it also allows by right quite a number of agricultural uses, such as poultry and hog houses, grain dryers, commercial greenhouses, and more that may conflict with residential uses. However, in adopting the 2009 Comprehensive Rezoning, the Commissioners retained the existing E-1 District zoning in the area, even though the 2006 Comprehensive Plan called for the elimination of that zoning district. Mr. Tudor noted that concerns have been raised that rezoning to the R-1 District would allow extensive development of the study area in the future; however, the Planning Commission found that this will not be the case for two primary reasons. First, the area did not develop to its maximum density under previous zoning regulations, which was before various environmental regulations came into effect. Second, Worcester County elected not to map septic tiers, as suggested by the State, thus major subdivisions are no longer permitted in the County unless public sewer is provided, and therefore only minor subdivisions of up to five lots can take place.

Mr. Tudor also advised that, while considering the merits of the sectional rezoning, the Planning Commission noted it was imperative to maintain a level of conformity, so existing uses would not become nonconforming and add another layer of regulation and difficulty in obtaining approvals. Alternatively, changing the lot requirements themselves in the district regulations as opposed to changing the zoning can have a dramatic effect on existing properties, resulting in many nonconforming lots and structures, and is not recommended. These factors were significant

in the staff's recommendation that the R-1 District zoning classification is the most appropriate for the study area as it will result in greater conformity with the original platting and will not result in the significant amount of growth that has been of concern to some. The Planning Commission agreed.

In response to a question by Commissioner Elder, Mr. Tudor advised that, while the R-1 District technically allows twice the density of the E-1 District, it is not economically feasible for a developer to build a sewer plant to serve only a few lots, particularly since the developer would be required to transfer ownership and operational oversight of any sewer plant over to the County. Therefore, such development is highly unlikely if the properties are zoned R-1.

In response to a question by Commissioner Bertino, Mr. Tudor stated that there are 2,600 acres zoned E-1 District in the area, but that many of these properties cannot be further developed due to environmental restrictions and regulations, such as the Atlantic Coastal Bays Critical Area Law.

Commissioner Purnell opened the floor to receive public comment.

John Harrison of South Point Road in Berlin opposed rezoning the area, as the R-1 Zoning would restrict his family from expanding an existing greenhouse business on the property by more than 50% without a special exception.

Donald Bounds of Raccoon Lane stated that his property was already zoned to R-1. In response to a question by Mr. Bounds, Mr. Tudor confirmed that properties around him were proposed to be zoned R-1.

In response to comments by John Tercini of Orphan Drive in Berlin regarding allegations that the land is being rezoned to satisfy affordable housing requirements, Mr. Tudor advised that R-1 District zoning does not allow for high density residential structures or apartment complexes and only permits one unit per acre.

Dave Wilson of Berlin opposed the sectional rezoning at this time and instead urged the Commissioners to consider any sectional rezoning within the County's next Comprehensive Plan update and Comprehensive Rezoning, when a new zoning district could be proposed for the area with a lower density, similar to E-1. He cautioned that it would be unwise to rezone properties from E-1 District to R-1 District to eliminate urban sprawl, since R-1 District zoning would essentially double the permitted density on currently protected lands that could be developed under R-1 District zoning by special exception. He also expressed concern that rapid advances in septic technology could make it possible to construct major subdivisions without the need for public sewer in the coming years.

Assateague Coastal Trust (ACT) Executive Director and Coastkeeper Kathy Phillips provided written and oral comments opposing the rezoning of these lowlying, flood-prone areas from E-1 District to R-1 District, noting that such an upzoning would result in increased development that would further impact two waterways that are already in poor health. She concurred with Mr. Wilson that septic system advances could make it possible to develop major subdivisions without public sewer, and she expressed concern that under the R-1 District zoning classification, developers could apply for special exceptions to build within the Critical Areas.

Maryland Coastal Bays Program (MCBP) Executive Director Frank Piorko stated that the proposed rezoning directly contradicts the County's Hazard Mitigation Plan, which strives to be storm resilient by directing development away from areas of the County that are at greatest risk for coastal inland flooding. Therefore, he asked the Commissioners to deny the requested rezoning and instead consider this request as part of a future Comprehensive Rezoning.

Lower Shore Land Trust (LSLT) Executive Director Kate Patton urged the Commissioners to postpone acting on the proposed sectional rezoning and instead undertake a more thorough review regarding the implications of such a rezoning on the lands and surrounding community. She also asked the Commissioners to consider the impact that upzoning these properties to R-1 District zoning may have on existing property owners, including increased property values and taxes and decreased water quality.

Alex Shanderowski of South Point opposed the rezoning, noted that no reason given today adequately justifies rezoning the area to R-1 District and therefore asked the Commissioners to take no action on the request before them today.

Allison Keiser of South Point stated that she feels the E-1 District zoning better protects the environment and her lovely home from increased commercial development around her, and she asked the Commissioners to deny the proposed rezoning.

MCBP Outreach Coordinator Sandi Smith opposed the comprehensive reclassification, as it would increase the permitted density and negatively impact wildlife in the area.

Rick Savage of Porfin Drive asked the Commissioners to leave the existing E-1 District zoning in place, noting concerns that the proposed reclassification would result in the area being filled up with houses.

Joan Scott of Newark opposed the proposed reclassification, noting that such a change would result in increased development in hurricane-prone areas and burden existing infrastructure due to increased traffic on MD Rt. 611 highway.

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

Commissioner Church concurred with comments by both Mr. Wilson and Ms. Phillips, noting that to rezone 2,600 acres outside of a Comprehensive Rezoning is unprecedented and wrong. Therefore he could not support the proposed rezoning at this time. Commissioner Mitrecic concurred, but cautioned those in attendance that this matter will be considered in the next Comprehensive Rezoning.

In response to a question by Commissioner Bertino, Mr. Tudor stated that the plan before them today is not at odds with the Comprehensive Plan, as Mr. Wilson alleged. He stated that there is a public assumption that the rezoning will result in unprecedented growth. However, in the past 66 years, only 383 lots have been developed, and the last major subdivision in South Point was developed 14 years ago. He noted that the growth rate averages 6.8 lots per year, and that was prior to the new septic tier requirements, which mandate that major subdivisions must be served by public sewer. He advised that the last Comprehensive Rezoning took place in 2009, and that plan must be reviewed again on 2021.

Commissioner Elder noted surprise that so many residents are opposed to the rezoning, particularly since the proposed rezoning would in fact protect the area against the proliferation of campgrounds, hog farms, chicken houses, and other such activities permitted under the E-1 District zoning. However, he stated that he would support the wishes of the residents.

Commissioner Bunting stated that he Chaired the Planning Commission in 2009 when that group first recommended reclassifying these properties, but out of respect for Commissioner Church and his district, he would not vote to rezone the properties at this time.

Following some discussion and upon a motion by Commissioner Church, the Commissioners voted 6-0-1, with Commissioner Bunting abstaining, not to rezone the E-1 Estate Zoned properties to R-1 Rural Residential zoning along MD Rt. 611 and South Point Road south of MD Rt. 376 to South Point.

The Commissioners recessed for 10 minutes.

Pursuant to the request of Superintendent of Schools Louis H. Taylor and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the recommendations of the Board of Education (BOE) for approval of 15 bid awards, including bid alternates, for the Showell Elementary School (SES) replacement project in the amount of \$39,045,266. Mr. Taylor advised that the total project cost of \$47,552,420 will be funded with a County allocation of \$38,880,420 and a total maximum State allocation of \$8,672,000. He stated that the original project cost was just under \$60 million, but thanks to a lot of hard work and collaboration between the Commissioners and the BOE, they were able to reduce that cost.

Commissioner Bertino thanked the BOE for including them in the planning process to build a safe and affordable school that will serve the community well into the future. Commissioners Elder, Purnell, and Bunting concurred.

Pursuant to the request of Economic Development Deputy Director Kathryn Gordon and upon a motion by Commissioner Bunting, the Commissioners unanimously approved out-of-state travel at a total cost of \$2,074 for Ms. Gordon to attend the annual International Economic Development Council (IEDC) Conference in Atlanta, Georgia from September 30 to October 3, 2018 and to sit on the IEDC Sustainability Advisory Committee. Ms. Gordon explained that throughout the remainder of the year the committee will meet via teleconferencing.

Pursuant to the request of Public Works Director John Tustin and upon a motion by Commissioner Elder, the Commissioners unanimously awarded the bid for the purchase of one current model forklift to Eastern Lift Truck Co. of Laurel, Delaware at a total delivered cost of \$74,760.

The Commissioners met with Mr. Tustin to discuss signing a non-binding letter of interest with 3Degrees of San Francisco, California, an offset carbon trader interested in developing a project to reduce methane gas emissions at the Central Landfill in Newark. Mr. Tustin stated that the project would include a design to install a new gas collection and control equipment, to refurbish existing equipment, and to optimize the system to extract methane gas from Cell 4 at no cost and with potential income to the County. He stated that Days Cove Reclamation Company of Annapolis, Maryland would operate the gas extraction system for a term of 10 years, with the option for a 10-year extension. Mr. Tustin stated that this would be done as part of a Regional Greenhouse Gas Initiative (RGGI) program, with 3Degrees to apply for and if granted receive RGGI Offset Credits that could be sold to fund project operating costs and to recover their initial investment in the project. He advised that the County would receive a fee of \$0.10 per offset credit for the first 100,000 credits issued to the project on a cumulative basis and \$0.25 per offset credit issued in excess of 100,000 for the remainder of the term. He further stated that the preliminary estimate of credit volume is 40,000 per year, which would generate income to the Enterprise Fund of \$4,000 for the first 2.5 years and \$10,000 annually thereafter.

In response to a question by Commissioner Elder, Mr. Tustin stated that Dorchester Renewable Energy officials, who previously studied a similar project at the Landfill, are working

with 3Degrees and recommended this company to him. In response to a question by Commissioner Bunting, Mr. Tustin stated that the County will be able to negotiate a price once the true cost of the project can be determined.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the non-binding letter of agreement.

Pursuant to the request of County Engineer Bill Bradshaw and upon a motion by Commissioner Elder, the Commissioners unanimously authorized Commission President Purnell to sign an agreement between the County Commissioners (Grantor) and the Town of Berlin (Grantee) to convey property to the Grantor by Deed for a utility easement for the new Berlin Branch Library.

Pursuant to the recommendation of Development Review and Permitting Director Ed Tudor and upon a motion by Commissioner Elder, the Commissioners unanimously agreed to schedule a public hearing on Rezoning case No. 419 for September 4, 2018. This application was submitted by Attorney Hugh Cropper, IV, on behalf of Cedar Mountain Farm, LLC and Mallard Landing, LLC, property owners, and seeks to rezone 4.7 acres of land located on the northwesterly side of Market Street (Business U.S. Rt. 113) to the west of U.S. Rt. 113 outside the Snow Hill Corporate limits, and more specifically identified on Tax Map 55 as Part of Parcel 22 in the Second Tax District of Worcester County, Maryland, from A-1 Agricultural District to C-2 General Commercial District. Mr. Tudor advised that the application received a favorable recommendation from the County Planning Commission.

The Commissioners answered questions from the press, after which they adjourned for lunch and to host the ribbon cutting for the new Berlin Branch of the Worcester County Library at 2:00 p.m. in Berlin.

The Commissioners adjourned to meet again on August 21, 2018.