

AGENDA

WORCESTER COUNTY COMMISSIONERS

Worcester County Government Center, Room 1101, One West Market Street, Snow Hill, Maryland 21863

April 17, 2018

- | | <u>Item #</u> |
|--|---------------|
| 9:30 AM - Meet in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland - Vote to Meet In Closed Session | |
| 9:31 - Closed Session: Discussion regarding hiring an Office Assistant III for Tourism, posting to fill vacancies for a Social Media Coordinator for Tourism, a Roads Worker II for the Roads Division of Public Works, and a Correctional Officer Trainee for the Jail; receiving legal advice from Counsel; and performing administrative functions | |
| 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance | |
| 10:01 - Report on Closed Session; Review and Approval of Minutes | |
| 10:05 - Presentation of Commendation to Brandon Yusuf - Worcester County's Page to General Assembly | 1 |
| 10:10 - Chief Administrative Officer: Administrative Matters
(Award of Bids for Housing Rehabilitation Projects - Berlin Area, Whaleyville Area; Mutual Aid Agreement between the Sheriff and Berlin Police Department; 2019 Local Management Board Grant Proposal; Request for Out-of-State Travel for International Economic Development Council Training; Somerset County Request to Piggyback Harris Contract for P25 Radio System; Maryland Coastal Bays Program Annual Cost Share; CREP Easement on Aydelotte Farms Property; Acknowledgment of Aerial Spraying by DNR for Mosquito Control; Request for Additional Road Paving - Spring FY18; Ocean Pines Pump Station M Pump Replacement; Requests for Allocation of Mystic Harbour Sewer EDUs - Deem Property, and Frontier Town Campground Expansion - Phase I; and potentially other administrative matters) | 2-14 |
| 10:20 - | |
| 10:30 - Tony Clark - Corps of Engineers and Bill Anderson - DNR: Ocean City Inlet & Harbor | 15 |
| 10:40 - | |
| 10:50 - | |
| 11:00 - Legislative Session: Public Hearing on Bill 18-2 (Zoning - Seasonal Resort Developments)
- Public Hearing on Bill 18-3 - (County Government - County Ethics Law) | 16
17 |
| 11:10 - Public Hearing - Rezoning Case No. 416 - west side of Golf Course Road and south side of Townsend Road, from R-3 Multi-Family Residential District to C-2 General Commercial District | 18 |
| 11:20 - | |
| 11:30 - Public Hearing - Rezoning Case No. 417 - west side of Stephen Decatur Highway (MD Route 611) north of Sinepuxent Road from C-1 Neighborhood Commercial District to C-2 General Commercial District | 19 |
| 11:40 - | |
| 11:50 - | |
| 12:00 - Questions from the Press | |
| Lunch | |
| 1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary) | |
| 1:10 - | |
| 1:20 - | |
| 1:30 - | |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

Hearing Assistance Units Available - see Kelly Shannahan, Asst. CAO.

Please be thoughtful and considerate of others.

Turn off your cell phones & pagers during the meeting!

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Minutes of the County Commissioners of Worcester County, Maryland

April 3, 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 9:30 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 (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; Fred Webster, Emergency Services Director; and Ed Tudor, Development Review and Permitting Director. Topics discussed and actions taken included: hiring Brooks Mitchell and promoting Wayne Taylor, Jr. from Maintenance Worker II to fill two Plant Operator Trainee positions for the Water and Wastewater Division of Public Works; discussing public security and emergency plans; 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 open and closed session minutes of their March 20, 2018 meeting as presented.

The Commissioners presented a proclamation to Housing Program Administrator Jo Ellen Bynum recognizing April as Fair Housing Month in Worcester County to celebrate the passage of the Fair Housing Act of 1968, which eliminates housing discrimination and promotes economic opportunity and diverse communities through public understanding, recognizing that inclusive communities are vibrant communities, which provide residents of all backgrounds with access to quality schools and increased opportunities for self-sufficiency.

The Commissioners met with Ms. Bynum regarding a request by the Maryland Department of Housing and Community Development (DHCD) for Worcester County's continued participation in the "On Behalf Of" (OBO) Maryland Mortgage Program, which provides low interest loans primarily to first-time home buyers as well as to those homebuyers

who have not owned their principal residence within the last three years, as well as the Maryland Home Credit Program. Upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to irrevocably transfer Worcester County's full \$1,833,850 tax-exempt housing bond allocation to the DHCD Community Development Administration for use in issuing housing bonds or mortgage credit certificates on behalf of Worcester County, as set forth in the 2018 allocation of the Maryland State Ceiling for use under the Maryland Mortgage Program and the Maryland Home Credit Program.

Coastal Association of REALTORS (CAR) Board of Directors President-Elect Bernie Flax and Government and Public Affairs Director Sarah Rayne presented the Commissioners with the Worcester County Real Estate Market Report, which is derived from the CAR Multiple Listing Service and outlines the state of the real estate market in Worcester County, including the municipalities therein (Ocean City, Berlin, Snow Hill, and Pocomoke) and Ocean Pines, as well as the entire Tri-County Region for each of the past five years, as well as data from 10 years ago in 2007. Ms. Flax advised that the economy is doing well, and mortgage rates have increased to 4.5% to 4.7% depending on the lender and are anticipated to increase to 5%, all of which remain historically low. She advised that inventory is down across the counties, state, and nationwide, and sales are up, making it a good time to be a seller, with the total volume of sales higher than pre-recession volume in many areas. For Worcester County and its municipalities, she stated that inventory continues to decline every year, with home prices increasing each year due to limited inventory, with sale prices in Ocean City significantly higher than any other municipality in the County. She thanked the Commissioners for opposing a proposal to eliminate the Ocean Pines area from eligibility in the United States Department of Agriculture (USDA) Rural Development Housing Program. In response to a question by Commissioner Bertino, Ms. Flax advised that, based on local responses, the USDA resolved to continue including the Ocean Pines area in the housing loan program.

Environmental Programs Director Bob Mitchell met with the Commissioners to discuss a request to relocate a lane and related forestry issues, to include limited tree removal on a property owned by Dan and Laura Holland at 3847 Whitesburg Road and identified on Tax Map 69 as Parcel 31, which is encumbered by a Dividing Creek Rural Legacy Area (RLA) conservation easement. On February 21, 2017, the Commissioners approved the Holland's request to relocate the existing residence away from the family farm. Mr. Mitchell explained that the proposed lane relocation conforms with the conservation values outlined in the easement deed, and after the relocation, the site of the existing lane would return to farm production. He further advised that the forestry issue is routine and would be better handled administratively. Therefore, he requested the Commissioner to allow Environmental Programs staff and County Attorney Maureen Howarth to handle this and other future routine forestry issues administratively. In response to a question by Commissioner Bertino, Mr. Mitchell defined routine issues as minor regulatory issues related to compliance between property owners and the County upon review and approval by the County Attorney and County Administration.

Upon a motion by Commissioner Elder, the Commissioners unanimously approved the lane relocation and authorized this and future routine forestry issues to be resolved by County staff administratively.

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The Commissioners met with Assistant Chief Administrative Officer and Sewer Committee representative Kelly Shannahan to review a request from Attorney Hugh Cropper, IV on behalf of Eugene R. Parker, Jr., Irrevocable Trust, 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 used as an office, which is currently served by a septic system, and which is identified on Tax Map 26 as Parcel 274, Lot 3B. Mr. Shannahan advised that the 1.84-acre property is zoned C-1 Neighborhood Commercial and is designated S-1 (designated for sewer service within 2 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 further stated that the request supports the County's goal of removing septic systems and serving existing development by public sewer systems, when more environmentally-sensitive public facilities are available.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the request as presented and agreed to allocate one EDU of sewer service from the 53 Commercial EDUs available within Area 1 (North) of the Mystic Harbour SSA.

The Commissioners met with Mr. Shannahan to review a request from Attorney Hugh Cropper, IV on behalf of L & B Ocean City, LLC for the allocation of four EDUs of sanitary service from the Mystic Harbour SSA, to serve two adjacent parcels of land improved with a former tennis center, which is now used as a warehouse, and a roadside stand, both of which are currently served by a septic system. These properties, which are identified on Tax Map 26 as Parcel 274, Lots 1A and 1B, are zoned C-1 Neighborhood Commercial and designated S-1 (designated for sewer service within 2 years) in the County Water and Sewerage Plan. Mr. Shannahan advised that the Sewer Committee reviewed the request and based upon design flow estimates concluded that for the combined use of both the warehouse and roadside stand only two EDUs would be necessary, but if the uses were considered separately two EDUs are needed to serve the warehouse, while one EDU is needed to serve the roadside stand. He stated that, until an approved plan is provided for expanded use of the property, the request for four EDUs is not warranted in accordance with the County EDU Allocation Policy. He concluded that the request supports the County's goal of removing septic systems and serving existing development by public sewer systems, when more environmentally-sensitive public facilities are available, and reviewed the available options pertaining to this request.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved Option 2, as outlined by the Sewer Committee, to allocate three EDUs of sewer service from the 52 Commercial EDUs available within Area 1 (North) of the Mystic Harbour SSA, with two EDUs to serve the warehouse and one EDU to serve the roadside stand.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for the purchase of one current-year cab tractor farm type off road for use within the Solid Waste Division of Public Works, with funds of \$85,000 available for this equipment within the FY18 budget.

Mr. Tustin advised that the preliminary 2017 Maryland Recycling Act Tonnage Report

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indicates that the County has a 33.16% recycling rate, which is the highest rate in at least the past decade, when the next highest rates were 29% for 2013 and 24.5% for 2016. Mr. Tustin attributed the higher rate this year to the initiative of Recycling Coordinator Mike McClung, who has attracted additional private businesses to participate in the County's recycling program and to cease the costly recycling of televisions and monitors and instead landfill these items, saving the County approximately \$60,000 annually.

In response to concerns raised by Commissioner Elder regarding the dumping of household trash at the Homeowner Convenience Center (HOCC) in Whaleyville, Mr. Tustin confirmed that household waste accounts for as much as 40% of the materials being dumped in the HOCCs. He stated that Wicomico County has recently installed cameras at these recycling facilities in an attempt to discourage dumping of household waste, and he agreed to contact them to determine the expense and rate the success of their efforts to perhaps duplicate in Worcester County.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for furnishing and applying approximately 334,319 square yards of chip seal to approximately 31.67 miles of County roads to Russell Standard Corporation of Mars, Pennsylvania at a cost of \$1.41 per square yard for a total estimated cost of \$471,389.79.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously rejected the sole bid for crack sealing the asphalt-wearing surface on various County-wide bridges from Pavement Contracting Services of Glen Dale, Maryland at a total bid price of \$47,777.77, which was much higher than anticipated.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously accepted the proposal from Chesapeake Paving & Sealing, Inc. of Salisbury, Maryland for crack sealing approximately 5,899 linear feet of the asphalt-wearing surface on 14 bridges throughout the County at a total lump-sum cost of \$17,697. Mr. Tustin advised that Chesapeake Paving did not bid this project as originally specified due to their inability to supply a mastic mixer, as required in the bid specifications under guidelines of the State Highway Administration (SHA); however, Chesapeake Paving has the ability to perform this task using a melting pot, providing the same quality product used on the Ocean City Airport runways in 2017.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners voted 6-1, with Commissioner Bertino voting in opposition, to waive the formal bid process and piggyback off the fall bid from Lane Enterprises, Inc. of Bealeton, Virginia (which was awarded the pipe bid at the County Commissioners' meeting on November 7, 2017) for the purchase of riveted galvanized steel corrugated metal pipe or helically corrugated pipe with two annular corrugations on each end of pipe and HDPE double-wall plastic pipe at a total cost of \$13,687.18. In response to a question by Commissioner Bertino, Mr. Tustin confirmed that the pipe order is needed to replenish the diminishing supply.

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Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously accepted the proposal from Davis, Bowen & Friedel, Inc. of Salisbury, Maryland for professional engineering services for design of the Bayside Road Bridge replacement project at a total fixed fee of \$16,000. Mr. Tustin stated that the consultant recommended replacing the 1972 bridge, the oldest County bridge, which has a sufficiency rating of 27.9. He advised that funds are available within the FY18 budget for this purpose.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid for sewer cleaning and inspection services in the West Ocean City (WOC) Sanitary Service Area (SSA) to Mobile Dredging & Video Pipe, Inc. of Beltsville, Maryland at a total cost of \$23,955.35.

Pursuant to the request of Public Works Deputy Director John Ross and upon a motion by Commissioner Church, the Commissioners unanimously approved the Amendment to Engineering Services Contract for Mystic Harbour Effluent Disposal Project, with Davis, Bowen, and Friedel, for the final phase of this project for the following items: modifying the discharge of effluent into the golf course irrigation system to reuse a portion of on-site piping for an additional cost of \$3,200; electrical design services to power and incorporate the pump station into the supervisory control and data acquisition (SCADA) system for discharge, which was not a need originally envisioned, at an additional cost of \$25,400; permitting services at an additional cost of \$10,184; assistance in project bidding at an additional cost of \$8,000; design modifications for Pump Station No. 4 at a total cost of \$22,500; assisting designer with the golf course irrigation system design at an additional cost of \$9,900; obtaining the discharge permit from the Maryland Department of the Environment (MDE) at an additional cost of \$6,000; contract administration and inspection services for the final pipeline interconnection construction work at an additional cost of \$18,000; and onsite construction inspection of pipeline connections and pumping system at an additional cost of \$12,000. Mr. Ross advised that, even at the new project cost of \$230,035, the project is still below the project budget of \$300,000 for engineering services. In response to a question by Commissioner Bertino, Mr. Ross advised that County staff included provisions within the original agreement, allowing them to evaluate the need for pumping, and as the project progressed, it became clear that the pump system rather than the originally-proposed hydraulics system was the correct option for this project.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the proposal from Gipe Associates, Inc. of Easton, Maryland at a total lump sum cost of \$5,500, as well as reimbursement for direct, out-of-pocket expenses at cost plus 10% for items such as travel, overnight/messenger deliveries, outside reproductions, etc, as required, to perform mechanical engineering services and feasibility analysis of the two heating, ventilation, and air conditioning (HVAC) rooftop units (RTU) in the Worcester County Recreation Center (WCRC) fitness arena due to recent operational issues and improper mechanical design at the time of construction. Mr. Tustin reviewed the current problems, which include the following: the original mechanical design set a cooling point of 80 degrees Fahrenheit, rather than the 69-72 degree cooling point at which it is operated; humidity is controlled by the RTU gas-fired furnaces rather than a dedicated dehumidification unit designed

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to meet the athletic use of the space; the RTU's CO2 control does not meet current American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) indoor air quality standards; there is extensive condenser coil corrosion; and the building envelope leaks. He advised that funds of \$200,000 are available within the FY18 budget to complete this project.

In response to a question by Commissioner Bertino, Mr. Tustin confirmed that the air conditioning units are constantly running and constantly breaking down. Furthermore, the original architect and mechanical engineering firm that designed the WCRC are no longer in business. Mr. Tustin stated that the County staff is now more involved in design issues and oversight of construction projects to assure these types of issues do not occur with County buildings in the future.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications for the Ocean Pines Branch Library Renovation project to be managed by The Whiting-Turner Contracting Company under a guaranteed maximum price (GMP) contract with the company.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to revisit their prior discussion on March 20, 2018 regarding a proposal from the Planning Commission for the Commissioners to consider a comprehensive sectional rezoning of properties located west of MD Rt. 589 opposite the Ocean Downs Casino. This recommendation stems from receipt of five applications to rezone two properties located directly on MD Rt. 589 and three that front McAllister Road, one of which also fronts Griffin Road, from E-1 Estate District to C-2 General Commercial District or, alternatively, C-1 Neighborhood Commercial District. At that time, the Commissioners took no action on the proposal. Mr. Tudor summarized the history leading up to the request to consider a comprehensive sectional rezoning of the area rather than considering the five applications individually.

In response to questions by Commissioner Bertino, Mr. Tudor confirmed that the petitioned properties have been posted, but staff could notify the affected property owners if the Commissioners wish to do so. He further advised that current residential uses on properties that may be rezoned from residential to commercial would be considered nonconforming uses. Thus the Board of Zoning Appeals would have to approve any changes property owners plan to make to their residential properties if zoned commercial. Furthermore, if the entire area was recommended for rezoning to commercial, and the Commissioners approved such a recommendation, that would affect property values and taxes. He concluded that the impacts to traffic on MD Rt. 589 if the properties are zoned commercial could not be determined at this time. He also stated that public water and sewer service is not currently available to the properties, but would likely be requested for extension by property owners.

Upon a motion by Commissioner Bunting, the Commissioners voted 6-1, with Commissioner Bertino voting in opposition, to approve the Planning Commission's recommendation to review and provide recommendations to the Commissioners for the comprehensive reclassification of the properties located to the west of MD Rt. 589 (Racetrack Road), south of Turville Creek, and north of Grays Comer Road, which are currently zoned E-1 Estate District and A-1 Agricultural District.

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The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Mitrecic, the Commissioners unanimously agreed to appoint James Covington and Bonita Ann Gisriel to the Commission on Aging for three-year terms each expiring September 30, 2020, to replace George “Tad” Pruitt and Bonnie C. Caudell, respectively, whose terms had expired.

Commissioner Mitrecic requested that staff solicit volunteers to serve on the boards with remaining vacancies by way of a press release in local newspapers.

Pursuant to the request of Budget Officer Kathy Whited and upon a motion by Commissioner Church, the Commissioners unanimously approved the required advertisement entitled “Notice of Public Hearing FY19 Requested Operating Budgets,” which will run in area newspapers the weeks of April 19 and April 26, 2018 advising the public that the budget hearing will take place on Tuesday, May 1, 2018 at 7:00 p.m. at Snow Hill High School (SHHS).

Commissioner Church originally made a motion to conduct the public hearing on the FY19 Requested Operating Budgets at Stephen Decatur High School (SDHS) rather than SHHS; however, immediately thereafter, he amended that motion to include conducting the public hearing at SHHS rather than SDHS, as appropriate advance notification had not been sought to secure that location on the proposed date. Assistant Chief Administrative Officer Kelly Shannahan advised that the SHHS has traditionally served as the site of the annual public hearing on the budget due to its central location in the County.

In response to requests raised by Commissioners Bunting, Church, and Mitrecic to alternate the site of the public hearing every other year for ease of access to residents in both the south and north ends of the County, Chief Administrative Officer Harold Higgins agreed to present the Commissioners with options later this fall to alternate the meeting site for the public hearing on the requested FY20 Operating Budget next May 7, 2019 at either SHHS or SDHS for their consideration ahead of next year’s budget deliberations.

The Commissioners met with Mr. Higgins to review the proposed FY19 Constant Yield Advertisement, which has already been approved by the Maryland Department of Assessments and Taxation, to be advertised in area newspapers during the week of April 18, 2018. Mr. Higgins explained that, in accordance with State law, the notice states that, for the tax year beginning July 1, 2018, the estimated real property assessable base will increase by 1.0%, from \$15,020,690,483 to \$15,166,603,186, and if the County maintains the current tax rate of \$0.835 per \$100 of assessment, real property tax revenues will increase by \$1,218,370 or 1%. The notice states that, to fully offset the effect of increasing assessments, the real property tax rate should be reduced to \$0.8270 per \$100 of assessment, the Constant Yield Tax Rate (CYTR). The County is considering not reducing its real property tax rate enough to fully offset increasing assessments and instead proposes to adopt a real property tax rate of \$0.886 per \$100 of assessment. This tax rate is 7.1% higher than the CYTR and will generate an additional \$8,948,296 in real property tax revenues.

Mr. Higgins advised that the County is mandated by the State to run the advertisement as written, which reflects the tax rate if the Commissioners were to fully fund the requested operating budget. However, he stated that the budget will be balanced by increased revenues, decreased expenses or a combination of the two. He advised that the public hearing on the CYTR

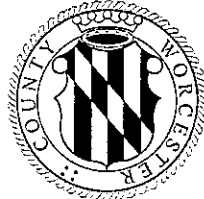
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will take place during the FY19 Budget Hearing at 7:00 p.m. on May 1, 2018 at SHHS.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the FY19 Constant Yield advertisement as required by State law.

The Commissioners answered questions from the press, after which they adjourned for lunch and to conduct a work session at 1:00 p.m.

After the work session, the Commissioners adjourned to meet again on April 17, 2018.



1

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

COMMENDATION

WHEREAS, Stephen Decatur High School senior Brandon Yusuf was selected to serve as Worcester County's Page to the 2018 Maryland General Assembly. He received this honor for his dedication to academic excellence, a keen interest in how government works, and for demonstrating a great potential for leadership; and

WHEREAS, Mr. Yusuf has proven himself to be an outstanding leader who operates his own self-defense martial arts school. He uses his time and talents wisely to serve both his school and the greater community.

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby commend **Brandon Yusuf** for his service as Worcester County's Page to the 2018 Maryland General Assembly and express to him our pride in his accomplishments.

Executed under the Seal of the County of Worcester, State of Maryland, this 17th day of April, in the Year of Our Lord Two Thousand and Eighteen.



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

Citizens and Government Working Together

1



The Board of Education of Worcester County

6270 Worcester Highway
Newark, Maryland 21841
www.worcesterk12.org
Telephone: (410) 632-5000
Fax: (410) 632-0364

Board Members

WILLIAM L. GORDY
President

J. DOUGLAS DRYDEN
Vice-President

BARRY Q. BRITTINGHAM, SR.

ERIC W. CROPPER, SR.

ELENA J. MCCOMAS

ROBERT A. ROTHERMEL, JR.

SARA D. THOMPSON

LOUIS H. TAYLOR
Superintendent of Schools

H. STEPHEN PRICE
Chief Operating Officer

JOHN R. QUINN, Ed.D.
Chief Academic Officer

VINCENT E. TOLBERT, CPA
Chief Financial Officer

November 13, 2017

Mr. Harold Higgins
Office of the County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, MD 21863

*Copy: Kim Moser ✓
For future commendation*

Dear Mr. Higgins:

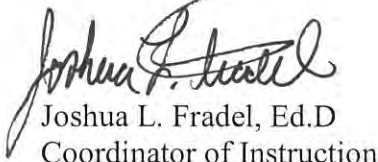
Brandon Yusuf of Stephen Decatur High School has been selected as Worcester County's Page to the 2018 Maryland General Assembly.

Brandon had demonstrated a keen interest in how government works, being involved in his mock trial team and operates his own self-defense martial arts school.

It is certain that he will be an excellent page for Worcester County.

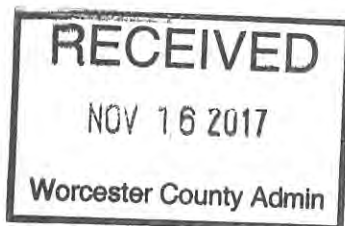
Please contact me if you have questions.

Sincerely,


Joshua L. Fradel, Ed.D
Coordinator of Instruction

JLF:tpt

cc: Lou Taylor, Superintendent of Schools





DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863

TEL: 410.632.1200 / FAX: 410.632.3008

www.co.worcester.md.us/drp/drpindex.htm

2

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION



DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

Memorandum

To: Worcester County Commissioners
CC: File
From: Jo Ellen Bynum *JB*
Date: 4/11/2018
Re: Worcester County Housing Rehabilitation Program Bid Recommendation

A bid opening was held on Monday, April 9 for a general rehabilitation project in the Berlin area. This project is proposed to be funded through the County's current CDBG housing rehabilitation grant, MD-18-CD-21.

The Berlin project received bids from two contractors. The first bid in the amount of \$21,255.00 was received from Colossal contractors and the second bid was submitted by Poseidon Plumbing and Heating Services in the amount of \$6,187.50. It is my recommendation that the Commissioners accept the bid from Poseidon at \$6,187.50 as low bidder. A copy of the Competitive Bid Worksheet and Poseidon's bid are attached for your review.

P. 3 →

← P. 5

Competitive Bid Worksheet

Item: Housing Rehabilitation Projects in Berlin and Whaleyville Parks Property and Wyatt Property

Bid Deadline/Opening Date: 1:00 P.M., Monday, April 9, 2018

Bids Received by deadline = 3

<u>Contractor's Submitting Bids</u>	<u>Barbara Parks Property</u> 10412 Dinges Road Berlin, MD 21811 <u>Total Quote</u>	<u>Theresa Wyatt Property</u> 7826 Duncan Crossing Road Whaleyville, MD 21872 <u>Total Quote</u>
Colossal Contractors, Inc. 4601 Sandy Spring Road Burtonsville, MD 20866	21,255	\$32,500 - No option 45,760 with option
Poseidon Plumbing and Home Services 12637 Sunset Avenue, Suite 1 Ocean City, MD 21842	6,187.50	12,384 NO option 24,384 with option
Shoreman Construction Co., Inc. 606 East Pine Street Delmar, MD 21875	No Bid	5,300 No option 9,800 with option
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____



Colossal Contractors, Inc.

4601 Sandy Spring Road Burtonsville, Md 20866 • Tel: 301-476-9060 • Fax: 301-476-9064

www.colossalcontractors.com

ATTENTION: THIS BID FORM MUST BE REPRODUCED ON YOUR COMPANY LETTERHEAD AND BE SUBMITTED WITH YOUR BID PACKAGE. ALL PAGES OF WORK SCOPE WITH LINE ITEM PRICING DETAIL MUST BE INCLUDED. ANY MISSING INFO OR WORDING MAY DISQUALIFY YOUR BID. THE BID PACKAGE IS ALSO AVAILABLE ON-LINE AT www.co.worcester.md.us

BID FORM

***must be signed to be valid**

**Property of Barbara Parks
10412 Dinges Road
Berlin, MD 21811**

I have reviewed the specifications and provisions for rehabilitation work on the above referenced property and understand said requirements. I hereby propose to perform this work for the total price of:

Total Quote : \$ 21,255.00

Date: 04/06/18

Signature	_____
Juan R. Navarro	_____
Typed Name	_____
President	_____
Title	_____
Colossal Contractors, Inc.	_____
Company Name	_____
4601 Sandy Spring Rd.	_____
Address	_____
Burtonsville, MD 20866	_____
301-476-9060	_____
Phone Number(s)	_____
122805	08/09/18
MHIC License #	Expiration Date



Colossal Contractors, Inc.

4601 Sandy Spring Road Burtonsville, Md 20866 • Tel: 301-476-9060 • Fax: 301-476-9064
 Barbara Parks 01/08/18
 10412 Dinges Road www.colossalcontractors.com
 Berlin, MD 21811
 410-629-1247

WORK SCOPE

A. Bathroom:

1. Toilet is leaking at wax ring because the closet flange bolts are threaded into inadequate blocking, and the toilet can tilt. Remove and replace finish flooring and subfloor sheathing as needed for secure placement of the closet flange to the subflooring. Furnish new wax ring, re-set the stool, connect the supply line, fill and check for leaks. Flush until pump starts, wait until tank fills and listen for a clean quick pump shut off, thereafter.

Price \$11,960.00

B. Crawlspace/Other:

1. Install a Mumford style insulated galvanized sheet metal access door, in place of the existing.
2. Remove any and all debris from the surface of the ground, thereafter install a 6 mil vapor barrier, smooth out and fit to the walls and piers.
3. Wrap with foam pipe insulation any exposed water lines in the crawlspace.
4. Properly secure the supply duct boot to the bathroom floor register. No air gaps, no air leaks.
5. Apply clear silicone caulking along the line where varnished window stops and window stools, meet the vinyl box frames. Check around each replaced window for any gap along this line that will emit air entry around the replaced box frame.

Price \$9,295.00

Project Total \$21,255.00

I have reviewed the above scope of work and hereby accept it as written with no additions or changes.

Barbara Parks 1-19-2018
 Owner Date

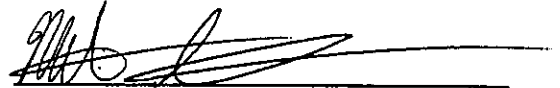


Property of Barbara Parks
10412 Dinges Road
Berlin, MD 21811

I have reviewed the specifications and provisions for rehabilitation work on the above referenced property and understand said requirements. I hereby propose to perform this work for the total price of:

Total Quote: \$ 6,187.50

Date: 4/5/18



Signature

Matt Stoehr

Typed Name

controller / member

Title

Poseidon Plumbing and Home Serv.

Company Name

12637 sunset Ave #1

Address

Ocean City, MD 21842

410-251-1096

Phone Number(s)

114679

MHIC License #

10-12-2019

Expiration Date

12637 Sunset Avenue #1
Ocean City, MD 21842
(410)251-1096

Barbara Parks
10412 Dinges Road
Berlin, MD 21811
410-629-1247

01/08/18

WORK SCOPE

A. Bathroom:

1. Toilet is leaking at wax ring because the closet flange bolts are threaded into inadequate blocking, and the toilet can tilt. Remove and replace finish flooring and subfloor sheathing as needed for secure placement of the closet flange to the subflooring. Furnish new wax ring, re-set the stool, connect the supply line, fill and check for leaks. Flush until pump starts, wait until tank fills and listen for a clean quick pump shut off, thereafter.

Price 2937.50

B. Crawlspace/Other:

1. Install a Mumford style insulated galvanized sheet metal access door, in place of the existing.
2. Remove any and all debris from the surface of the ground, thereafter install a 6 mil vapor barrier, smooth out and fit to the walls and piers.
3. Wrap with foam pipe insulation any exposed water lines in the crawlspace.
4. Properly secure the supply duct boot to the bathroom floor register. No air gaps, no air leaks.
5. Apply clear silicone caulking along the line where varnished window stops and window stools, meet the vinyl box frames. Check around each replaced window for any gap along this line that will emit air entry around the replaced box frame.

Price 3250.00

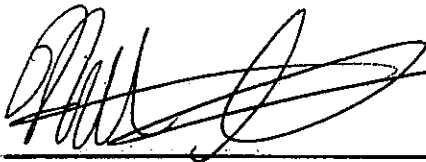
Project Total 6,187.50

I have reviewed the above scope of work and hereby accept it as written with no additions or changes.

Barbara Parks 1-19-2018
Owner Date

Bid Submission Checklist

- Contractor Qualification Form
- Contractor Conflict of Interest Disclosure Form
- Bid Form- on your company letterhead using Worcester format
- Scope of Work with Line Item Breakdown- all lines completed and total price
- Signed Bid Submission Checklist


Signature

4-5-18
Date

Please check off items submitted above, sign and include this checklist with your submission package. If you have any questions as to if a previously submitted Contractor Qualification Form has expired, please contact Jo Ellen Bynum at 410-632-1200, ext. 1171. Bids submitted with no Contractor Qualification form on file dated within the past 6 months may not be considered.

**WORCESTER COUNTY HOUSING REHABILITATION PROGRAM
CONTRACTOR QUALIFICATION FORM**

Contractor Poseidon Plumbing and Home Services

Address 12637 sunset Ave #1
Ocean City, MD 21842

Phone Number 410-251-1096

Federal I.D. or S.S. # 82-1448998

Insurance Company, Agent, & Coverages: Avery Hall, Kathy Bennett
GL - 1mm/2mm Auto - 1mm WC - 500k - see attached

List of Company Officers: Steve Webster
Ben Webster
Matt Stoehr

List of Licenses Currently Held: 114679 10-12-2019
MHIC Number Exp. Date

MBR Number Exp. Date

MDE Lead Cert. Exp. Date

EPA Lead Cert. Exp. Date

Trade References (2) Northeastern Supply 410-213-8780
Name Phone
Ferguson Supply 443-523-1860
Name Phone

Client References (2) Mary Hedleskey 301-318-5343
Name Phone
Kristi Grande 443-783-2039
Name Phone

Is contractor in a State of Bankruptcy? Yes No
Is contractor on HUD's debarred list? Yes No

Is contractor any of the following? (not required to qualify)
 Minority Business Enterprise
 Women's Business Enterprise
 Disadvantaged Business Enterprise
 Section 3 Employer



POSEI01

OP ID: LW

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/07/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Avery W. Hall Ins Agency Inc 308 East Main Street PO Box 2317 Salisbury, MD 21802-2317 Kathy L. Bennett, CIC, CRM 410-742-5111	CONTACT NAME: Kathy L. Bennett, CIC, CRM PHONE (A/C, No, Ext): 410-742-5111 FAX (A/C, No): 410-742-5182 E-MAIL ADDRESS: kbennett@averyhall.com
--	--

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Donegal Mutual Insurance Co.	13692
INSURER B: Atlantic States Insurance Co.	22586
INSURER C: Norguard Insurance Co.	31470
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			CT8991498	05/16/2017	05/16/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 1,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMPIOP AGG \$ 2,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY			CAA8991498	11/21/2017	11/21/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> DED						
	<input type="checkbox"/> RETENTION \$						
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			POWC868015	05/29/2017	05/29/2018	PER STATUTE OTH-ER
	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> N/A						E.L. EACH ACCIDENT \$ 100,000
	<input type="checkbox"/>						E.L. DISEASE - EA EMPLOYEE \$ 100,000
	<input type="checkbox"/>						E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER **CANCELLATION**

<p style="text-align: center;">PROOFIN</p> <p style="text-align: center; font-weight: bold;">Proof Of Insurance FOR INFORMATION ONLY</p>	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE Kathy L. Bennett, CIC, CRM</p>
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Contractor Conflict of Interest Disclosure


All businesses submitting bids for projects and activities which include funding through the Maryland Community Development Block Grant Program must disclose any potential conflict of interest. A conflict of interest may occur if the business owner/principals are related to or have a business relationship with an employee, officer or elected official of Worcester County. If it is determined there is a conflict of interest or potential conflict of interest, you may not be selected even if your bid is determined to be the lowest, most qualified. The County can request for the State of Maryland CDBG Program to review and make a determination which could result in a waiver allowing for approval.

1. Are owner(s)/principal(s) ever been an employee, agent, consultant, officer, elected official or appointed official of _____? Yes No
If yes, please identify: _____

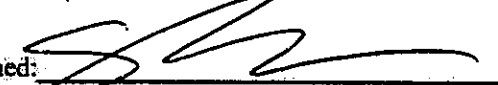
2. Are owner(s)/principal(s) related (including through marriage or domestic partnership) to an employee, agent, consultant, officer, elected or appointed official of _____? Yes No
If yes, please identify: _____

3. Do owner(s)/principal(s) have a business or professional relationship with anyone identified under Question #1? Yes No
If yes, please identify: _____

I/We certify that the above information is true and correct. I/We understand that providing false statements or information is grounds for termination of assistance and is punishable under federal law.

Signed: 
Date: 4-3-18

Name: Matt Steehr (Print)

Signed: 
Date: 4-3-18

Name: Steve Wobster (Print)

**For all non-construction contracts and for single family housing rehabilitation only
9/2017*

For Grantee Use Only:

CDBG Grant Number: _____	Date Received: _____
<input type="checkbox"/> Conflict of Interest does not exist	<input type="checkbox"/> Conflict of Interest exists
Date Sent to State: _____	<input type="checkbox"/> Waiver Granted <input type="checkbox"/> Waiver Denied

WORCESTER COUNTY IS REQUESTING QUOTATIONS FROM QUALIFIED
CONTRACTORS FOR REPAIRS TO:

PROPERTY OF: **Barbara Parks**
ADDRESS: **10412 Dines Road**
Berlin, MD 21811
TELEPHONE: **410-629-1247**

TOTAL QUOTE: 6,187.50

CONTRACTOR: Posidon Plumbing and Home Services DATE: 4/4/18
NO QUOTATIONS AFTER: 03/13/18

PART ONE: GENERAL CONDITIONS
PART TWO: SCOPE OF WORK

PART ONE - GENERAL CONDITIONS

- 1) The Contractor shall coordinate all work in progress with the homeowner so as not to severely disrupt living conditions. Inside work which is disruptive, or displaces the use of the kitchen, bathroom, or bedrooms, shall be pursued continuously on normal working days.
- 2) The Contractor shall be responsible for removing and replacing furniture and other articles, to and from other storage areas on premises, as needed to allow work space or to protect such possessions. Provide plastic film protection over all furniture (if not removed), carpets, finished floors, etc. - also install film at doorways as required.
- 3) The Contractor shall remove all excess material, construction debris, and other existing debris and material specified herein, to an approved dumpsite off premises. Work area shall be broom swept at the end of each work day.
- 4) The Contractor shall contact the Program Inspector or Housing Administrator for direction in the event that coordination or clarification problems arise with the homeowner or other contractors.
- 5) The Contractor shall coordinate closely with the homeowner as to which possessions are considered "junk and debris" and which are valuable before hauling anything away.
- 6) The Contractor shall leave all work areas on the premises in a neat and clean condition, and shall instruct the homeowner in the care and use of all installed equipment and appliances. Owner's manuals and warranty booklets are to be provided to the homeowner for all applicable equipment, appliances, and materials.
- 7) The Contractor shall not undertake or engage in any additional work intended to be billed to the Program as an "extra" or as additional cost to the original contract without a written change order signed by the Program Inspector, Housing Administrator, and homeowner. A written change order as outlined above is also

required for substitutions or additions to the original scope of work not involving additional costs.

- 8) The Contractor shall obtain and pay for all building, plumbing, electrical, well, septic and other permits required for specified work.
- 9) The Contractor shall call for all inspections required by County law as well as inspections to receive draw payments and any special inspections required by the Program Inspector. All work shall conform to code.
- 10) All of the above general conditions shall be adhered to unless otherwise specifically described in the following scope of work.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863

TEL: 410.632.1200 / FAX: 410.632.3008

www.co.worcester.md.us/drp/drpindex.htm

3

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

Memorandum

To: Worcester County Commissioners
CC: File
From: Jo Ellen Bynum *ARB*
Date: 4/11/2018
Re: Worcester County Housing Rehabilitation Program Bid Recommendation

A bid opening was held on Monday, April 9 for a general rehabilitation project in the Whaleyville area. This project is proposed to be funded through the County's current CDBG housing rehabilitation grant, MD-18-CD-21.

The Whaleyville project received bids from three contractors as follows:

Colossal Contractors- \$32,500	_____	<i>P. 3</i>
Poseidon Plumbing & Home Service- \$12,384	_____	<i>P. 6</i>
Shoreman Construction Company, Inc.- \$5,300	_____	<i>P. 16</i>

It is my recommendation that the Commissioners accept the bid from Shoreman Construction in the amount of \$5,300 with no option as low bidder. A copy of the Competitive Bid Worksheet and Shoreman's bid are attached for your review.

Competitive Bid Worksheet

Item: Housing Rehabilitation Projects in Berlin and Whaleyville Parks Property and Wyatt Property

Bid Deadline/Opening Date: 1:00 P.M., Monday, April 9, 2018

Bids Received by deadline = 3

Contractor's Submitting Bids

Barbara Parks Property
10412 Dinges Road
Berlin, MD 21811
Total Quote

Theresa Wyatt Property
7826 Duncan Crossing Road
Whaleyville, MD 21872
Total Quote

Colossal Contractors, Inc.
4601 Sandy Spring Road
Burtonsville, MD 20866

• 21,255

• \$32,500 - No option
• 45,760 with option

Poseidon Plumbing and Home Services
12637 Sunset Avenue, Suite 1
Ocean City, MD 21842

• 6,187.50

• 12,384 no option
• 24,384 with option

Shoreman Construction Co., Inc.
606 East Pine Street
Delmar, MD 21875

No Bid

• 5,300 no option
9,800 with option



Colossal Contractors, Inc.

4601 Sandy Spring Road Burtonsville, Md 20866 • Tel: 301-476-9060 • Fax: 301-476-9064

www.colossalcontractors.com

ATTENTION: THIS BID FORM MUST BE REPRODUCED ON YOUR COMPANY LETTERHEAD AND BE SUBMITTED WITH YOUR BID PACKAGE. ALL PAGES OF WORK SCOPE WITH LINE ITEM PRICING DETAIL MUST BE INCLUDED. ANY MISSING INFO OR WORDING MAY DISQUALIFY YOUR BID. THE BID PACKAGE IS ALSO AVAILABLE ON-LINE AT www.co.worcester.md.us

BID FORM


***must be signed to be valid**

**Property of Theresa Wyatt
7826 Duncan Crossing Road
Whaleyville, MD 21872**

I have reviewed the specifications and provisions for rehabilitation work on the above referenced property and understand said requirements. I hereby propose to perform this work for the total price of:

Total Quote : \$ 45,760.00

Date: 04/06/18



 Signature
 Juan R. Navarro

 Typed Name
 President

 Title
 Colossal Contractors, Inc.

 Company Name
 4601 Sandy Spring Rd.

 Address
 Burtonsville, MD 20866

 301-476-9060

 Phone Number(s)
 122805 08/09/18

 MHC License # Expiration Date



Colossal Contractors, Inc.

4601 ~~Frederic Wyck~~ ~~Frederic Wyck~~ Road Burtonsville, Md 20866 • Tel: 301-476-9060 • Fax: 301-476-9064
7826 Duncan Crossing Rd. www.colossalcontractors.com
Whaleyville, MD 21872
410-641-2670

WORKSCOPE

A. Septic

1. Unearth the corner of the concrete box where the depression is apparent at the surface. Fabricate a wood/metal concrete form with which to make a solid waterproof repair using quick setting hydraulic cement.
2. Parge the face of the repair area, and backfill the topsoil to an even grade.
3. Beneath the upside down bucket, replace the missing clear protective cover to the GFCI receptacle box, or the entire box if needs be.

Price \$4,160.00

B. HVAC

1. Inspect and evaluate system performance. Condensing unit is making an atypical Noise. Air handler in the attic appears fine. Thermostat responded when asked and the fan kicked in, shortly thereafter cool air flowed. Owner reports that the emergency heat strips provided much of her heat this past winter. Diagnose, identify possible repairs including parts replacement, if practical. Make recommendations.

Price \$4,160.00

Option: replace the Heat pump capable of heating interior to 78 degrees when exterior temperature is 0 degrees F; sizing to comply with ACCA standards. Minimum of 16 SEER rating. State Brand, Model, SEER rating you will provide.

Price of this option: \$13,260.00

C. Plumbing Leaks:

1. Find and fix the existing active leak approximately beneath the shower valve wall.
2. Pull the vinyl floor covering up, replace any discolored sub-floor beneath the shower corner. Follow the damage. Dry out all framing. Install dry insulation where needed.
3. Complete sub-floor and overlayment repairs. Install new like-in-kind sheet vinyl floor covering, with baseboards and quarter-round as needed. Drywall repairs and paint as needed in the floor repair area. Caulk all work.
4. Reset the toilet base on a new wax ring.
5. Add shower wall accessory white vinyl/rubber splash guards, 6" to 8" size, at lower corners of shower curtain on the threshold. This appears to be 90 degree corner with an adequate flat surface to place the accessory. Adhesive the U-channels and secure the splashguards into the grooves.
6. Drips beneath the double-bowl stainless steel kitchen sink may call for installing new plumbers putty to the drain assemblies, and or tightening all drain fittings.

Price \$15, 535.00

D. Other

1. Replace the rear porch outdoor carriage house wall light fixture, with similar in kind appearance, but with LED bulb, and a dusk to dawn sensor.



Colossal Contractors, Inc.

4601 Theresa Wyatt Road Burtonsville, Md 20866 • Tel: 301-476-9060 • Fax: 301-476-9064
7826 Duncan Crossing Rd. www.colossalcontractors.com
Whaleyville, MD 21872
410-641-2670

2. Replace the rotted out metal storm door at the kitchen entrance. Replace with similar appearance white aluminum storm door. NO wood core storm doors like the one being replaced will be accepted.
3. Remove and replace one 3-tab shingle with the blown out tab on the Northeast roof area. A reasonable match to the existing will be acceptable.
4. Repair the 1 1/2" rock damaged vinyl siding on the South wall to the point of permanently preventing weather entry. If there is a spare piece of siding left in the crawlspace use that to enact a proper repair. Without spare siding try unzipping the vinyl siding and adhesive in place from the underside a 4" x 4" approximately metal patch of stock tan/beige aluminum coil stock. Back this metal layer with a cedar shim of the perfect thickness to support but not bulge the vinyl siding. Zip the siding back up. Alternatively, unzip and fit beneath the damaged hole just a cedar shim that you touch-up paint to match the siding color.

Price \$8,645.00

Project total (without Option in Section B)
\$ 32,500.00

Project Total with Option \$ 45,760.00

I have reviewed and hereby accept the above specifications as written.

Theresa Wyatt 1-19-18
Owner Date

I

Page 2 of 2




Property of Theresa Wyatt
7826 Duncan Crossing Road
Whaleyville, MD 21872

I have reviewed the specifications and provisions for rehabilitation work on the above referenced property and understand said requirements. I hereby propose to perform this work for the total price of:

Total Quote: \$ 12,384 - No option
24,384 - with option

Date: 4/6/18


Signature

Matt Staehr
Typed Name

controller / member
Title

Poseidon Plumbing and Home Service
Company Name

12637 Sunset Ave. Unit 1
Address

Ocean City, MD 21842

410-251-1096
Phone Number(s)

114679 10-12-2019
MHC License # Expiration Date

12637 Sunset Avenue #1
Ocean City, MD 21842
(410)251-1096

Theresa Wyatt
7826 Duncan Crossing Rd.
Whaleyville, MD 21872
410-641-2670

01/08/18

WORKSCOPE

A. Septic

1. Unearth the corner of the concrete box where the depression is apparent at the surface. Fabricate a wood/metal concrete form with which to make a solid waterproof repair using quick setting hydraulic cement.
2. Parge the face of the repair area, and backfill the topsoil to an even grade.
3. Beneath the upside-down bucket, replace the missing clear protective cover to the GFCI receptacle box, or the entire box if needs be.

Price 1175

B. HVAC

1. Inspect and evaluate system performance. Condensing unit is making an atypical noise. Air handler in the attic appears fine. Thermostat responded when asked and the fan kicked in, shortly thereafter cool air flowed. Owner reports that the emergency heat strips provided much of her heat this past winter. Diagnose, identify possible repairs including parts replacement, if practical. Make recommendations.

Price 2500

Option: replace the Heat pump capable of heating interior to 78 degrees when exterior temperature is 0 degrees F; sizing to comply with ACCA standards. Minimum of 16 SEER rating. State Brand, Model, SEER rating you will provide.

Price of this option: 12,000

C. Plumbing Leaks:

1. Find and fix the existing active leak approximately beneath the shower valve wall.
2. Pull the vinyl floor covering up, replace any discolored sub-floor beneath the shower corner. Follow the damage. Dry out all framing. Install dry insulation where needed.
3. Complete sub-floor and overlayment repairs. Install new like-in-kind sheet vinyl floor covering, with baseboards and quarter-round as needed. Drywall repairs and paint as needed in the floor repair area. Caulk all work.
4. Reset the toilet base on a new wax ring.
5. Add shower wall accessory white vinyl/rubber splash guards, 6" to 8" size, at lower corners of shower curtain on the threshold. This appears to be 90 degree corner with an adequate flat surface to place the accessory. Adhesive the U-channels and secure the splashguards into the grooves.
6. Drips beneath the double-bowl stainless steel kitchen sink may call for installing new plumbers putty to the drain assemblies, and/or tightening all drain fittings.

Price 6134.00

D. Other

1. Replace the rear porch outdoor carriage house wall light fixture, with similar in kind appearance, but with LED bulb, and a dusk to dawn sensor.

Theresa Wyatt
7826 Duncan Crossing Rd.
Whaleyville, MD 21872
410-641-2670

01/08/18

2. Replace the rotted out metal storm door at the kitchen entrance. Replace with similar appearance white aluminum storm door. NO wood core storm doors like the one being replaced will be accepted.
3. Remove and replace one 3-tab shingle with the blown out tab on the Northeast roof area. A reasonable match to the existing will be acceptable.
4. Repair the 1 1/2" rock damaged vinyl siding on the South wall to the point of permanently preventing weather entry. If there is a spare piece of siding left in the crawlspace use that to enact a proper repair. Without spare siding try unzipping the vinyl siding and adhesive in place from the underside a 4" x 4" approximately metal patch of stock tan/beige aluminum coil stock. Back this metal layer with a cedar shim of the perfect thickness to support but not bulge the vinyl siding. Zip the siding back up. Alternatively, unzip and fit beneath the damaged hole just a cedar shim that you touch-up paint to match the siding color.

Price 2575.00

Project total (without Option in Section B)
\$ 12,384.00

Project Total with Option \$ 24,384.00

I have reviewed and hereby accept the above specifications as written.

Theresa Wyatt 1-19-18
Owner Date

I

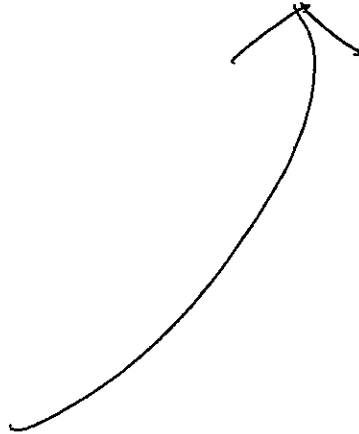


Matt,

For the option, there are no heat pumps that can handle that kind of capacity unless it is grossly oversized which is contradicted by the next line in the proposal that the unit be sized according to ACCA manual J. Any heat pump installed would have to use supplemental heat to meet that demand unless the ducts are abandoned and a Mitsubishi Hyper heat Ductless system is installed. Estimating that would depend greatly on how many indoor units or if we hook up an MVZ air handler, utilizing the existing duct system, plus an additional ductless head. A ballpark for the Hyper Heat which can heat at 100% capacity down to 0 degrees F with an MVZ air handler and one other ductless head would be around \$12,000.00

I know the replacement option is high but that is the only option that I can find to actually meet the requirement of 78 indoor at 0 outdoor. Let me know if you have any other questions.

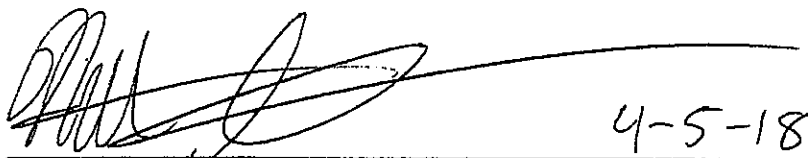
Mike Holter
Comfort Consultant
1st Service Co, Inc.
410-208-3220 866-990-4822
www.1stservicehvacr.com



Comments on HVAC option

Bid Submission Checklist

- Contractor Qualification Form
- Contractor Conflict of Interest Disclosure Form
- Bid Form- on your company letterhead using Worcester format
- Scope of Work with Line Item Breakdown- all lines completed and total price
- Signed Bid Submission Checklist


Signature _____ Date 4-5-18

Please check off items submitted above, sign and include this checklist with your submission package. If you have any questions as to if a previously submitted Contractor Qualification Form has expired, please contact Jo Ellen Bynum at 410-632-1200, ext. 1171. Bids submitted with no Contractor Qualification form on file dated within the past 6 months may not be considered.

WORCESTER COUNTY HOUSING REHABILITATION PROGRAM
CONTRACTOR QUALIFICATION FORM

Contractor Poseidon Plumbing and Home services

Address 12637 sunset Ave #1
Ocean City, MD 21842

Phone Number 410-251-1096

Federal I.D. or S.S. # 82-1448998

Insurance Company, Agent, & Coverages: Avery Hall, Kathy Bennett
GL - 1mm/2mm Auto - 1mm WC - 500k - see attached.

List of Company Officers: Steve Webster
Bevin Webster
Matt. Staehr

List of Licenses Currently Held: 114679 10-12-2019
MHIC Number Exp. Date

MBR Number Exp. Date

MDE Lead Cert. Exp. Date

EPA Lead Cert. Exp. Date

Trade References (2) Northeastern Supply 410-213-8780
Name Phone
Ferguson Supply 443-523-1860
Name Phone

Client References (2) Mary Heddeskey 301-318-5343
Name Phone
Kristi Grande 443-783-2039
Name Phone

Is contractor in a State of Bankruptcy? _____ Yes No
Is contractor on HUD's debarred list? _____ Yes No

Is contractor any of the following? (not required to qualify)

_____ Minority Business Enterprise
_____ Women's Business Enterprise
_____ Disadvantaged Business Enterprise
_____ Section 3 Employer



POSEI01

OP ID: LW

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/07/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Avery W. Hall Ins Agency Inc
308 East Main Street
PO Box 2317
Salisbury, MD 21802-2317
Kathy L. Bennett, CIC, CRM

410-742-5111

CONTACT NAME: Kathy L. Bennett, CIC, CRM

PHONE (A/C, No, Ext): 410-742-5111

FAX (A/C, No): 410-742-5182

E-MAIL ADDRESS: kbennett@averyhall.com

INSURED Poseidon Plumbing & Home Services LLC
511 Sunlight Lane #2
Berlin, MD 21811

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Donegal Mutual Insurance Co.	13692
INSURER B:	Atlantic States Insurance Co.	22586
INSURER C:	Norguard Insurance Co.	31470
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ITR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CT8991498	05/16/2017	05/16/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			CAA8991498	11/21/2017	11/21/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	POWC868015	05/29/2017	05/29/2018	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

PROOFIN

Proof Of Insurance FOR INFORMATION ONLY

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Kathy L. Bennett, CIC, CRM

Contractor Conflict of Interest Disclosure


All businesses submitting bids for projects and activities which include funding through the Maryland Community Development Block Grant Program must disclose any potential conflict of interest. A conflict of interest may occur if the business owner/principals are related to or have a business relationship with an employee, officer or elected official of Worcester County. If it is determined there is a conflict of interest or potential conflict of interest, you may not be selected even if your bid is determined to be the lowest, most qualified. The County can request for the State of Maryland CDBG Program to review and make a determination which could result in a waiver allowing for approval.

1. Are owner(s)/principal(s) ever been an employee, agent, consultant, officer, elected official or appointed official of _____? Yes No
If yes, please identify: _____


2. Are owner(s)/principal(s) related (including through marriage or domestic partnership) to an employee, agent, consultant, officer, elected or appointed official of _____? Yes No
If yes, please identify: _____

3. Do owner(s)/principal(s) have a business or professional relationship with anyone identified under Question #1? Yes No
If yes, please identify: _____

I/We certify that the above information is true and correct. I/We understand that providing false statements or information is grounds for termination of assistance and is punishable under federal law.

Signed: 
Date: 4-3-18

Name: Matt Staehr (Print)

Signed: 
Date: 4-3-18

Name: Steve Webster (Print)

**For all non-construction contracts and for single family housing rehabilitation only
9/2017*

For Grantee Use Only:

CDBG Grant Number:	Date Received:
<input type="checkbox"/> Conflict of Interest does not exist	<input type="checkbox"/> Conflict of Interest exists
Date Sent to State:	<input type="checkbox"/> Waiver Granted <input type="checkbox"/> Waiver Denied

WORCESTER COUNTY IS REQUESTING QUOTATIONS FROM QUALIFIED
CONTRACTORS FOR REPAIRS TO:

PROPERTY OF: Theresa Wyatt
ADDRESS: 7826 Duncan Crossing Road
Whaleyville, MD 21872
TELEPHONE: 410-641-2670

TOTAL QUOTE: 12,384 - No Option 24,384 - with option.

CONTRACTOR: Poseidon Plumbing and Home Services. DATE: 4/6/18
NO QUOTATIONS AFTER: 03/13/18

PART ONE: GENERAL CONDITIONS

PART TWO: SCOPE OF WORK

PART ONE - GENERAL CONDITIONS

- 1) The Contractor shall coordinate all work in progress with the homeowner so as not to severely disrupt living conditions. Inside work which is disruptive, or displaces the use of the kitchen, bathroom, or bedrooms, shall be pursued continuously on normal working days.
- 2) The Contractor shall be responsible for removing and replacing furniture and other articles, to and from other storage areas on premises, as needed to allow work space or to protect such possessions. Provide plastic film protection over all furniture (if not removed), carpets, finished floors, etc. - also install film at doorways as required.
- 3) The Contractor shall remove all excess material, construction debris, and other existing debris and material specified herein, to an approved dumpsite off premises. Work area shall be broom swept at the end of each work day.
- 4) The Contractor shall contact the Program Inspector or Housing Administrator for direction in the event that coordination or clarification problems arise with the homeowner or other contractors.
- 5) The Contractor shall coordinate closely with the homeowner as to which possessions are considered "junk and debris" and which are valuable before hauling anything away.
- 6) The Contractor shall leave all work areas on the premises in a neat and clean condition, and shall instruct the homeowner in the care and use of all installed equipment and appliances. Owner's manuals and warranty booklets are to be provided to the homeowner for all applicable equipment, appliances, and materials.
- 7) The Contractor shall not undertake or engage in any additional work intended to be billed to the Program as an "extra" or as additional cost to the original contract without a written change order signed by the Program Inspector, Housing Administrator, and homeowner. A written change order as outlined above is also

required for substitutions or additions to the original scope of work not involving additional costs.

- 8) The Contractor shall obtain and pay for all building, plumbing, electrical, well, septic and other permits required for specified work.
- 9) The Contractor shall call for all inspections required by County law as well as inspections to receive draw payments and any special inspections required by the Program Inspector. All work shall conform to code.
- 10) All of the above general conditions shall be adhered to unless otherwise specifically described in the following scope of work.

ATTENTION: THIS BID FORM MUST BE REPRODUCED ON YOUR COMPANY LETTERHEAD AND BE SUBMITTED WITH YOUR BID PACKAGE. ALL PAGES OF WORK SCOPE WITH LINE ITEM PRICING DETAIL MUST BE INCLUDED. ANY MISSING INFO OR WORDING MAY DISQUALIFY YOUR BID. THE BID PACKAGE IS ALSO AVAILABLE ON-LINE AT www.co.worcester.md.us

BID FORM

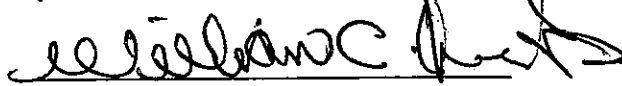
***must be signed to be valid**

Property of Theresa Wyatt .
7826 Duncan Crossing Road
Whaleyville, MD 21872

I have reviewed the specifications and provisions for rehabilitation work on the above referenced property and understand said requirements. I hereby propose to perform this work for the total price of:

Total Quote : \$ 5,300.00

Date: 4-9-2019

WILLIAM C. HEARNIMAN

Signature
SHOREMAN CONSTRUCTION CO. LLC
Typed Name
PRESIDENT
Title
SHOREMAN CONSTRUCTION CO. LLC
Company Name
606 E. PINE ST.
Address
DELMAR, MD 21875
410-896-3200
Phone Number(s)
5859 10-11-2019
MHIC License # Expiration Date

Theresa Wyatt
7826 Duncan Crossing Rd.
Whaleyville, MD 21872
410-641-2670

01/08/18

WORKSCOPE

A. Septic

1. Unearth the corner of the concrete box where the depression is apparent at the surface. Fabricate a wood/metal concrete form with which to make a solid waterproof repair using quick setting hydraulic cement.
2. Parge the face of the repair area, and backfill the topsoil to an even grade.
3. Beneath the upside down bucket, replace the missing clear protective cover to the GFCI receptacle box, or the entire box if needs be.

Price \$1,500.00

B. HVAC

1. Inspect and evaluate system performance. Condensing unit is making an atypical Noise. Air handler in the attic appears fine. Thermostat responded when asked and the fan kicked in, shortly thereafter cool air flowed. Owner reports that the emergency heat strips provided much of her heat this past winter. Diagnose, identify possible repairs including parts replacement, if practical. Make recommendations.

Price \$500.00

Option: replace the Heat pump capable of heating interior to 78 degrees when exterior temperature is 0 degrees F; sizing to comply with ACCA standards. Minimum of 16 SEER rating. State Brand, Model, SEER rating you will provide.

Price of this option: \$4500.00

C. Plumbing Leaks:

1. Find and fix the existing active leak approximately beneath the shower valve wall.
2. Pull the vinyl floor covering up, replace any discolored sub-floor beneath the shower corner. Follow the damage. Dry out all framing. Install dry insulation where needed.
3. Complete sub-floor and overlayment repairs. Install new like-in-kind sheet vinyl floor covering, with baseboards and quarter-round as needed. Drywall repairs and paint as needed in the floor repair area. Caulk all work.
4. Reset the toilet base on a new wax ring.
5. Add shower wall accessory white vinyl/rubber splash guards, 6" to 8" size, at lower corners of shower curtain on the threshold. This appears to be 90 degree corner with an adequate flat surface to place the accessory. Adhesive the U-channels and secure the splashguards into the grooves.
6. Drips beneath the double-bowl stainless steel kitchen sink may call for installing new plumbers putty to the drain assemblies, and or tightening all drain fittings.

Price \$2,100.00

D. Other

1. Replace the rear porch outdoor carriage house wall light fixture, with similar in kind appearance, but with LED bulb, and a dusk to dawn sensor.

Theresa Wyatt
7826 Duncan Crossing Rd.
Whaleyville, MD 21872
410-641-2670

01/08/18

2. Replace the rotted out metal storm door at the kitchen entrance. Replace with similar appearance white aluminum storm door. NO wood core storm doors like the one being replaced will be accepted.
3. Remove and replace one 3-tab shingle with the blown out tab on the Northeast roof area. A reasonable match to the existing will be acceptable.
4. Repair the 1 1/2" rock damaged vinyl siding on the South wall to the point of permanently preventing weather entry. If there is a spare piece of siding left in the crawlspace use that to enact a proper repair. Without spare siding try unzipping the vinyl siding and adhesive in place from the underside a 4" x 4" approximately metal patch of stock tan/beige aluminum coil stock. Back this metal layer with a cedar shim of the perfect thickness to support but not bulge the vinyl siding. Zip the siding back up. Alternatively, unzip and fit beneath the damaged hole just a cedar shim that you touch-up paint to match the siding color.

Price ~~1,200.00~~

Project total (without Option in Section B)
\$ 5,300.00

Project Total with Option \$ 9,800.00

I have reviewed and hereby accept the above specifications as written.

Theresa Wyatt 1-19-18
Owner Date

I

Bid Submission Checklist

- Contractor Qualification Form
- Contractor Conflict of Interest Disclosure Form
- Bid Form- on your company letterhead using Worcester format
- Scope of Work with Line Item Breakdown- all lines completed and total price
- Signed Bid Submission Checklist

 4-9-2010
Signature Date

Please check off items submitted above, sign and include this checklist with your submission package. If you have any questions as to if a previously submitted Contractor Qualification Form has expired, please contact Jo Ellen Bynum at 410-632-1200, ext. 1171. Bids submitted with no Contractor Qualification form on file dated within the past 6 months may not be considered.

**WORCESTER COUNTY HOUSING REHABILITATION PROGRAM
CONTRACTOR QUALIFICATION FORM**

Contractor SHOREMAN CONSTRUCTION CO. INC.

Address 606 E. PINE ST.
OBAMA, MO. 21875

Phone Number 410-896-3200

Federal I.D. or S.S. # 52-1951288

Insurance Company, Agent, & Coverages: CINCINNATI INSURANCE
EA. COVERAGES \$1,000,000, GENERAL \$2,000,000.

List of Company Officers: WILLIAM C. HEARNICE
JOHN DECARLO

List of Licenses Currently Held:

MHIC Number	<u>5859</u>	Exp. Date	<u>10-11-2019</u>
MBR Number	<u>6624</u>	Exp. Date	<u>6-9-2019</u>
MDE Lead Cert.	<u>9874</u>	Exp. Date	<u>6-20-2018</u>
EPA Lead Cert.		Exp. Date	

Trade References (2) LOWE'S

Name	<u>DELAWARE LOWE'S</u>	Phone	
Name		Phone	

Client References (2)

Name		Phone	
Name		Phone	

Is contractor in a State of Bankruptcy? Yes ~~No~~

Is contractor on HUD's debarred list? Yes ~~No~~

Is contractor any of the following? (not required to qualify)

 Minority Business Enterprise

 Women's Business Enterprise

 Disadvantaged Business Enterprise

 Section 3 Employer

Contractor Conflict of Interest Disclosure

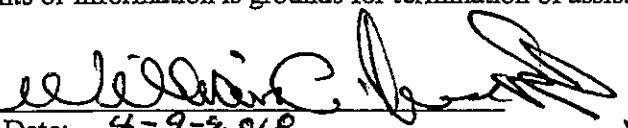
All businesses submitting bids for projects and activities which include funding through the Maryland Community Development Block Grant Program must disclose any potential conflict of interest. A conflict of interest may occur if the business owner/principals are related to or have a business relationship with an employee, officer or elected official of **Worcester County**. If it is determined there is a conflict of interest or potential conflict of interest, you may not be selected even if your bid is determined to be the lowest, most qualified. The **County** can request for the State of Maryland CDBG Program to review and make a determination which could result in a waiver allowing for approval.

1. Are owner(s)/principal(s) ever been an employee, agent, consultant, officer, elected official or appointed official of _____? Yes No
If yes, please identify: _____

2. Are owner(s)/principal(s) related (including through marriage or domestic partnership) to an employee, agent, consultant, officer, elected or appointed official of _____? Yes No
If yes, please identify: _____

3. Do owner(s)/principal(s) have a business or professional relationship with anyone identified under Question #1? Yes No
If yes, please identify: _____

I/We certify that the above information is true and correct. I/We understand that providing false statements or information is grounds for termination of assistance and is punishable under federal law.

Signed: 
Date: 4-9-2018

Name: WILLIAM C. HEARNER (Print)

Signed: _____
Date: _____

Name: _____ (Print)

**For all non-construction contracts and for single family housing rehabilitation only 9/2017*

For Grantee Use Only:

<input type="checkbox"/> CDBG Grant Number	<input type="checkbox"/> Date Received
<input type="checkbox"/> Conflict of Interest Does Exist	<input type="checkbox"/> Conflict of Interest Does Not Exist
<input type="checkbox"/> Date Sent to State	<input type="checkbox"/> Waiver Granted
	<input type="checkbox"/> Waiver Denied

WORCESTER COUNTY IS REQUESTING QUOTATIONS FROM QUALIFIED CONTRACTORS FOR REPAIRS TO:

PROPERTY OF: Theresa Wyatt
ADDRESS: 7826 Duncan Crossing Road
Whaleyville, MD 21872
TELEPHONE: 410-641-2670

TOTAL QUOTE: # 5300.00

CONTRACTOR: SHOREMAN CONSTRUCTION DATE: 4-9-2018
NO QUOTATIONS AFTER: 03/13/18

PART ONE: GENERAL CONDITIONS
PART TWO: SCOPE OF WORK

PART ONE – GENERAL CONDITIONS

- 1) The Contractor shall coordinate all work in progress with the homeowner so as not to severely disrupt living conditions. Inside work which is disruptive, or displaces the use of the kitchen, bathroom, or bedrooms, shall be pursued continuously on normal working days.
- 2) The Contractor shall be responsible for removing and replacing furniture and other articles, to and from other storage areas on premises, as needed to allow work space or to protect such possessions. Provide plastic film protection over all furniture (if not removed), carpets, finished floors, etc. – also install film at doorways as required.
- 3) The Contractor shall remove all excess material, construction debris, and other existing debris and material specified herein, to an approved dumpsite off premises. Work area shall be broom swept at the end of each work day.
- 4) The Contractor shall contact the Program Inspector or Housing Administrator for direction in the event that coordination or clarification problems arise with the homeowner or other contractors.
- 5) The Contractor shall coordinate closely with the homeowner as to which possessions are considered “junk and debris” and which are valuable before hauling anything away.
- 6) The Contractor shall leave all work areas on the premises in a neat and clean condition, and shall instruct the homeowner in the care and use of all installed equipment and appliances. Owner’s manuals and warranty booklets are to be provided to the homeowner for all applicable equipment, appliances, and materials.
- 7) The Contractor shall not undertake or engage in any additional work intended to be billed to the Program as an “extra” or as additional cost to the original contract without a written change order signed by the Program Inspector, Housing Administrator, and homeowner. A written change order as outlined above is also

required for substitutions or additions to the original scope of work not involving additional costs.

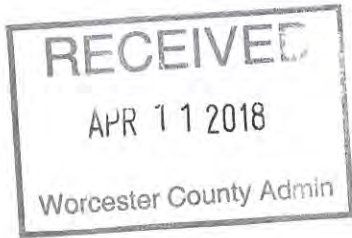
- 8) The Contractor shall obtain and pay for all building, plumbing, electrical, well, septic and other permits required for specified work.
- 9) The Contractor shall call for all inspections required by County law as well as inspections to receive draw payments and any special inspections required by the Program Inspector. All work shall conform to code.
- 10) All of the above general conditions shall be adhered to unless otherwise specifically described in the following scope of work.

Reggie T. Mason
Sheriff

OFFICE OF SHERIFF



Douglas A. Dods
Colonel



SINCE 1742
ONE WEST MARKET STREET, ROOM 1001
SNOW HILL, MARYLAND 21863-1072
410-632-1111

FAX: 410-632-3070

April 10, 2018

Commissioner Diana Purnell
President, County Commissioner of Worcester County
Snow Hill, Maryland

I have reviewed and signed the attached MOU with Berlin Police Department. I recommend approval by Commissioners of Worcester County as well.

Reggie T. Mason
Sheriff of Worcester County

Public Safety Mutual Aid Agreement

AUTHORITY

THIS AGREEMENT is subject to and is entered into pursuant to Section 2-105 of the Criminal Procedural Article of the Annotated Code of Maryland, the County Commissioners of Worcester County, Maryland along with the Sheriff of Worcester County are authorized to enter into Mutual Aid Agreements with municipal corporations, counties and other governing agencies or jurisdictions to provide for public and governmental purposes and further pursuant to Subtitle 1 of Title 7 of the Public Safety Article of the Code of Public Local Laws of Worcester County, Maryland.

PARTIES

Parties to this Agreement shall be County Commissioners of Worcester County, Maryland hereinafter called "**Commissioners**", the Worcester County Sheriff hereinafter called "**Sheriff**", and the Mayor and Council of the Town of Berlin hereinafter called "**Berlin**"; and

In order to be binding and effective, this Agreement must be approved by endorsement hereon by the County Commissioners of Worcester County, the Sheriff of Worcester County and the government agency named above.

AGREEMENT

Parties hereto, in consideration of the premises, the mutual promises herein contained and pursuant to the statutory references hereinbefore stated do hereby agree as follows:

1. **Mutual Aid Agreement.** This document shall memorialize agreements between the Parties and constitute a Mutual Aid Agreement adopted pursuant to the statutory references set forth above.
2. **Definition.**
"Public Safety Officer", as used herein, shall mean law enforcement officers, including police officers and all other officers, agents, or employees of the Parties hereto as contemplated the statutes referenced above.

3. **Powers of Sheriff.** The Sheriff and deputies of the Sheriff's Office are Public Safety Officers of Worcester County, Maryland and have full and complete police powers, pursuant to law, and pursuant to the Constitution of Maryland throughout Worcester County, including areas within the corporate limits of the municipalities of Worcester County and limited only, if at all, in areas owned by the State of Maryland, the United States Government, or any foreign country or embassy.
4. **Authority in County.** The Sheriff is the Chief Law Enforcement Officer of Worcester County and shall have the right to control all operations taking place outside the corporate limits of Berlin, provided, however, that this shall in no way limit the Sheriff's authority in Worcester County.
5. **Powers.** As set forth herein and in accordance with circumstances herein after set forth, Public Safety Officers of Berlin are authorized to exercise all of powers and authority, to which the Berlin Police Department is empowered within the corporate limits of the Berlin, outside of the corporate limits of said area but within Worcester County, Maryland in the following cases:
 - A. At such time as a Public Safety Officer of Berlin observes a violation of the criminal or motor vehicle laws within the corporate limits of Berlin and it becomes necessary to pursue the offender outside of the corporate limits, but within Worcester County to prevent the offender's escape, or to apprehend, arrest and detain such offender or to transport such offender into the corporate limits of Berlin;
 - B. While conducting an investigation into a crime which has been alleged to have occurred within the corporate limits of Berlin and it becomes necessary to continue such investigation outside of the corporate limits of Berlin, but within Worcester County, and to apprehend, arrest and detain such offender, and to transport such offender back into the corporate limits of Berlin provided the offender is charged with a felony, or in addition, whenever a warrant has been issued for the offender's arrest;

- C. While attached to any multi-agency unit, task force, or when at the request of the Sheriff-participating in any joint assignment, effort, operation, check point, surveillance or other exercise which includes at least one member of the Sheriff's Office;
 - D. When requested by the Sheriff pursuant to this Agreement; or
 - E. At any time, in any instance covered by *State Law* or provided for in this Agreement.
6. **Reciprocity**. Public Safety Officers of Worcester County are authorized to exercise all of powers and authority, to which they are empowered within the corporate limits of Worcester County, within Berlin in the following cases:
- A. At such time as a Public Safety Officer of Worcester County observes a violation of the criminal or motor vehicle laws within the County and it becomes necessary to pursue the offender inside of the corporate limits of Berlin to prevent the offender's escape, or to apprehend, arrest and detain such offender or to transport such offender;
 - B. While conducting an investigation into a crime which has been alleged to have occurred within Worcester County and it becomes necessary to continue such investigation inside the corporate limits of Berlin, and to apprehend, arrest and detain such offender, and to transport such offender back outside the corporate limits of Berlin, provided the offender is charged with a felony, or in addition, whenever a warrant has been issued for the offender's arrest;
 - C. While attached to any multi-agency unit, task force or, when at the request of the Sheriff participating in any joint assignment, effort, operation, check point, surveillance or other exercise which includes at least one member of the Sheriff's Office;
 - D. When requested by Berlin Chief of Police pursuant to this Agreement; or
 - E. At any time, in any instance covered by State Law or provided for in this Agreement.

7. **Witness to Crime.** A Public Safety Officer of Worcester County and Berlin will not undertake routine patrol or police duties outside the limits of its jurisdiction, except as specified within this Agreement. However, Public Safety Officers within the Berlin may exercise full police authority outside the corporate limits of the Berlin whenever they witness a crime, or in any extraordinary or emergency situation outside the limits of the Berlin but within Worcester County, Maryland. Public Safety Officers of Worcester County may do the same within Berlin.
8. **Equipment.** When mutual aid is requested and authorized hereby it may include the utilization of all necessary equipment.
9. **Request.** A request for assistance for mutual aid may be made by the the Mayor and Council of the Town of Berlin or the Chief Public Safety Officer of the Berlin or by the Sheriff or a Sheriff's Deputy either formally or informally and need not be made in writing. A record of the request, shall, however, be made in writing, either coincidental with the request or subsequent thereto which shall include the time of the request and the extent of the aid requested. If in the judgment of the Sheriff or Chief Public Safety Official, resources are needed and available, they may be dispatched. The requesting agency will identify when and where the resources need to report.
10. **Waiver.** Each of the Parties waives any and all claims that are against the other party to the Agreement that may arise out of their activities outside their respective jurisdictions under the provisions of this Agreement.
11. **Indemnity.** The Parties each indemnify and hold harmless the other party from any and all claims including those for worker's compensation as well as claims by third parties including those for property damage or personal injury or wrongful death and that may arise out of the activities of the other party to this Agreement outside their respective jurisdictions pursuant to this Agreement, to the extent permitted by law. The Parties will cooperate fully with the other in defense of claims to include: immediate notification to the other party of any accident resulting in personal injury, damage or having the potential for liability.

12. **Immunities.** Whenever any Public Safety Officer / employee is acting in another jurisdiction pursuant to a request for assistance under this Agreement, that Public Safety Officer / employee shall have all of the authority, immunities from liability and exemptions from laws, ordinances and regulations and that Public Safety Officer's/employee's employing jurisdiction shall continue to provide all of the pension, relief, disability, workers' compensation, and other benefits enjoyed by such Public Safety Officer/ employee to the same extent as if such officer or officers / employees were performing his or her respective duties within his or her employing jurisdiction. Nothing herein constitutes a waiver of any immunities or limitations of liability as may exist in law.
13. **Insurance.** Each of the Parties hereto shall obtain liability insurance with such companies and in such amounts as may be satisfactory to the other party and which said insurance shall be extended to cover all claims arising out of this Agreement. Self- insurance or pooled insurance may satisfy this requirement. Each of the Parties shall provide for workers compensation insurance and officer's benefits to be provided by the respective employers at all times.
14. **Costs.** Each jurisdiction's direct and actual operational shall be borne by that jurisdiction unless some other written agreement is executed by the Parties.
15. **Not Joint Employees.** Public Safety Officers engaged in Mutual Aid pursuant to this Agreement or otherwise, shall not be considered joint employees of the other jurisdiction for any purpose.
16. **Control.** In cases where aid is requested by the Sheriff, control of the operation for which the aid is requested shall be vested in the Sheriff or in such Public Safety Officer as the Sheriff may designate and to whom such control is delegated.
17. **Time Period.** This Agreement shall be binding upon both Parties for a period of one (1) year from the date hereof and shall be automatically renewed each succeeding year. This Agreement may be terminated upon the giving of thirty

(30) days written notice by either party. This Agreement will be reviewed annually by the Parties.

18. **Limited to County Boundaries.** This Agreement shall be effective only within the boundaries of Worcester County.
19. **No Limitation.** Nothing herein shall limit the power, authority or duties of the Sheriff or any Deputy Sheriff or other powers of law enforcement officers pursuant to law including, without limitation, fresh pursuit.
20. **Disputes.** If any dispute or issue arises under this Agreement, the Parties agree to resolve the issue at the lowest management level of each party. In the event the issue remains unresolved, the Parties agree to immediately escalate the issue to upper-level management (County/Municipality administrative directors) for their consideration. In all events, the Parties will negotiate, in good faith, a mutually agreeable solution. In the event all Parties cannot agree on a solution, the issue shall be directed to the Worcester County Commissioners and Mayor and Council of the Town of Berlin.

IN WITNESS WHEREOF, the Parties hereto, pursuant to the authority of the governing body of each party, have executed this Agreement by an authorized office, on this ____ day of 2018.

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND

Jamahl

By: W. J. Will, III

Mayer
Title

ATTEST:

SHERIFF OF WORCESTER COUNTY, MARYLAND

Reginald T. Mason

Reggie T. Mason
Reginald T. Mason, Sheriff

ATTEST:

OTHER CHIEF LEO

Jamahl

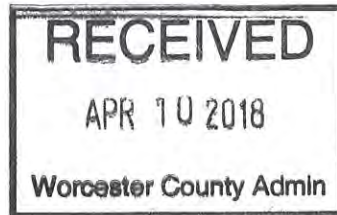
Arnold R. Downing
Arnold R. Downing, Chief of Police

8

Worcester County's Initiative to Preserve Families

6040 Public Landing Rd.
Post Office Box 129
Snow Hill, MD 21863



Telephone: 410-632-3648



5

Worcester County's
Initiative
to Preserve Families

The logo features a stylized white figure of a person with arms raised, set against a background of blue and black curved lines that resemble a rainbow or a protective shield. A large handwritten number "5" is positioned above the logo.

TO: Harold Higgins, Chief Administrative Officer
FROM:  Jessica Sexauer, Director of Local Management Board
Jennifer LaMade, Director of Planning, Quality, and Core Services
THROUGH:  Rebecca Jones, Health Officer
DATE: April 10, 2018
SUBJECT: 2019 Notice of Funding Availability

Attached is the 2019 Local Management Board (LMB) grant proposal in response to the Governor's Office for Children's (GOC) Notice of Funding Availability.

The LMB is requesting to continue the following current programs in fiscal year 2019: The Cricket Center, Comprehensive Parenting Program Initiative, Youth as One, the Local Access Mechanism (LAM) 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. These programs have been successful for the children, youth and families of Worcester County and have demonstrated making a positive impact on problem areas through performance measures and continuous monitoring conducted by the LMB. The LMB is seeking approval for submission of the NOFA response to bring funding to Worcester County. Your continued support in serving the children, youth, and families in Worcester County is greatly appreciated.

If you have any questions, please do not hesitate to contact me at 410-632-3648.

cc: Kelly Shannahan, Assistant Chief Administrative Officer

Enclosures

Worcester County's Local Management Board

la

Board Name: Worcester County's Initiative to Preserve Families

	Requested Funds	Cash Match (Total Cash Match/% of Total Funds)	In-Kind (Total In-Kind/% of Total Funds)	TOTAL FUNDS	Serves Strategic Goal Population(s) – Yes/No? If yes, state which.
A. Board Support	\$124,115	\$ %	\$ 31,029 25%	\$155,144	N/A
B. Base Program Title: Comprehensive Parenting	\$52,000	\$ %	\$ %	\$	Impact of Incarceration
C. Base Program Title: Youth as One	\$34,000	\$ %	\$ %	\$	Disconnected Youth
D. Base Program Title: Cricket Center	\$30,000	\$ %	\$ %	\$	Impact of Incarceration
E. Base Program Title: System Navigation	\$110,876	\$139,400 126%	\$ %	\$250,276	Disconnected Youth; impact of incarceration; childhood hunger
F. Base Program Title: Community Service Center	\$112,956	\$46,158 41%	\$ %	\$159,114	Disconnected youth; homeless youth
G. Base Program Title: Building Bridges	\$165,971	\$ %	\$ %	\$	Impact of Incarceration
H. Base Program Title: WE3	\$150,000	\$ %	\$ %	\$	Disconnected Youth
Total Base	\$779,918	\$185,558 24%	\$31,029 4%	\$996,505	

Check All that Apply:	
Multi-Jurisdictional Plan for (list title):	<ul style="list-style-type: none"> • Lead Board • Participating Board
Requesting Extra Points for:	<ul style="list-style-type: none"> X Two Generation Approach • Race Equity X 25% Cash Match

Name, title, telephone and email of Board's staff point of contact:
 Jessica Sexauer, Director, 410-632-3648, Jessica.sexauer@maryland.gov

Name, title, telephone, and email of Board's project contact (if different from above):
Jessica Sexauer, Director, 410-632-3648, Jessica.sexauer@maryland.gov

Name, title, telephone, and email of Board's fiscal contact (if different from above):
David Beach, Fiscal Officer, 410-632-1100 ext. 1215, davidm.beach@maryland.gov

By signing below, I hereby certify that the Local Management Board reviewed and approved this application, and complied with the local procurement, conflict of interest and ethics policies in the development of the application.

Original signatures of Board's staff point of contact, Board Chair, and the Chief Executive Officer(s) of the jurisdiction:

Signature
Diana Purnell, President
County Commissioners of Worcester County, MD
Name and Title

Date

Signature
Jessica Sexauer, LGSW, Director
Name and Title

Date

Signature
Roberta Baldwin, LCSW-C, Board Chair
Name and Title

Date

Signature
Jennifer LaMade, LGSW, Director of Planning
Name and Title

Date

Signature
Rebecca Jones, RN, BSN, MSN, Health Officer
Name and Title

Date

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BOARD PROFILE SUMMARY

Description of the Board: Worcester County's Initiative to Preserve Families, known locally as the Local Management Board (LMB), was formed and developed in 1998 as a requirement of Executive Order 01.01.2005.34, with the Board of Directors (BOD) forming in 1999. The central task of the BOD, who are appointed by the Worcester County Commissioners, is to assist in planning and coordinating county-wide efforts, which build and enhance services for our youth in a fiscally responsible manner. The LMB's challenge is to call on existing resources and to support the development of new ones without overlaps or gaps in services.

Currently, membership includes four at-large members of Worcester County and five ex-officio members, who are appointed by the Worcester County Commissioners. Ex-officio membership includes representation from Worcester County Social Services, Worcester County Juvenile Services, Worcester County Public Schools, Worcester County Local Behavioral Health Authority (WCLBHA), and Worcester County Health Department. There are core public (Ex-officio) members, public members, and private members making up the BOD in Worcester County. Terms of office differ based on the type of membership. Ex-officio members have an indefinite term, while public and private members serve terms in three year, staggered, increments.

The LMB has a budget through the Children's Cabinet Interagency Fund of \$779,918 of which \$124,115 is to support administrative functions. The remaining \$655,803 is to support local programming to assist with meeting the needs and reducing gaps identified in Worcester County. The LMB receives in-kind support through the Worcester County Health Department and the WCLBHA for infrastructure, supervision, and oversight of the agency. The programs, as well as the administrative budget, are funded solely through the Children's Cabinet Interagency Fund. In fiscal year 2019, the LMB is proposing programs targeting the identified and prioritized needs as supported by the community and other relevant

data sources.

Management and Accountability: The BOD for the LMB is composed of public and private community representatives who share the responsibility for implementing a community-based, interagency, family-focused service delivery system for children, youth and families in Worcester County. Members on the BOD are appointed by the Worcester County Commissioners.

The BOD oversees the functions of the LMB on a continuous basis. This is accomplished through regular Board meetings, Executive Committee oversight, and an Evaluation Committee tasked with monitoring visits. Members on the BOD have the ability to participate in monitoring visits of the LMB funded programs. Each program receives an on-site visit, a minimum of once per fiscal year. This method of monitoring is to evaluate programs for quality assurance. A narrative and Scope of Services chart is completed and returned to the program coordinator within 30 days of the monitoring visit. In addition, LMB staff and the BOD receive and review program reports at least twice per year and meet with program vendors as needed for additional technical assistance, and to receive feedback on program goals, budgets, and implementation of program strategies. The BOD has access to reports and receives updates at LMB Board meetings. The LMB maintains contact through telephone and email with its BOD. In addition to the BOD, the LMB has a wide range of community partners that inform the LMB's work and make needed programming possible for the children and families of Worcester County.

Community Served: Worcester County is the fifth largest geographic county in Maryland, with 474 square miles of land, 110 square miles of water, and 774 miles of shoreline. It measures 32 miles from north to south and 33 miles from east to west. The land is predominantly flat with many farms, fields, forests, and beaches. Worcester County is at the southeastern "corner" of Maryland and the only Maryland County on the Atlantic Ocean.

According to the U.S. Census Bureau, in 2016, the County's population was 51,514, an increase

of 0.4 percent since 2010. The Census Bureau's annual demographic estimates show that in 2016, 19.8% of the county's population was youth under the age of 18, while 25.5% of the county's population was 65 or older. The median age in Worcester County is 49.4 years, compared to the state's average of 38.3 years. Worcester County also has a transition age youth population (ages 15-24) of 10.3%, or 5,323 youth. The county has a higher percentage of white residents (82.8 %) than the state's average (57.2%). In 2016, the median income of households in Worcester County, Maryland was \$57,227. The poverty rate in 2016 was 10.2%, and 13.5% of school age children (ages 5-17) lived in poor families, compared to 9.9% overall in Maryland.

The population in Worcester County varies greatly over the year, which makes it unique to the other counties in Maryland. Residents and visitors in the resort town of Ocean City result in a population surge to over 300,000 in the summer months. Many of them are children and adolescents. The "standard" population of Worcester County, which includes part-time residents, consists of approximately 70,000 people, but weekends see a spike in the numbers, even in the winter months. Such a rapid influx places a great deal of pressure on existing resources to meet "big city problems" in a rural community. Ocean City becomes the second largest city in Maryland during the summer months. The variations in population throughout the year make Worcester County unique in comparison to the other counties of Maryland.

Partner Organizations

The Worcester County LMB has strong partnerships with programs and agencies on the Eastern Shore. One of the LMB's greatest partners includes the Worcester County Health Department. This agency provides significant in-kind support for the viability of the LMB in Worcester County. In addition, the agency supports and coordinates with the LMB on a variety of special projects relating to meeting the needs of the jurisdiction. The WCLBHA is another partner agency that has been supportive of the LMB. The WCLBHA provides supervision and oversight to the LMB and offers support to participate on

committees directed by the LMB, including the Evaluation Committee and the Homelessness Committee. Additional partner organizations are comprised of other child serving agencies including the Department of Social Services, Department of Juvenile Services, and Board of Education. These organizations have provided support to the LMB through membership on the BOD. These organizations' dedication and guidance to support the needs of the LMB funded programs has been invaluable. Other partner agencies include Worcester Youth and Family Counseling, Atlantic General Hospital, The Cricket Center, the Youth Council, and the faith-based community through participation in the Worcester County Homeless Board.

Community Planning Process

In order to address the needs of the youth and families of Worcester County, the LMB has solicited input from stakeholders through the Mobilizing for Action through Planning and Partnership (MAPP) framework. MAPP is a process, created by the National Association of County and City Health Officials and the Centers for Disease Control, which integrates community input and health-related statistical data into local health planning. The MAPP framework is divided into six phases: Organizing for Success, Creating a Vision Statement, the Four Assessments (Community Themes and Strengths, Local Public Health System Assessment, Community Health Status, and Forces of Change), Identifying Strategic Issues, Formulating Goals and Strategies, and the Action Cycle. The phases were designed to engage community members and enhance previous structures to execute needs assessments and develop health improvement plans.

The Worcester County LMB, in collaboration with the Worcester County Health Department and the WCLBHA, invited the public to participate in several of the MAPP phases. The Community Themes and Strengths Assessment and the Forces of Change Assessment offered the greatest opportunities to collect qualitative data.

The Community Themes and Strengths Assessment included several focus groups and a comprehensive survey. The survey (Appendix D) was open to the community between January 2016 and April 2016, pulling in over 400 completed surveys by April. Questions on the survey covered a variety of topics, focusing on the overall health of the community, as well as satisfaction questions relating to transitioning youth from high school, preparing youth for employment, and availability of positive youth activities.

The Worcester County Youth Council, the Worcester County Local Health Improvement Coalition, the Lower Eastern Shore National Alliance on Mental Illness (NAMI) Family to Family Support Group, a Town Hall meeting in Pocomoke, a Homeless workgroup meeting, and the Mental Health Advisory Council were involved in different focus groups. These groups included high school age youth, parents, caregivers, law enforcement, behavioral health providers, chambers of commerce, local shelters, behavioral health consumers, local businesses, County Commissioners, the faith based community and other partnering agencies. Each focus group was given specific questions to respond to. The Worcester County Youth Council, for instance, responded to questions regarding health in the community and transitioning out of high-school.

Two brainstorming sessions were conducted for the Forces of Change Assessment. Participants included LMB Stakeholders and vendors as well as over 100 attendees at the Worcester County Public Health Conference. The sessions focused on economic factors, political factors, and regional, national, and global factors affecting the health of our community.

In addition to community input utilizing the MAPP process, the LMB and WCLBHA also led community planning efforts around homelessness. Several Community Resource Days have been provided in Worcester County during fiscal year (FY) 2016, FY2017, and FY2018. Community Resource Days give individuals the chance to have one-on-one time with representatives from agencies

that provide services such as housing resources, employment resources, counseling, and health care. Agencies available at these resource activities included local shelters, Department of Social Services, Atlantic General Hospital, counseling agencies, Veteran Affairs, One Stop Job Market, and Shore Transit. In addition to being referred to various agencies and services, individuals also gave feedback on pressing needs in the community. This feedback was collected through a two question survey and will be utilized for future planning. The feedback was fairly consistent throughout each event. The responses given have also been identified as issues by focus groups and other community surveys.

In FY2017, the LMB conducted three additional focus groups to further explore special populations that relate to the Governor’s priorities (children and families affected by incarceration and disconnected/opportunity youth). A representative from the LMB along with individuals from several other agencies have been donating their time to participate in a Results Based Leadership (RBL) cohort, which is working on an unfunded program to target disconnected/opportunity youth.

Data Collection and Analysis:

The LMB has used a variety of sources of information to assess current needs of the community. Data collection and analysis have guided the LMB in the decision making process for identifying local priorities. Below highlights the data sources and opportunities for community input:

COMMUNITY INPUT (Appendix C)

- Town Hall Meeting
- Homeless Strategic Workgroup
- Mental Health Advisory
- Youth Council
- Community Strengths and Needs Survey
- LMB Stakeholder meetings
- NAMI Parent group
- Public Health Conference
- Local Health Improvement Coalition
- Psychiatric Rehabilitation Program (PRP) Youth
- Incarcerated parents (male and female)

DATA SOURCES (Appendix E)

- Youth Risk Behavior Survey (2014)
- Opportunity Index
- US Census Bureau
- Primary Care Needs Assessment (2016)
- Professional Research Consultants Community Health Needs Assessment (PRC) (2014)
- Bureau of Labor Statistics
- Worcester County Community Health Assessment (CHA) (2017)
- Asset Limited, Income Constrained, Employed (ALICE) report (2016)

The LMB is represented on the Drug and Alcohol Council, Mental Health Advisory Council, Jail and Mental Health Coalition, Public Safety Net, Continuum of Care, as well as other task forces. Through the work of several coalitions and partnerships, and with input from community stakeholders, the LMB has been able to review and learn about existing programs, identify needs and gaps, and identify programs or support as part of community mapping. In addition, the LMB has utilized focus group activities and additional partnerships to assist with the community mapping process.

In 2016, the LMB held a focus group for the Worcester County Youth Council. Results from the group noted the following needs of youth in Worcester County: the need to give youth alternate activities to do outside of school, the difficulty for youth to find jobs, the need for more job opportunities for young people, inadequate college preparedness and support in schools, students are not college/career ready, youth need help with furthering students careers in college and jobs, and youth need more college prep. Other concerns focus on mental health needs and youth substance use and abuse within the county.

In 2017, the LMB conducted a small focus group with youth engaged in Psychiatric Rehabilitation Program (PRP) services at the Worcester County Health Department. The youth in the focus group are all high school students in Worcester County. The students identified possible areas where individuals may be if they are not in school or not working. They also provided insight into the lack of non-athletic after school programs within the County. The youth noted some of the largest challenges facing their age group in this area are finding and obtaining employment, substance abuse, and lack of transportation.

In 2016, community stakeholder and homeless focus groups noted the following as issues within the county: disconnected youth, homelessness, affordable housing, childhood hunger, substance abuse, incarceration (youth and adults), employment/access to employment (high unemployment rates), access to healthcare and resources, lack of transportation throughout the county, career readiness for county youth, quality education for county children, and the abuse of such substances as heroin.

The gaps in community services that were noted by the Mental Health Advisory and Public Safety Net in 2016 include the challenges to youth taking on adult responsibilities, the feeling that school (college) may be too big so it is hard to receive help, the lack of communication about dual enrollment programs for high school students to take college courses, and the fact that students are not encouraged to graduate early. In addition, general gaps in the current system of care were identified, such as the lacks in several areas, including housing, mentoring, transportation, addiction services, youth jobs, and cognitive behavioral therapy.

In 2016, the NAMI Parent Support focus group, which had an emphasis on mental health, found a number of areas identified as needing improvement for the county. These areas include a need for the following: increased awareness of mental illness, increased availability of healthcare providers, improved access for mental health emergencies, increased pediatric psychiatrists in the area, additional inpatient beds for mental health, and increased drug rehabilitation facilities. This group of parents also shared their concerns regarding the limited options for inpatient mental health treatment, transportation, and funding for mental health treatment.

The LMB was able to obtain feedback from attendees of the 2016 Public Health Conference. Those in attendance expressed worries over several aspects of life within Worcester County via the Forces of Change Process. Some of the threats they noted in the county included the lack of transportation, an increasing aging population, has problems with addiction, and high levels of chronic disease. Another concern expressed pointed to the fact that Worcester County has a relatively high unemployment rate and many of the jobs available are seasonal only, which impacts both youth and adults looking for work. This group also identified lack of availability of recreation activities for teens in the county as a concern.

The results from the 2016 Community Themes and Strengths Survey provide some interesting insight into the areas of need as identified by those who completed this survey. Some of the areas noted

were: the lack of jobs available, concerns about the activities available for children, and concerns about opportunity for local youth to move on to college or the workforce after high school. The top five identified areas needing improvement include jobs with higher pay, availability of employment, mental health services and supports, affordable housing, and activities for youth. The greatest safety concerns identified by community stakeholders include child maltreatment, unsafe driving, and substance related disorders.

Building on the areas of need found through the Community Themes and Strengths survey, the Youth Risk Behavior Survey (YRBS) for the State of Maryland, conducted in 2014, found additional issues facing youth and families in Worcester County. When it comes to students having a consistent place to live, several high school students reported issues related to safe housing. For example, more than 6% of students reported that they lived away from parents and guardians because they had been kicked out, ran away, or abandoned in the past 12 months. Almost 3% of students reported that they usually slept at night with a friend, relative, or stranger; approximately one percent reported they slept in a car, park, campground, or “somewhere else”. Additionally, the Worcester County Board of Education reported that in the 2015-2016 and in the 2016-2017 school year 3.5% and 3.6% of students reported that they were homeless or in transition, respectively.

Another area in need of attention is mental health concerns reported by area high school students per the 2014 YRBS. For example, 26.6% of students reported that in the last year, they had felt so sad or hopeless every day for two weeks or more in a row that they stopped doing some of their usual activities. More disturbing is the relatively high rate of high school students who reported they have seriously considered suicide in the previous 12 months – 17.4%, per the YRBS. In addition, 13.9% of the students reported that they had made a plan about how they would commit suicide in the past 12 months.

Several students reported the use of alcohol and other illegal substances. For example, 14.6% of

Worcester High School students reported drinking alcohol at least 1–2 days in the past 30 days; 9.3% reported drinking on 3-5 days during the week. Binge drinking, that is drinking five or more drinks in a couple of hours, was also reported by a number of students. More than 7% of high school students reported binge drinking at least one day during the past month, 9.3% reported doing this on 3–5 days in the last month, and 2.3% reported this behavior on 6–9 days of the past month. Alcohol is not the only substance being used by youth of Worcester County. Nearly 8% reported they used marijuana 1-2 times in the past 30 days, 4.6% reported using marijuana 3–9 days in the past 30 days, and 3.2% reported its use for 10–19 days in the past 30 days. According to survey results, other substances have been tried by a number of Worcester County students. These substances include cocaine/freebase/crack cocaine, inhalants, non-prescribed prescription drugs, ecstasy and synthetic marijuana.

From other sources, the definition of *disconnected youth* is any young person between the ages of 16 and 24 years of age who are not in school and not in the workforce. One source of information, the Opportunity Index, has found 1,055 (21.6%) of Worcester County’s young adults of this age were disconnected in 2017. This means they were not in school and not in the workforce. Worcester’s percentage is significantly higher than the state average of 11.4% and the national average of 12.3% in 2017.

The data provided by the Opportunity Index shows that Worcester County had lower percentages of disconnected youth compared to the state and the nation from 2011 to 2013, but experienced a large spike in disconnected youth in 2014 (see Table 1).

Opportunity Index - Disconnected Youth Data			
Year	Worcester County Data	Maryland Data	U.S. National Data
2011	11.5%	13.4%	14.5%
2012	10.7%	13.0%	14.7%
2013	11.9%	13.4%	14.6%
2014	22.9%	12.9%	14.1%
2015	24.8%	11.8%	13.8%
2016	23.5%	12.9%	13.2%
2017	21.6%	11.4%	12.3%

Table 1: Disconnected Youth in Worcester County, MD, and USA (Opportunity Index, 2017)

These percentages are contrasted with the relatively high rate of school completion among Worcester County young people, which according to the Worcester County Board of Education was 93.1%. Worcester does have a relatively high rate of unemployment according to Opportunity Index. Worcester County had an unemployment rate of 8.4% in 2017, which is higher than the national average, and is the highest unemployment rate in Maryland. Many jobs available in the county are seasonal only, tied to the resort of Ocean City, agriculture, or fishing. It is clear that youth in the county are in need of more programs that allow them to participate in activities that help prepare them for either the workforce or higher education after having completed high school. This is confirmed by results found from several of the forces of change focus groups, as well as findings from community surveys.

In 2017, a turn the curve activity was held focusing on disconnected youth. The facilitator was Karen Finn who provided information to the group on the turn the curve process and a review of data for the percentage of youth not working and not in school. Various partners took part in the turn the curve activity including the local board of education, the local hospital (Atlantic General Hospital), private and public behavioral health providers, Core Service Agency, Local Addictions Authority, CASA (court appointed special advocate), local health department, parent representative, local business owners and the LMB. The team was able to identify key contributing factors to the percentage of youth not working and not in school. Some of the factors identified included: transportation, the culture of the community and

families and a lack of opportunities for education, employment and empowerment. The team also identified key partners and prioritized strategies to address the contributing factors and improve the percentage of youth not working and not in school.

While disconnected youth is classified as youth ages 16-24 who are unemployed or not in school, in Worcester County the largest contributing factors to our disconnected youth population are unemployment and low enrollment in higher education. The high school graduation rates in Worcester County have been historically and consistently high compared to the state and nation, with the county graduation rate at 92.05% and the state graduation rate at 89.47% (Maryland State Department of Education (MSDE) five-year adjusted cohort data, 2017).

In Table 2, the 2012-2016 American Community Survey 5-Year Estimates from the US Census Bureau highlights the percentage of individuals noted to be unemployed and not in the labor force. The male and female estimates are comparable across the categories of interest. The average percentage of youth ages 16-24 in Worcester County who are classified as unemployed from the years 2012-2016 is 12%.

Disconnected Youth in Worcester County, MD Males (US Census Bureau, 2012-2016)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	63	522	950	62%	7%	55%
20-21	104	145	549	45%	19%	26%
22-24	138	146	820	35%	17%	19%
16-24	305	813	2,319	48%	13%	35%

Disconnected Youth in Worcester County, MD Females (US Census Bureau, 2012-2016)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	74	476	1,086	51%	7%	44%
20-21	44	150	443	44%	10%	34%
22-24	81	158	808	30%	10%	20%
16-24	199	784	2,337	42%	9%	34%

Table 2: Male and Female Disconnected Youth Data (US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates)

The United States Census Bureau has a specific way of defining the terms employed, unemployed, and not in the labor force. Employment is defined as “all civilians 16 years old and over who either (1) were “at work,” that is, those who did any work at all during the reference week as paid employees, worked in their own business or profession, worked on their own farm, or worked 15 hours or more as unpaid workers on a family farm or in a family business; or (2) were “with a job but not at work,” that is, those who did not work during the reference week but had jobs or businesses from which they were temporarily absent due to illness, bad weather, industrial dispute, vacation, or other personal reasons” (U.S. Census Bureau, 2010). This list excluded individuals who are institutionalized or on active military duty. The Census Bureau defines unemployment as, all civilians 16 years old and over are classified as unemployed if they were currently not working, actively seeking employment, and/or were available for employment. Also included as unemployed are civilians who did not work at all during the reference week, were waiting to be called back to a job from which they had been laid off, and were available for work except for temporary illness (U.S. Census Bureau, 2010).

Not in the labor force consists of, “All people 16 years old and over who are not classified as members of the labor force. This category consists mainly of students, homemakers, retired workers,

seasonal workers interviewed in an off season who were not looking for work, institutionalized people, and people doing only incidental unpaid family work (less than 15 hours during the reference week)” (U.S. Census Bureau, 2010). This category is significant for Worcester County given the seasonal nature of employment in the county. The use of the term “institutionalized people” is not specified, but said population could be incarcerated, which adds to the unemployment numbers. This population is hard to reach and hard to reconnect to employment upon release for a variety of reasons.

Looking back at 2006-2010 American Community Survey 5-Year Estimates from the US Census Bureau (Table 3) compared to the more recent estimates noted in Table 2, shows that the number of disconnected youth has changed dramatically. This may be due to the recession that hit its peak towards the end 2010 as shown in Table 3 and the data in Table 2 shows a worsening disconnected youth trend which could represent the hardships of the community to recover, especially in relation to gaining employment. The growing number of disconnected youth is also linked to the lack of employment and generational poverty, which are significant barriers for Worcester County youth to enroll in higher education after graduating high school. This is reinforced by the seasonal/tourism based economy in Worcester County as well as the poverty levels throughout the county, which make higher education unattainable or unrealistic for many.

Disconnected Youth in Worcester County MD Males (US Census Bureau, 2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	129	512	1120	57%	12%	46%
20-21	39	97	476	29%	8%	20%
22-24	47	96	686	21%	7%	14%
16-24	215	705	2282	40%	9%	31%

Disconnected Youth In Worcester County MD Females (US Census Bureau, 2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	157	450	1036	59%	15%	43%
20-21	19	238	482	53%	4%	49%
22-24	0	286	729	39%	0%	39%
16-24	176	974	2247	51%	8%	43%

Table 3: Male and Female Disconnected Youth Data (US Census Bureau, 2006-2010 American Community Survey 5-Year Estimates)

Furthermore, while unemployment is an issue for the entire county, there are striking racial disparities in unemployment. The most notable difference is between White and African American females ages 16-24. The total unemployment percentage for white females ages 16-24 is 3%, compared to an unemployment percentage of 20% for African American females in the same age grouping. For males, the most notable difference is in the “not in the labor force”. This large disparity is visually displayed below in Tables 4 and 5. The disparity for women, in particular, African American women, is concerning since lack of employment puts this vulnerable group at a higher risk for homelessness.

Disconnected Youth in Worcester County MD White Alone Males (US Census Bureau, 2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	85	335	796	53%	11%	42%
20-21	39	94	476	28%	8%	20%
22-24	27	89	541	21%	5%	16%
16-24	151	518	1801	37%	8%	29%

Disconnected Youth in Worcester County MD White Alone Females (US Census Bureau, 2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	52	324	726	52%	7%	45%
20-21	4	238	401	60%	1%	59%
22-24	0	258	566	46%	0%	46%
16-24	56	820	1693	52%	3%	48%

Table 4: Male and Female White Alone Disconnected Youth Data (US Census Bureau, 2006-2010 American Community Survey 5-Year Estimates)

Disconnected Youth in Worcester County Black or African American Alone Males (2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	19	162	284	64%	7%	57%
20-21	0	3	3	100%	0%	100%
22-24	20	0	121	17%	17%	0%
16-24	39	165	408	50%	10%	40%

Disconnected Youth in Worcester County Black or African American Alone Females (2006-2010)						
Ages	Unemployed	Not in the labor force	Total Population of Worcester County	Percentage (unemployed & not in the labor force)	Percentage (unemployed)	Percentage (not in the labor force)
16-19	78	104	261	70%	30%	40%
20-21	15	0	45	33%	33%	0%
22-24	0	28	163	17%	0%	17%
16-24	93	132	469	48%	20%	28%

Table 5: Male and Female African American Alone Disconnected Youth Data (US Census Bureau, 2006-2010 American Community Survey 5-Year Estimates)

From several data sources, the issue of *child homelessness* has emerged as a concern for the county. This can be seen in the number of youth reported as homeless via the Worcester County Board of Education, as well as those who have noted their own issues with having a stable home via the YRBS survey. This problem is related to the relatively high cost of living in the county, compounded by the lack of affordable housing and the lack of transportation available to residents. These points were raised by several of the forces of changes groups, as well as those who responded to the community surveys. They also noted the lack of funding available to help address these costs and needs.

Another area of focus for Worcester County is the issue of *childhood hunger*, which follow from children lacking homes. In Worcester County, some of the forces of change focus groups (such as the LMB focus group) have noted the high cost of living in Worcester County, which includes the high cost

of food, as a problem. This group also raised concerns about the changing parameters for qualifying for Food Stamps, which in turn impacts a family's ability to afford food in Worcester County. This is compounded by other issues in the county, such as the relatively high unemployment rate and the reality of seasonal employment. Per the Worcester County Board of Education's 2017-2018 Annual report, 43% of Worcester County public schools students are eligible to receive Free and Reduced Meal Services (FARMS) which is around the state average of 44%. This means that almost half of Worcester County Public School students live in households at or below the poverty level. This number has stayed stable for the last several years.

In addition, another area of concern found via other data sources is the issue of *child maltreatment* in Worcester County. According to the **2016 Primary Care Needs Assessment Report** issued by the Maryland Department of Health, Department of Prevention and Health Promotion Administration Primary Care Office, Worcester County had a high rate of child maltreatment in 2013 at 28.6%. The rate in 2012 was 37.8% per 1,000, in 2013 it was 28.6%, 2014 had a slight increase to 29%, 2015 showed a decrease to 14.1%, and the trend continued to decrease in 2016 with 11.5%. The State of Maryland reported 6.6% for Maryland in 2016. This report indicates that Worcester County's child maltreatment rates are above the State of Maryland rate.

Parental incarceration is a problem raised by some of the forces of change focus groups. These groups noted factors that can increase the incarceration rate of an area's residents, such as the relatively high rate of substance use and abuse. In addition, the lack of affordable and available mental health care, noted by several of the focus of change groups, can also serve to increase the incarcerated population of an area. Several groups also noted, due to the resort nature of the county, crime and drug use tends to rise in the summer.

In 2017, two focus groups were conducted within the Worcester County Detention Center. One

group was an entirely male group and the other entirely female. Both focus groups concentrated on the effects of incarceration on individuals and their families. Common themes identified by both the men and women were the negative effects incarceration has on their families, especially their relationships with their children, the intergenerational cycle of incarceration, the difficulty of rebuilding familial relationships upon being released, substance abuse issues, and lack of supports that would be helpful for transitioning back into the community, such as finding housing and employment. Barriers and struggles identified specifically by the men were not being able to protect and provide for their children, the stigma that is associated with being incarcerated and the lack of support transitioning back into the community. The women specifically identified a lack of substance abuse treatment options in this area as a barrier, as well as a need for assistance with childcare while seeking employment and treatment upon release. One unique aspect of the women's focus group is that many of the women fit into the age range of 16-24, which is the opportunity youth age group, and a majority of the women have completed high school and were using opioids prior to entering jail. These women also discussed patterns of multi-generational incarceration which impacted their own lives and parenting skills. Many grew up with their mothers having periods of incarceration.

The community has also expressed a great deal of concern regarding the level of *drug use and addiction* in the county. This is seen in the focus groups and data from the YRBS (see earlier reporting of this data) and PRC Community Health Needs Assessment. For example, per the PRC report, 3.9% of responding adults noted they had taken an illegal drug or a drug not prescribed to them in the past 30 days. In addition, 19.4% reported they had engaged in binge drinking from one to three days in the past 30 days. Six percent of respondents noted they had sought professional treatment for the use of alcohol or drugs.

Prioritized area of need: The LMB worked collaboratively with the Worcester County Health Department and the WCLBHA to implement the MAPP process. Using the tools and framework from this

process has resulted in receiving feedback from stakeholders and partners that highlights themes of strengths and needs across the county. The community feedback and input, paired with additional data sources, were used to assist the LMB with identifying gaps and needs of Worcester County, as well as determine programs to be supported by the LMB.

The feedback from the community and published data sources are complementary with regards to areas of improvement identified for Worcester County. The areas requiring attention for the well-being of the Worcester County community, children, and families includes concerns around substance use, bullying prevention, access to care, positive youth activities, child maltreatment, affordable housing, employment opportunities, and disconnected youth. Based on these common themes the LMB made decisions to prioritize the following Child Well-Being Result Areas: Healthy Children, with indicators of substance use; Children are Successful in School, with indicators including bullying and harassment; Youth have Opportunities for Employment and Career Readiness, with indicators of youth employment; Communities are Safe for Children, Youth and Families, with a focus on the child maltreatment indicator; and Families are Safe and Economically Stable, with a focus of poverty and homelessness. These priorities have presented themselves as common, and concerning, themes throughout the data collection and community input process. In addition, the LMB has decided to continue providing Navigation services in order to assist with access to care concerns, which is a theme consistently arising from community feedback.

Sustainability

All of the proposed programs and strategies are aligned with the Governor's priorities. Each program proposed to be funded by the Worcester County LMB includes a more detailed plan for sustainability that will be explored. These plans are extremely important to the LMB and the community to support programs identified as a need without relying solely on funds from the Board.

Description of Proposed Programs and Strategies

The community input, data sources, and prioritized areas of need have resulted in the use of several evidence based or promising practices to be utilized for programs being supported by the Worcester County LMB. This section contains programs selected to be available during FY2019. The programs selected are based on the needs, supported by data and community input, of Worcester County's community, as well as the children, youth, and families.

In FY2019, the LMB is proposing programs targeting the identified and prioritized needs as supported by the community and other relevant data sources. The programs being recommended for funding include: Comprehensive Parenting, Youth as One, Cricket Center, Navigation, Community Service Centers, Building Bridges: Transitional Care from Jail to the Community, and WE3 (Worcester Education, Employment, and Empowerment).

Comprehensive Parenting Program Initiative

Results

The selection of this program was determined using Worcester County's rate of child maltreatment, review of concerning data regarding substance use and mental health needs, disconnected youth, and the impact of incarceration. This program directly impacts the result area of Communities are Safe for Children, Youth, and Families. Comprehensive Parenting utilizes several evidence based and effective programs. The models available in Worcester County include Nurturing Families, Nurturing Fathers, Guiding Good Choices, and Parenting Wisely.

Indicators/Trends

Worcester County was identified as having the highest rate of child maltreatment in the state of Maryland at 28.3%. (Primary Care Needs Assessment, 2016). As stated before the Department of Human Services reports that Worcester County has a high rate of child maltreatment as well. The rate in 2012 was 37.8% per 1,000, in 2013 it was 28.6%, 2014 had a slight increase to 29% and 2015 showed a

decrease to 14.1%. The State of Maryland reported 7.3% for Maryland in 2015. In 2016 the trend for Maryland continued to show a decrease to 11.5%, which continues to be higher than the state average of 6.6%. In addition, community input also identified child maltreatment as being one of the top priorities for Worcester County to improve. The results from the Community Themes and Strengths Survey identified child maltreatment as one of the greatest safety concerns for Worcester County.

Partners

The Worcester County Health Department Prevention Program will continue providing parent education services. Local homeless shelters, local detention center, Worcester County Board of Education, Department of Social Services and local behavioral health organizations, including the Center for a Clean Start (C4CS) in Wicomico County will also be providing referrals, meeting space and recommendations to the program.

Program Description

Nurturing Families is an evidence based program for prevention and treatment of child abuse and neglect. Recognized by Substance Abuse, Mental Health Services Administration (SAMHSA) and National Registry of Effective Programs and Practices (NREPP) Program allows parents to improve parenting skills and replace negative parenting with appropriate parenting habits. Nurturing Skills for Families utilizes lesson plans for both parents and children and allows the program to address the multi-generational issues of families by providing specific activities for both the youth and the parents.

Nurturing Fathers is an evidence-based training program designed for men to teach parenting and nurturing skills. Involved fatherhood is often associated with the development of caring and nurturing practices by men toward their children. For fathers, being involved with their children is an "opportunity to develop the sensitive, caring parts of themselves" (Coltrane, 1996, p.117). Guiding Good Choices is a science-based, proven-effective Alcohol, Tobacco, and other Drugs prevention course for parents. This

program has been honored with numerous citations of excellence, including Exemplary 1 Program (the highest possible rating), Office of Juvenile Justice and Delinquency Prevention; Promising Program, Department of Education's Expert Panel, Safe and Drug-Free Schools Program; and Promising Program, Blueprints for Healthy Youth Development, University of Colorado. Parenting Wisely is an interactive course which gives parents proper tools to engage children with difficult issues, learn skills proven to lessen drug and alcohol abuse in youth, school and homework problems, delinquency, and other family dynamics. It was identified as the "Best Practice for Prevention of Youth Violence" by the Center for Disease Control, was awarded "Positive Parenting Award" by the National Council for Children's Rights and the "Active Parenting Award" by Children's Rights Council.

The Comprehensive Parenting Program has been in existence since 2013 and shows evidence of making this impact. In 2017, there were 67 participants with 22 Comprehensive Parenting courses completed. Ninety-six percent of the parents report having a better understanding of skills and attitudes involved in being a nurturing parent. One hundred percent of Nurturing Families participants increased their score on Adult Adolescent Parenting Inventory, measured by pre- and post-test.

Review of Performance Measures

How Much We Do:

While the number of parents participating in the Comprehensive Parenting Program decreased from FY2014 to FY2017, the program has met the target number of parents for the past four fiscal years and is on track to meet their target number of parents for FY2018. Although the targeted number of Comprehensive Parenting Courses completed was not met in FY2017, educators are on track to meet outcome measures for FY2018 by prioritizing which course the educators will teach in order to get the maximum result with the parents and focusing on each targeted audience's needs. Each class (Nurturing

Fathers, Nurturing Parenting, Guiding Good Choices, and Parenting Wisely) all have a different requirement for how many sessions count as a complete course.

How Well Do We Do It:

The percentage of people who completed the Comprehensive Parenting Program was on a decline between FY2014 to FY2016, although still meeting the target rates of at least 75%. During FY2017 there was an upswing in the completion percentage to 86%, and during the first half of FY2018, there was a 81% completion percentage. The Comprehensive Parenting program continues to meet their targets each fiscal year, however a decrease in the number of participants has been seen. The decrease in parent participation since FY2015 is expected to be due to several factors. One factor impacting participation is the saturation rates during earlier years when the program first started. It is expected that parents going through the curriculum offered may not participate in future classes. In addition, the program has tailored their target population to those who are either homeless, or incarcerated at the local detention center. Pairing down the parent population may result in fewer program participants overall. Also, these courses see a large amount of fluctuation in membership and completion due to the volatile nature of that environment and corresponding circumstances (i.e. expedited release, earlier trial than expected, transient nature of some individuals at the shelter, etc.). Additionally, the percentage of parents who have benefited from the program has been increasing over the past four fiscal years and is on track to stay at a 100% of parents reporting having a better understanding of skills and attitudes involved in being nurturing for FY2018.

Is Anyone Better Off:

The percentage of parents showing improvement in the pre and post-tests has been steadily high (nearly 100% each year) for the past four fiscal years and is on track to stay high, if not reach 100%, for this performance measure in FY2018. The measure regarding the percentage of at risk families

remaining together after 6 months of the program has decreased over the past four fiscal years, but has met the target of 80% over the past four fiscal years and is on track to meet the target again in FY2018. A key contributor to the fluctuations seen in this measure may be due to the low number of program participants who are considered at risk families. A low number of participants means that a small change in the number families staying together can have a large impact on the percentage reported for this measure.

<u>Performance Measure</u>	FY19 Target
What/How Much We Do:	
<ul style="list-style-type: none"> ● Number of parents that participate in Comprehensive Parenting Program ● Number of Comprehensive Parenting courses completed 	 50 20
How Well We Do It:	
<ul style="list-style-type: none"> ● Percentage of participants who complete the Comprehensive Parenting Program ● Percentage of parents reporting they have a better understanding of skills and attitudes involved in being a nurturing parent 	 75% 75%
Is Anyone Better Off?	
<ul style="list-style-type: none"> ● Percentage of Nurturing Families participants who increase score on Adult Adolescent Parenting Inventory, measured by pre- and post-test ● Percentage of individuals who have completed the evidence based parenting program that show overall improvement on pre/post-test ● Percentage of at risk families remaining together after 6 months of program 	 80% 80% 80%

Story Behind the Curve

The Comprehensive Parenting Program Initiative is an existing program in Worcester County. Parent education has been available to Worcester County since the early 1990’s. The support received by the LMB has allowed the program to expand reaching extremely fragile and vulnerable families. The Comprehensive Parenting Initiative will continue reaching the most fragile of families through offering groups at local homeless shelters, local detention center, and local behavioral health organizations. Comprehensive Parenting will continue to connect families to needs and resources throughout the

community. During FY2018 the Worcester County Health Department Prevention Program was able train a new educator for the Nurturing Families program. The educator will provide classes in the local detention center and at local behavioral health organizations, specifically Center for Clean Start. This educator began teaching classes in February of 2018 and will help Comprehensive Parenting meet their targeted outcomes. The Prevention Program is continuing to provide outreach to local agencies and organizations to encourage referrals and establish connections with new and existing partnerships.

Sustainability

The Worcester County Health Department, Prevention Program, will continue to seek funding in order to maintain a high level of quality parent education services in Worcester County. The program will research opportunities for funding at local, state and federal agencies. Explore options for a fee for service structure, which would include options for flat or sliding fees. Collaboration with partners will be a key in the sustainability plan, as some partners may have funds available for parenting services or may have the ability to request funding from their department.

Youth as One

Results

The Youth as One program aligns with Healthy Children and Children are Successful in School as the program design is to increase quality of life for youth. Worcester County's rate of bullying, substance abuse and disconnected youth are a priority for the county. This program builds protective factors, reduces stigma related to behavioral health concerns, and leads to improved community understanding. This program can assist with keeping youth connected to school and positive supports, while working to reduce risk behaviors that increase risks of disconnection. The Worcester County Community Health Improvement Plan also addresses bullying and substance abuse in the county. The Community Health

Improvement Plan is a driving force for planning and prioritizing plans for Worcester County.

Indicators/Trends

The need for this program is critical, based on data relating to substance use, rate of disconnected youth, and bullying reported. The Maryland Youth Risk Behavior Survey reports 72.1% of Worcester County public school students in grades 9-12 have had a drink of alcohol in 2013. The percent decreased in 2014 to 58.7%. Bullying and harassment are also significant indicators to consider. The Maryland State Department of Education indicates the number of bullying or harassment reported has steadily increased in Worcester County. In 2012 and 2013 there were 36 reported incidents each year. This number jumped to 50 reported incidents in 2014. The 2014 YRBS results, community input and feedback, as well as additional published data sources, have been considered to identify this program as a critical need in Worcester County.

Partners

The Worcester County Health Department's behavioral health program will continue providing Youth as One services to consumers and the community. Worcester County Board of Education, local youth groups and faith based organizations will also provide referrals and meeting space to the program. Teachers from Worcester County who have been trained in Youth Mental Health First Aid will continue to provide trainings to further youth mental health education in the county.

Program Description

This program implements Say It Straight and Youth Mental Health First Aid, both evidence-based practices. The Youth as One program is strengthening collaboration with the Board of Education to target youth who are at risk of disconnection as well as students impacted by incarceration. Youth Mental Health First Aid is a training which teaches community members how to help a youth experiencing a mental health problem or crisis. Teachers, parents, church members, and professionals

benefit from this training. The training helps with identifying, understanding, and responding to the signs of substance abuse or a mental health issues. The program has been targeting ‘Resource Parents’ and parents of at risk youth by offering periodic weekend classes to our families.

“Say It Straight™” (SIS) is a research-based education and training program that results in empowering communication skills and behaviors, increased self-awareness, self-efficacy, personal and social responsibility, positive relationships and quality of life; and decreased alienation, risky or destructive behaviors, such as alcohol, tobacco and other drug abuse, eating disorders, bullying, violence, precocious sexual behavior and behaviors leading to HIV/AIDS” (Say It Straight). This program’s design meets the desired outcomes of reducing risky behavior, reducing substance abuse risks, improving positive relationships. Say It Straight has been found to be successful with a variety of populations including, but not limited to, those in prison, the homeless, families, and youth as young as second grade.

Say It Straight has been available in Worcester County since July 1, 2013. Since this time the Worcester County Health Department has worked diligently to send a staff person to a train the trainer opportunity for continued growth and development that will identify the needs of Worcester County. In addition, the program has expanded from one middle school, to other area middle schools while also offering the program in two area high schools. In FY2018 the program coordinator started planning efforts to train six mental health professionals in Say It Straight curriculum for further expansion and implementation in Worcester County schools and local behavioral health organizations. Say It Straight will continue to serve youth ages 16-24 who are disconnected or at risk of becoming disconnected from educational and/or employment opportunities. Between FY2013 and FY2017 the program has had 155 participants in Say It Straight, and has trained 239 individuals in Youth Mental Health First Aid. The program has had successful response rates from participants including 100% of Youth Mental Health First Aid participants reporting increased ability to recognize signs of mental health challenges or crisis by the

end of training and 100% of Youth Mental Health First Aid participants reporting being comfortable with asking another young person whether he/she is considering suicide. Each school in Worcester County has teachers certified in Youth Mental Health First Aid.

Review of Performance Measures

How Much We Do:

The number of Youth Mental Health First Aid participants has been high and well above the target for the past four fiscal years and is still on track to exceed the number of participants in FY2018. The spike in number of participants may be associated with better marketing, more community interest and awareness, combined with more local community member and educational staff trained as instructors. While there has been some mild fluctuations in the number of Say It Straight sessions over the past four fiscal years, the number of sessions have still been above or at target outcomes for the program. During the first half FY2018, new staff members, including mental health counselors, became trained in the Say It Straight curriculum.

How Well Do We Do It:

The percentage of participants that completed Say It Straight as planned has been increasing over the past four fiscal years. The percentage of participants who complete and become certified in Youth Mental Health First Aid has fluctuated slightly over the past four fiscal years, but has always met or exceeded the target of 90% completion of the training. The program is on track to meet or exceed the target for FY2018. The main challenge to getting 100% certification/completion for Youth Mental Health First Aid is the time commitment. To become certified in Youth Mental Health First Aid trainees must attend an eight hour course. Those participating in the training must attend the entire training to become certified. The program has been improving the percentage of participants certified by stressing the importance of the time commitment when registering people for the course.

Is Anyone Better Off:

The performance measures for “Is Anyone Better Off?” has fluctuated over the past four fiscal years in relation to the Say It Straight program. The percentage of Say It Straight participants who reported they were able to respect themselves and others by the end of the course has surpassed the goal of 80% twice over the last four fiscal years, and most recently in FY2017. The percentage of Say It Straight participants who reported they were able to state their own decisions by the end of the program has been fluctuating over the past four fiscal years, but has met or surpassed the target percentage two of the past four fiscal years. The fluctuating data in the past four years could be attributed to staff turnover, adolescents who begin the program but do not complete it, as well as adolescents who may have missed sessions.

2. Performance Measure	FY19 Target
What/How Much We Do:	
● Number of Youth Mental Health First Aid Participants	24
● Number of Say It Straight Sessions	3
How Well We Do It:	
● Percentage of participants that complete the SIS program as planned	90%
● Percent of Youth Mental Health First Aid participants who become certified in Youth Mental Health First Aid	90%
Is Anyone Better Off?	
● Percentage of Say It Straight participants reporting they are able to respect themselves and others by the end of the program	80%
● Percentage of Say It Straight participants reporting they are able to state their own decisions by the end of the program	80%

Story Behind the Curve:

Say It Straight has been available in Worcester County for more than three years. During these years there has been training available to bring the model to Worcester County, attendance at a training for a representative in Worcester County to become a Master Trainer, and training of six additional individuals to implement the model. Expansion of Say It Straight in high schools and out of school youth

groups is expected to improve outcomes for disconnected youth, as well as those who are at risk of becoming disconnected and youth impacted by incarceration. In addition, Youth Mental Health First Aid certification training will continue to be made available to families, caregivers, educators, and other community members.

Sustainability

Say It Straight will be possible based on revenues available through youth receiving behavioral health services with the vendor. This would limit services to only youth with Medical Assistance. In addition, funds may be generated by providing Youth Mental Health First Aid trainings to outside agencies and as well as the Say It Straight model. Increasing training to other existing support groups, organizations, and communities will support the goals and objectives of Say It Straight and assist in sustainability and funding. The program has a goal to increase the number of persons trained to provide the Say It Straight curriculum. The accomplishment of this program goal would further support sustainability.

Community Service Center

Results

This program aligns with Families are Safe and Economically Stable and Youth Employment. Worcester County's child homeless rate, childhood poverty and youth employment opportunities are all significant barriers to the residents of Worcester County.

Indicators/Trends

Data collection and community feedback has demonstrated service gaps and barriers needing to be addressed in Worcester County. These areas include high unemployment rates, limited and inadequate transportation, concerns with access to appropriate health care services including primary care, dental and mental health professionals, and lack of affordable housing. The Worcester County Board of Education reported that in the 2015-2016 and the 2016-2017 school year 3.5% and 3.6% of students reported that

they were homeless, or in transition, respectively. This number has steadily increased over the years, in 2012 it was 0.96%, and in 2013 it was 1.94%. Poverty in Worcester County is significant as well. The United States Census Bureau reported in 2016, 13.9% of children under 18 in Worcester County live in poverty. This is compared to a state average of 13.3% in 2016. Disconnected youth are also a priority in Worcester County. Additionally, according to Data USA (2015) females, ages 18-24, are the largest demographic living in poverty in Worcester County. The Opportunity Index (2017) has found that 1,055 (21.6%) of Worcester County's young adults of this age were disconnected in 2017. Worcester's rate of disconnected youth is significantly higher than the state average of 11.4% and the national average of 12.3% in 2017. As mentioned in previous sections of this document, the data provided by the Opportunity Index shows that Worcester County had lower percentages of disconnected youth compared to the state and the nation from 2011 to 2013, but experienced a large spike in disconnected youth in 2014. The highest rate was seen in 2015 where nearly 25% of Worcester County's youth between the ages 16-24 were considered disconnected. The Community Service Center has been identified by the LMB as a service that can positively impact problem areas identified in Worcester County through services, support, and advocacy available.

Partners

Worcester Youth and Family Counseling Services, Inc. will continue to be the provider of the Community Service Center. Worcester Youth and Family Services, Inc, is a 501(c) (3) organization that has been operating services in the community for over forty years. In addition to Community Health Service Center services, the program also provides the Local Access Mechanism (LAM) in Worcester County, as well as behavioral health counseling. The Worcester County Health Department, Department of Social Services, Department of Juvenile Services, Board of Education and the local 211 provider are essential partners to the Community Service Center.

Program Description

The Community Service Center is a walk-in, single point of access facility serving as a consumer portal for integrated and coordinated healthcare. Clients are provided a coordinated system of services and resources that encourage healthy and productive living. The Community Service Center requires a Communications Coordinator who serves as the first point of contact for clients as well as leadership and coordination by the Executive Director to ensure resources are identified, developed, supported and coordinated. The Center supports individual private offices for client navigation as well as a large multipurpose meeting room for community resource meetings.

The Community Services Center coordinates with other community based services and organizations to have a variety of programs, supportive services, and activities available at the program site. Current community supports available directly by the Community Service Center include on-site mental health services, navigation services, middle school age youth groups, and youth club activities. Additionally, the agency partners with the Board of Education to have General Education Diploma (GED) courses available, as well as English as a Second Language (ESOL). Other resources and support groups, recreation activities, life skills workshops, parent education courses are also available at the Community Service Center through collaborative efforts. The Community Service Center provides multi-generational services that focus both on youth and their parents, providing specific support and training to both groups and to the family as a whole.

Since FY2012 the agency has reported success in meeting program targets. Areas being tracked by the program include number of calls, number of walk in, and number of referrals made. As of FY2017 the agency has responded to more than 60,000 individuals that have called or walked in to the agency at any given time and provided referrals or resource information. Data reported since FY2012 show the support and services provided have assisted with meeting the immediate needs of reaching out for assistance and

is projected to do so in FY2018. An average of 90% of individuals served by the Community Service Center report referrals, information, or support was able to meet their needs.

Review of Performance Measures

How Much We Do:

The Community Service Center has been meeting and surpassing its target of callers/walk-ins given referrals to community resources for 6 out of the last 9 complete fiscal years. In the first half of fiscal year 2018, the center has already surpassed the target of 3,000 referrals given (5,877 referrals in FY2018 first half). There was a new performance measure implemented for FY2018 measuring the number of people served through a single Point of Access/No Wrong Door. This new measure has a target of serving 2,500 people and is on target to meet or exceed the goal by the end of the fiscal year.

Indicators at the Worcester County level related to the Governor's results and this program highlight child homelessness, childhood poverty, and youth employment. The number of public school children homeless on September 30 of school year has been increasing from 2012-2015. The percentage of children under 18 living in poverty has been measured from 2005-2015. There was a fairly steady increase from 2006-2011, but the percentage has been declining with occasional slight fluctuations from 2011-2015. The percentage of 16-24 year olds in the labor force from 2010-2015 has overall been fairly steady in the 60-70% range (specifically 62.9% to 69.6%). The percentage of youth ages 16-24 in the labor force was fairly steady from 2010-2013, then there was a 5% increase from 2013-2014, followed by a 5% decrease from 2014-2015.

How Well Do We Do It:

The Community Service Center has been meeting or surpassing the goal of 90% of contacts resulting in a successful linkage for nine full fiscal years (FY2009-FY2017) and is on track to meet or surpass the target in FY2018. There was a new measure for "How well we do it" for the Community

Service Center starting in FY 2018. This measure does not have multiple years of local data. Indicators at the Worcester County level related to the Governor's results and this program highlight child homelessness, childhood poverty, and youth employment. Please see explanation of these indicators in the previous section. The new performance measure noting the percentage of individuals reporting improvement in resources available in their community has shown good results with 93% noted for the first half of FY2018.

Is Anyone Better Off:

This program has positive results for the question of "Is Anyone Better Off?". The percentage of callers reporting that the referral was able to provide requested information or services and the percentage of callers who reported increased confidence/competence in addressing future needs both have been above the target for the past nine fiscal years (FY2009-FY2017) with both measures showing maintenance or improvement in these percentages based upon the data from the first half of the fiscal year 2018. There was a dip in the percentage of callers who reported increased confidence/competence in addressing future needs from FY2013 to FY2014, but there has been an increase in the percentage beginning FY2015 and the results from the first half of the fiscal year 2018 show the increased percentage has been maintained.

3: Performance Measure	FY19 Target
What/How Much We Do:	
● Number of individuals served through single Point of Access/No Wrong Door	2,500
● Number of callers/walk-ins given referrals to community resources	3,000
How Well We Do It:	
● Percentage of individuals reporting improvement in resources available in their community	90%
● Percentage of contacts resulting in a successful linkage	90%
Is Anyone Better Off?	
● Percentage of callers reporting that the referral was able to provide requested information or services	80%
● Percentage of callers who report increased confidence/competence in addressing future needs	85%

Story Behind the Curve:

This program has been in operation in Worcester County since 2002. Since the start of Community Service Centers, the provider has been successful in modifying and adapting supports available to meet the needs of the community. This has been possible through community collaboration efforts. One way the agency exhibits this is through collaboration with the local 211 hotline provider to offer assistance needed during non-business hours. In addition, the Community Service Center has built relationships with other organizations and agencies to bring education programs, skill building services, youth activities, and other support groups to meet community needs. Worcester Youth and Family maintains outreach to promote the Community Service Center through a variety of different avenues including attending local health and job fairs, attending school functions, and local community events. The program design has the ability to continue building on resources through collaborative efforts and advocating for identified needs in Worcester County.

Sustainability

The organization providing Community Service Center, single point of access services, is a 501(c)(3) non-profit organization that has been offering services in the community for forty years. In

addition to a community service center, they also provide the Local Access Mechanism (LAM) services in Worcester County, as well as behavioral health counseling. The program sustainability includes support through state, federal, and local grant opportunities. As a 501(c)(3) organization the program may also explore options for annual fund campaigns, major gift programs and corporate sponsorships. As program initiatives are shifting to the Governor's priorities, the Community Service Center is hosting job skills training for the Berlin Youth Club. The Community Service Center will continue to partner with the Lower Shore Workforce Alliance and other job readiness partners to build on existing resources and establish new funding mechanisms.

Local Access Mechanism (Navigation)

Results

Access to care concerns, challenges with navigation of child and family service systems, as well as resource gaps have led to the LMB to determine a need to continue navigation services in Worcester County. The program aligns to Families are Safe and Economically Stable result. The program will target youth homelessness and poverty. The need to support a Local Access Mechanism (LAM) has also been decided based on community feedback.

Indicators/Trends

The community has identified challenges accessing appropriate health care and services, and additional risk factors including high rates of poverty, high costs of living, and high unemployment rates affecting families. The Worcester County Board of Education reported that in the 2015-2016 and in the 2016-2017 school year 3.5% and 3.6% of students reported that they were homeless, or in transition, respectively. This number has steadily increased over the years. Poverty in Worcester County is significant as well. The United States Census Bureau reported in 2016, 13.9% of children under 18 in Worcester County live in poverty. This is compared to a state average of 13.3% in 2016. In addition Worcester

County is designated as a Health Professional Shortage Area (HPSA). This designation is in the areas of dental, primary care, and mental health.

Partners

Worcester Youth and Family Services, Inc. will continue to be the provider of the Local Access Mechanism. Worcester Youth and Family Services, Inc is a 501(c)(3) organization that has been operating services in the community for forty years. In addition to LAM services, the program supports a community service center in Worcester County, as well as behavioral health counseling. The Health Department, hospital, Department of Human Services, Department of Juvenile Services, Board of Education, local shelter and faith-based organizations will all contribute referrals to the program.

Program Description

System Navigation in Worcester County is a hybrid model utilizing both a single point of access and a no wrong door approach. The current system allows individuals with a need to contact the provider agency by telephone, walk-in, or receive referrals from another agency. System Navigators provide more intense assistance to families identifying their strengths and needs through the utilization of Child Adolescent Needs and Strengths (CANS) assessment. Once strengths and needs are identified Navigators work with the family to create a plan to best meet the family's needs.

Reports of the LAM show the program consistently reaches targets. LAM, on average, serves more than 400 families per year. The program has also served families referred by other agencies. In FY2014 the LAM received 151 referrals from other organizations that were provided navigation services. In FY2015, the number of referrals received by other organization was 98. Each family served through the LAM had a CANS and service plan completed to assure proper support, linkages, and referrals were made.

Review of Performance Measures

How Much We Do:

The numbers of families served by the LAM has surpassed the target over the past nine fiscal years (FY2009-FY2017). The average number of client contacts per family did not decline between FY2009 to FY2014 and has plateaued from FY2014 to FY2017. The program is on track to stay stable like the past four years. However, the program will be providing more intensive case management in hopes to improve these numbers. While the navigators are working diligently to increase the number of contacts per family to be more case management oriented, the majority of clients are seeking one specific referral, which does not require multiple contacts resulting in low numbers when averaged. When clients have a higher level of need, the number of contacts made with a client are much greater, but again this group is smaller. This is an ongoing problem and has resulted in an altered performance measure targets and will lead to consideration to new performance measures in the future, which would address the number of clients who are new or returning. Additionally, the LMB is planning to review services, targets and population served through the Community Connection Coordinator in order to reach Worcester County families most at risk.

How Well Do We Do It:

The LAM program has stayed steady at an average of 1 business day between referral and first person-to-person contact by a Navigator for the last nine fiscal years (FY2009-FY2017) and is on track to continue this trend in FY2018. The second performance measure was a new measure in FY2017 and showed a 93% of families reporting they understood how to contact the suggested agencies/organizations. This target measures is on track to meet the outcome for FY2018. Since this performance measure does not have local data for three years, please refer to the Worcester County specific indicators related to the Governor's results. Indicators at the Worcester County level related to the Governor's results and this program highlight child homelessness, childhood poverty, and youth employment.

Is Anyone Better Off:

The two performance measures noting if anyone is better off for using the navigation services have been consistently high over the past nine fiscal years and both are on track to surpass the target in fiscal year 2018. The percentage of families who report success in receiving needed services or supports has fluctuated slightly over the past nine fiscal years, but has only dropped below the target of 90% four out of those nine years. The percentage of families reporting an increase in their ability to advocate for the needs of their child(ren) after receiving Navigation services had been stably high around 98% from FY2009 to FY2013; then there was a drop to 89% in FY2014, but the numbers have been steadily improving since then. The program is on track to continue improving in FY2018 (first half of the FY2018 is reported at 91%).

4. Performance Measure	FY19 Target
What/How Much We Do:	
<ul style="list-style-type: none"> ● Number of families served by a Navigator ● Average number of client contacts per family 	300 7
How Well We Do It:	
<ul style="list-style-type: none"> ● Average number of business days between referral and first person-to-person contact by Navigator ● Percentage of families reporting they understood how to contact the suggested agencies/organizations 	2 90%
Is Anyone Better Off?	
<ul style="list-style-type: none"> ● Percentage of families who report success in receiving needed services or supports ● Percentage of families reporting an increase in their ability to advocate for the needs of their child(ren) after receiving Navigation services 	90% 90%

Story Behind the Curve:

The LAM has been available to Worcester County since 2002. This service and support is crucial to support families with locating resources, navigating service delivery systems, providing support necessary to bridge gaps and reduce barriers. The program has a history of serving an average of 400 families per year. This existing resource has impacted many families since its inception. During first half

of FY2018, a strategic planning process was held with the LAM service provider and their navigators along with members of the LMB and community partners. Focus was spent during this planning process on how to target specific families in need, as well as tracking outcomes. The LAM service provider and LMB expects to continue this strategic planning process in the second half of FY2018 and the beginning of FY2019 in order to provide more a clear and direct service to the families of Worcester County.

Sustainability

The program providing LAM services is a 501(c)(3) organization that has been operating services in the community for over forty years. In addition to LAM services, the program supports a community service center in Worcester County, as well as behavioral health counseling. The program sustainability includes support through state, federal and local grant opportunities. As a 501(c)(3) organization the program may also explore options for annual fund campaigns, major gift programs and corporate sponsorships.

CRICKET Center

Results

This program aligns with Communities are Safe for Children, Youth and Families as the program specifically targets the needs of children affected by child maltreatment. Data has shown Worcester County to have the highest rates of child maltreatment in the state of Maryland. This data has supported feedback from community focus groups and partners. Results from the Community Themes and Strengths Survey identified child maltreatment as one of the greatest safety concerns for Worcester County.

Indicators/Trends

Services supported through the CRICKET Center are crucial for the needs of children affected by abuse and neglect. Worcester County has the highest indicated rate of child maltreatment in the state of Maryland, according to the 2016 Primary Care Needs Assessment. The Department of Human Resources

reports the high rate of child maltreatment in Worcester County. The rate in 2012 was 37.8% per 1,000, in 2013 it was 28.6%, 2014 had a slight increase to 29% with decreases starting in 2015 (14.1%), and 2016 (11.5%). The State of Maryland reported 6.6% for Maryland in 2016. Support from the LMB is expected to support the reduction of trauma of children and families affected by abuse and/or neglect.

Partners

The CRICKET Center is also the Child Advocacy Center in Worcester County. The support available through the LMB is for a parent advocate to assist with supporting children and non-offending family members through the process pertaining to child maltreatment cases. A team approach is used to coordinate investigations and interventions for each case, expediting the child's time in the legal system. The Child Advocacy Center includes child protection workers, medical and mental health professionals, local law enforcement, as well as representatives from the Atlantic General Hospital, the Life Crisis Center, Inc., and the Worcester County State's Attorney's Office.

Program Description

The Child Advocacy Center, locally known as the CRICKET Center, in Worcester County (CRICKET is an acronym for "Children's Resource Intervention Center - Kids Empowerment Team) is a non-profit organization. It is a friendly, safe, and supportive environment for abused and neglected children.

The CRICKET Center is accredited by the National Children's Alliance (NCA). The program operates with a multi-disciplinary team to coordinate investigations and interventions to expedite the time a child spends in the legal system. The CRICKET Center's model for investigation also reduces the likelihood of secondary trauma for victims. This is accomplished through the investigation and interview technique of the unit. Victims of child maltreatment in Worcester County are interviewed in a child-friendly and safe environment by a trained forensic interviewer. Members of the multidisciplinary team

observe while the interview is recorded. An earpiece allows the team to communicate with the interviewer during the interview. There are additional supports available through this program including trauma treatment, mental health services, family advocacy supports, and other therapeutic services. One quality service supported is a family advocate. The advocate supports a child and family throughout the case until the case is closed. The advocate provides education, support, and follow up to the child and family.

According to the National Children’s Advocacy Center “...the Children’s Advocacy Center was established to prevent the re-victimization of sexually abused children by the system’s response to their cases.” This model was implemented in the mid-1980’s as an innovative approach to reduce the nation’s rates of child maltreatment. This approach has been available in Worcester County since 2009.

Review of Performance Measures

How Much We Do:

The “how much we do” performance measures for the CRICKET Center have been at or above the target numbers for the past four fiscal years (FY2014-FY2017). The number of children interviewed dropped dramatically from FY2014 to FY2015, which may be a good indicator if it is correlated with less children needing to be interviewed due to child maltreatment, but may have the opposite effect if correlated with not capturing as many children who are being neglected or abused. The number of children interviewed has stayed steady from FY2015 through FY2017 and seems to be on track to stay in the range of approximately 80 children for FY2018. With the steady leveling off of number of children interviewed over the past several years, the decline seen from FY2014 to FY2015 is a positive change, meaning fewer children have needed to be interviewed at the CRICKET Center over the past several years. This correlates with the reduction in the indicator of Child Maltreatment: Indicated or Unsubstantiated Findings per 1,000 in Worcester County reported by the results scorecard under the result of Communities are Safe for Children, Youth, and Families. The number of support visits by a

Family Advocate to home/school have been averaging around 160 visits since FY2015 which is surpassing the target goal of 125, and is on track to exceed this goal for FY2018.

How Well Do We Do It:

The percentage of children who participate in trauma based therapy and/or group therapeutic services has shown improvement over the past several fiscal years (FY2014-FY2017) and is on track to meet or surpass target percentage again in fiscal year 2018. The percentage of families who receive ongoing services coordinated by Family Advocates through deposition has consistently been above the target percentage for the past four full fiscal years (FY2014-FY2017) and is on track to meet or exceed the goal for FY2018. The percentage of families who report that their needs were met has also been met for the last four fiscal years (FY2014-FY2017) and is on track to accomplish this in FY2018 as well.

Is Anyone Better Off::

The percentage of children remaining in home or placed with non-offending family members (not placed into Foster Care) during involvement with the Center has stayed above target percentage the past four full fiscal years (FY2014-FY2017) and is on track to stay around previous percentages in FY2018. The percentage of children who attend therapy as prescribed, as applicable has stayed above the target the past four full fiscal years (FY2014-FY2017) and is on track to stay above the target percentage in FY2018, but there has been a decline in this percentage since FY2015.

5. Performance Measure	FY19 Target
What/How Much We Do:	
● Number of children interviewed	80
● Number of support visits by Family Advocate to home/school	125
● Average Number of contact with non-offending family member	12
How Well We Do It:	
● Percent of children who participate in trauma based therapy and/or group therapeutic services	75%
● Percent of families who receive ongoing services coordinated by Family Advocate through deposition	75%
● Percentage of non-offending caregivers who report in Satisfaction Survey that ongoing needs were met	75%
Is Anyone Better Off?	
● Percent of children remaining in home or placed with non-offending family members (not placed into Foster Care) during involvement with the Center	80%
● Percent of non-offending caregivers who enroll in a support group and attend a certain number of sessions	25%
● Percent of children who attend therapy as prescribed, as applicable	50%

Story Behind the Curve:

The CRICKET Center (Child Advocacy Center) has been available in Worcester County since 2009. The organization has received support through Atlantic General Hospital in order to have space available for the services provided by the Child Advocacy Center. In addition, there is co-located staff within the organization for reporting of child maltreatment, investigations, parent advocacy, medical staff, mental health treatment and other therapeutic supports. The services and supports are available to families free of charge. Supporting the CRICKET Center will enhance training opportunities and therapeutic services to victims and non-offending family members during traumatic times.

Sustainability

The CRICKET Center includes grant applications, strategized fundraising efforts, community support, and supporting a newly developed endowment fund to provide long term support. In addition, the CRICKET Center requested and received funding support from the Worcester County Commissioners

beginning in fiscal year 2018.

Building Bridges: Transitional Care from Jail to the Community

Results

The Building Bridges program was a new service supported through the LMB in FY2018 to assist with the goal of reducing the impact of incarceration on children, families, and communities. Incarceration rates have risen significantly over the last several years. As family members have been removed from their children and community, families are facing the realities of an absent parent or family member. Although the impact of incarceration on children and families remains understudied, there have been several consequences identified for children and youth with an incarcerated parent. These children have higher rates of homelessness, more involvement with the child welfare system, increased prevalence of behavioral health symptoms and financial instability. Data for Worcester County reflects Worcester's higher rate of childhood poverty and homelessness. The rates of child maltreatment in Worcester County are also significant. Feedback generated from an incarcerated parent focus group supported these concerns. Some participants reported their families have encountered financial issues as a result of their incarceration. The participants also identified concerns of their children "acting out" in school and the community. This program aligns with the results of Communities are Safe for Children, Youth, and Families as well as Families are Safe and Economically Stable.

Indicators/Trends

The impact of incarceration is in need of further exploration, however data reported by the WCLBHA shows there were 411 individuals detained that were referred for mental health services during FY2017 and 403 that received services. This does not include individuals in detainment that were not involved with mental health treatment. The number of individuals served in local detention is expected to be higher than this. Children of incarcerated family members are more likely to be homeless. The

Worcester County Board of Education reported that in the 2015-2016 and in the 2016-2017 school year 3.5% and 3.6% of students reported that they were homeless, or in transition, respectively. Family financial instability is also indicated for children of incarcerated family members. The United States Census Bureau reported 13.9% of children under the age of 18 in Worcester County lived in poverty in 2016. This is compared to Maryland's state average of 13.3% in 2016.

The data presented in a previous section relating to Comprehensive Parenting indicates the program being in existence since 2013 and showing evidence of impacting results for child maltreatment. The program is expected to have similar impact and more positive outcomes for the population of those detained or incarcerated.

Partners

The Worcester County Health Department's Behavioral Health Program is the provider for Care Coordination and Transitional services to incarcerated parents, children and families. The local detention center is also a primary partner in the expansion. Other agencies including the Department of Social Services, the Worcester County Health Department's Case Management program, and the Comprehensive Parenting program will be referral sources, as they also provide services in the detention center and will be key partners to help incarcerated parents transition back into the community.

Program Description

The program is called Building Bridges: Transitional Care from Jail to the Community and is modeled after the Transition from Jail to Community (TJC) program. TJC has many benefits for the overall system, community, and the individuals and their families who are directly affected by these programs. The National Institute of Corrections (NIC) lists four main benefits of implementing a TJC model: 1) Long-term public safety, 2) Cost effectiveness, 3) Improved individual outcomes, and 4) Resource expansion (National Institute of Corrections (NIC), n.d.).

SAMHSA's Guidelines for Successful Transition of People with Mental or Substance Abuse Disorders from Jail and Prison: Implementation Guide promotes the principles of TJC with an emphasis on individuals with mental and substance abuse disorders. APIC (assess, plan, identify, coordinate) facilitates successful community reentry for justice involved people with mental and co-occurring substance abuse disorder. The behavioral health professional will complete an initial psychosocial assessment, intake and Release of Information forms, initiate retrieval of previous behavioral health and medical records, and refer the individual to the care coordinator for transition planning and interventions. Utilizing these two resources as models for the Building Bridges program, the behavioral health professional and care coordinator will provide screening and assessment, transition plan development and transition interventions, explore family support services, while developing natural supports with the individual.

Since the initial time following community reintegration are a heightened vulnerability to the individual, the program expansion will include follow up and support of parents needs post release from jail. The program will be expected to follow up with individuals served in incarceration or detention once every 30 days for three months after release from jail. After the initial 90 days, the program will follow up with parents every three months until the one year anniversary of release from jail.

Review of Performance Measures

How Much We Do:

Building Bridges was implemented during the beginning FY2018. During this time period the program counselor and case manager have begun to foster relationships with incarcerated individuals as well as their children and family members. The first "how much we do" performance measure of number of Worcester County parents that participate in Building Bridges program by completing a Transitional Care plan during the first four visit is under target as of the first half of the fiscal year. This could be due

to the new implementation of the program and hiring staff to coordinate efforts for the program. During the second half of FY2018 the Building Bridges staff will be exploring different avenues of engaging incarcerated parents in the program. However, the second performance measure of number of meetings held with participants from Worcester County, family members and staff for development of transition plans prior to release is on target to meet the goal.

How Well We Do It:

The percentage of successful contact made by program staff to participants every 30 days for 3 months post release is on track to meet or exceed targeted measures in FY2018. Additionally, the second performance measure, the percentage of Worcester County families meeting with Building Bridges staff at least once per month for six months to review Transitional Care Plan is on track to meet or exceed targeted goals for FY2018 as well.

Is Anyone Better Off:

Since Building Bridges has just begun implementation, there is no data to report on the program's performance measures for the first half of FY2018. Staff have referred released incarcerated parents to Targeted Case Management, Psychiatric Rehabilitation, and Behavioral Health Therapy through the Worcester County Health Department as a way to reduce the recidivism rate. Additionally, the case manager working with the youth in the program has referred them to existing youth programs available in the Worcester County Health Department as well as exploring options for summer camp programs that will encourage resilience.

5. Performance Measure	FY19 Target
What/How Much We Do:	
<ul style="list-style-type: none"> ● Number of Worcester County parents that participate in Building Bridges program by completing Transitional Care Plan within four visits during FY2019 	75
<ul style="list-style-type: none"> ● Number of meetings held with participants from Worcester County, family members, and Building Bridges staff for development of transition plans prior to release of participant 	30
How Well We Do It:	
<ul style="list-style-type: none"> ● Percentage of successful contacts made by program staff to participants every 30 days for 3 months post release (success means contact has been with participant via email, telephone, or face to face) 	50%
<ul style="list-style-type: none"> ● Percentage of Worcester County families meeting with Building Bridges staff at least once per month for six months to review Transitional Care Plan 	50%
Is Anyone Better Off?	
<ul style="list-style-type: none"> ● Percentage of participants that are not re-arrested within six months of release 	10%
<ul style="list-style-type: none"> ● Percentage of youth engaged in programs or activities (including AGAPE ministries, Save the Youth, Big Brothers/ Big Sisters, 4-H activities, mentor programs) that promote resilience for at least six months 	20%

Story Behind the Curve:

Building Bridges: Transitional Care from Jail to the Community through the Worcester County Health Department was awarded funding on July 1, 2018. During FY2018 Building Bridges has hired a part time behavioral health clinician, a program coordinator and a case manager to work with parents that are incarcerated, help them transition out of jail as well as work with their children and families. During the first half of FY2018 Building Bridges and LMB staff met to discuss program coordination and development of reducing the impact of incarceration and expanding pre-release transitional planning with incarcerated parents. Additionally, Building Bridges staff met with the warden of the local detention center to discuss plans for the program, specifically the referral process. A procedure in in place at the local detention center that will allow Building Bridges staff to obtain referrals of any inmate who is a Worcester County resident with children residing in the county. Building Bridges staff has also continued to meet

weekly to discuss transition plans as well as engagement techniques with caregivers and children. Staff will continue to refer individuals to local behavioral health facilities including the Worcester County Health Department and foster local partnerships and networks to make the transition out of incarceration seamless. Building Bridges staff will also continue to work with local agencies to promote resilience among the youth as well as stable and health environments.

Sustainability

The Worcester County Health Department Behavioral Health program is unable to utilize the fee for service system in a jail location. Therefore, local, state and federal agencies will be researched for funding opportunities, as well as private funding opportunities. The program will explore fee for service options upon the behavioral health consumer's release from incarceration. The support from the LMB will enable the program to serve individuals who are not eligible for the behavioral health fee for service system. Partnering with local agencies and programs that have the goal of reducing the impact of incarceration on children, families and the community will increase the program's options for funding and community support. These partners also have similar goals of promoting family stability, maintaining family connections and reunification.

WE3 (Worcester Education, Employment, and Empowerment)

Result

A new program funded by the LMB, which began in FY2018, is the WE3 (Worcester Education, Employment, and Empowerment) program. Worcester County is in need of additional support for disconnected youth, also referred to as "opportunity youth." Disconnected youth is defined as youth ages 16-24 who are not enrolled in school or working. When a youth is reconnected to work and/or school (opportunity youth), it has a positive economic and civil impact. When youth fail to transition into the adult workforce they are more likely to live in poverty, have poor physical and mental health, and are a

higher cost to the community. The WE3 program specifically targets the result of Youth Have Opportunities for Employment and Career Readiness. Supportive Employment is an evidenced based practice offered in many jurisdictions throughout the state. The funding will support Telamon Corporation to build capacity in Worcester County for disconnected youth.

The program, WE3, offers support to youth between the ages of 16-24 who are not in school or are not working. The WE3 program provides a support specialist to conduct outreach and engagement of Opportunity Youth. The program also includes an employment and education specialist to focus on job readiness and supported employment options for youth.

The WE3 program is an enhancement of other programs available, including Maryland Promise. The following differences between Maryland Promise and WE3 are as follows:

- The Maryland Promise program has a focus on youth between ages 14-16 who are receiving Supplemental Security Income (SSI) benefits vs the WE3 program is targeting youth age 16-24 who are not in school or who are not working.
- The WE3 program allows further support to be available outside of the 14-16 age range, and would also not limit services and supports to youth receiving SSI benefits.
- The WE3 program provides assistance to develop and expand supportive employment services specific to youth between the ages of 16-24 as there is not currently a provider of supportive employment services available in the Lower Eastern Shore of Maryland.

In addition to WE3 having staff to support and work on engagement into an educational or career path, there is a need to reduce transportation barriers. The WE3 program offers transportation support, and financial support to subsidize costs associated with job training. This support would assist with meeting needs of youth in Worcester County who struggle with transportation barriers. The main source of transportation available in Worcester County is through Shore Transit. This option would cost no less

than \$6 per day and more than triples the commute time to get from one place to another. This means individuals in Worcester County could spend an hour or longer to travel to employment opportunities, training opportunities, and local colleges that might normally take twenty minutes.

Indicators/Trends

While dropout rates are relatively low (6.16%) for Worcester County and graduation rates for Worcester County are relatively high (93.30%) (Maryland State Department of Education (MSDE), 2017), many youth live in poverty. For youth of all races, the chance of disconnection increases when the family has a lower household income. In 2016 Worcester County had a child poverty rate of 13.9%. Worcester County's unemployment rate fluctuates by approximately 50% in the winter months due to the seasonal nature of employment in the resort town of Ocean City (Kids Count, 2014). Additionally, in 2013, according to Kids Count 499 or 11% of Worcester County children were raised by their grandparents. The most significant data comes from the Opportunity Index, which reported Worcester County had 21.6% youth ages 16-24 not in school and not working in 2017, which is high compared to the state and national percentages (11.4% and 12.3% respectively). Research shows that rural counties have a higher rate of disconnected youth compared to urban areas (Measure of America, 2017). The number of disconnected youth was on the rise from 2013 to 2015 in Worcester County and has started to trend down to lower rates beginning in 2016. Table 6 provides Worcester County's disconnected youth rate between 2011 and 2017.

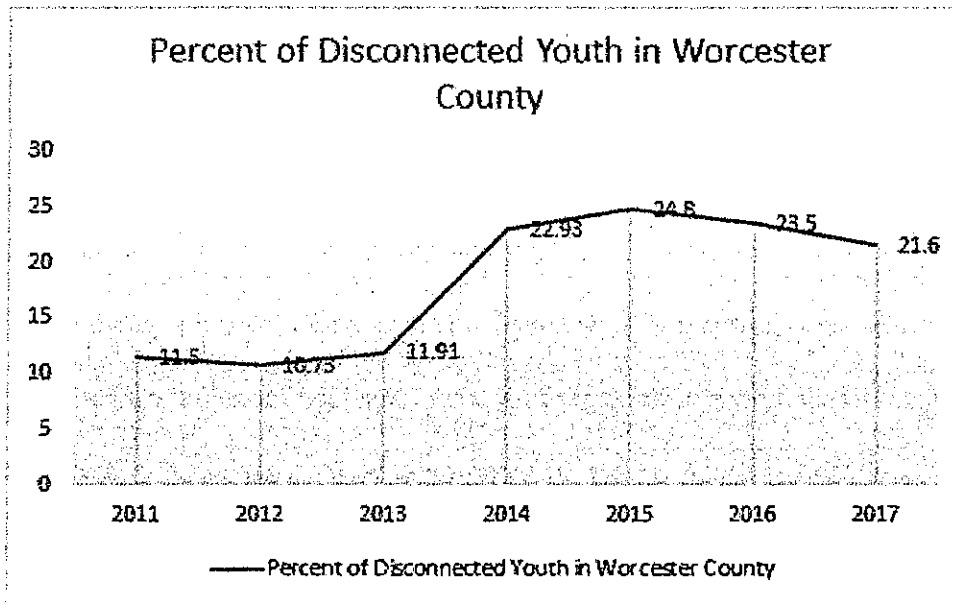


Table 6: Percent of Disconnected Youth 2011-2017 (Opportunity Index)

According to the Annie E. Casey Foundation Youth and Work Policy Report, youth who do not experience work from an early start are more likely to be unemployed later on, as well as less likely to attain high levels of career achievement. Disconnected youth are disproportionately poor, living with disabilities and parenting children, only 4% of them have college degrees (Measure of America, 2017). The impact of out of school and out of work youth is not limited to just the individual. For each 16 year old who is out of school and work, the taxpayer burden is approximately \$258,040. In total for youth ages 16-24 who are out of school and work, that equals approximately \$1.56 trillion in taxpayer dollars (Kids Count Policy Report, 2012). It is for these reasons the LMB has chosen to focus on this strategic goal to impact Worcester County communities.

This need for more employment and life skills training for youth 16-24 was previously reported in the Transition to Independence Training (TIP) offered in Worcester County by the University of Maryland. The focus groups that met during these training sessions indicated a need for supportive employment and more services for disconnected, transitional age youth. In 2017, a turn the curve activity was held focusing on outcomes for disconnected youth, specifically youth who are not in school and not

working. The group completed the turn the curve process and reviewed data for the percentage of youth not working and not in school. Various partners took part in the turn the curve activity including the local Board of Education, the local hospital (Atlantic General Hospital), private and public behavioral health providers, WCLBHA, CASA (Court Appointed Special Advocate), local health department, parent representative, local business owners and the LMB. The team was able to identify key contributing factors to the high percentage of disconnected youth. Some of the factors identified included: transportation, the culture of the community and families, and a lack of opportunities for education, employment and empowerment. The team also identified key partners and prioritized strategies to address the contributing factors and improve the percentage of youth not working and not in school. WE3, with an emphasis on peer support/mentoring, was determined to be the most powerful strategy to turn the curve in the right direction in a reasonable timeframe.

Partners

The Telamon Corporation will explore partnerships with other employment grant holders, including Shore-Up, Salvation Army, Goodwill as well as other local agencies. Telamon will continue their working relationships with the Workforce Investment Bureau, the Lower Shore Workforce Alliance, the One Stop Job Market, homeless support services, and other organizations that will support the connection of youth to supportive employment, competitive employment, life skills training, and/or secondary education. Key partners in making this program successful include: transportation providers, faith based organizations, the Board of Education (BOE), higher education institutions (Salisbury University (SU), University of Maryland Eastern Shore (UMES), Wor-Wic Community College), economic development group and stakeholders, and the local detention center. Other partners will provide referrals including the Local Care Team, Pupil Personnel Workers (BOE), local department of disabilities and local behavioral health programs.

Program Description

The Telamon Corporation will develop a transition age youth supportive employment program to be available in Worcester County targeting disconnected youth. The program is expected to help youth successfully transition into adulthood by focusing on educational opportunities, living situation, and employment opportunities. This would not only enhance the overall well-being and quality of life that an individual has, but it would help empower and encourage individuals to be productive members of society. Youth in the WE3 program will experience long lasting effects which will benefit the local community as well as the state.

The WE3 program is modeled after the Substance Abuse and Mental Health Services Administration (SAMHSA) model, PASSAGES. PASSAGES stands for Progressive Adulthood: Skills, Support, Advocacy, Growth, and Empowerment = Success. PASSAGES assist youth by helping them gain competency in five major life domains: employment, education, housing, community life and personal well-being. Providing comprehensive support services to youth transitioning into adulthood is critical to their success. Many youth age out of children's services and lack skills to manage the transition and accomplish their goals. Youth are expected to face the transition into adulthood without adequate support or services. Youth in transition need services that assist them in employment, housing, and education. Research shows that these services are most effective when they are tailored to meet the goals of each young person. Services and supports also need to be developmentally appropriate in order to build on the strengths of the youth in transition. The model focuses on person-centered planning which is when a person's need or goal is identified and a detailed plan is developed. The youth, family members, educators and transition facilitator help develop and implement the plan. The model utilizes a "transition timeline checklist to assist the team with identifying timeframes and the person responsible for completion of the goal." The model also addresses the special needs of youth in foster care.

WE3 will hire an employment and education specialist to focus on job readiness for youth and supported employment. The National Alliance on Mental Illness (NAMI) defines supported employment as, "...a well-defined approach to helping people with disabilities participate in the competitive labor market, helping them find meaningful jobs and providing ongoing support from a team of professionals" (Bond & Campbell, 2003). NAMI also found that 40%-60% of individuals enrolled in supported employment attain competitive employment compared to the less than 20% of similar consumers who are not enrolled. In addition to an employment and education specialist, a youth coordinator will be hired. Many transitional youth lack the support and connections to family members and friends. The youth coordinator will provide support to youth and young adults as they begin the process of developing the skills they need to live in the community with independence and success. A youth coordinator can be an individual with lived experience in the mental health system or with caring for someone in the mental health system. This individual will serve as a peer support specialist and assist program participants in accessing resources in the community.

The target population for this program is young adults, ages 16-24 who are not in school or not working. Referrals will come from the Local Care Team, Pupil Personnel Workers, local detention center and local behavioral health programs. The referred youth would be youth that: live in poverty; lack a positive support system/family; youth considering dropping out of school; youth with physical or mental disability that impacts their employment/educational opportunities. WE3 will require the vendor to serve 30 disconnected youth in the first full year of the program.

The LMB will utilize the SAMHSA model, PASSAGES as a guide to measuring performance and program success. Areas will be measured at the start of program, six months after, and 12 months after. Areas measured: Substance Use (Tobacco, Alcohol, Cannabis); Housing (nights homeless, nights in hospital, nights in detoxification, and nights in jail); Living Situation (independent, with others, other);

School Enrollment (enrolled or not enrolled); Highest Level of Education Achieved (less than 12th grade, high school diploma/GED, Some College); Employment Status (Employed or Unemployed). In addition to these measures, youth will be given a short survey when they begin the program and after they have been in the program 6 months. The General Self Efficacy (GSE) Scale, a 10 question survey, will be used as the pre/posttest for the participants. This scale measures general self-efficacy, which represents the individual's' feelings and belief that they are able to succeed, capable of making changes and handling challenges as they arise.

Review of Performance Measures

How Much We Do:

Telamon Corporation received funding for the WE3 program during second half of quarter two in FY2018. Since then, Telamon has begun to assess the needs of Worcester County through partnerships and outreach in order to foster relationships needed to serve the youth and young adults. They have begun to outreach to areas where disconnection is high, including areas of Berlin and Pocomoke. Partnerships in the area are vital part to the community's success. Although there is no data for the first half of the fiscal year, Telamon Corporation expects to meet the "how much we do" targets.

How Well We Do It:

Due to the fact that the WE3 program is in the beginning stages of foster relationships with youth and young adults, both sets of data in "how well we do it" are not applicable at this time.

Is Anyone Better Off:

Again, because the WE3 program is new, data for "is anyone better off" is not available at this. Telamon Corporation believes that once the youth and young adults become engaged in employment or educational programs, they will meet or exceed targeted outcomes. Telamon also believes that the youth and young adults will report an increase in the General Self Efficacy Scale, and will meet targeted

outcomes.

6. Performance Measure	FY19 Target
What/How Much We Do:	
<ul style="list-style-type: none"> ● Number of youth served in WE3 during FY2019 	30
<ul style="list-style-type: none"> ● Number of community partners committed to supporting the WE3 program and WE3 program participants 	10
How Well We Do It:	
<ul style="list-style-type: none"> ● Percentage of WE3 program participants who report service satisfaction at six months and 12 months 	75%
<ul style="list-style-type: none"> ● Percentage of WE3 program participants completing employment training program or enrolled in higher education program after after 90 days 	50%
Is Anyone Better Off?	
<ul style="list-style-type: none"> ● Percentage youth retaining employment or educational program at least 90 days 	50%
<ul style="list-style-type: none"> ● Percentage of youth reporting increased score on the General Self Efficacy (GSE) Scale after 6 months in the program 	75%

Story Behind the Curve:

The LMB received funding to support the WE3 program at the beginning of FY2018. On behalf of the LMB, the County Commissioners released the Request for Proposal, FY18 Disconnected Youth Project: Worcester Education, Employment and Empowerment (WE3) on August 15, 2017. This request for proposal was sent to multiple community agencies, including civic, non-profit, faith based, and governmental. On August 28, 2017 the LMB staff held a question and answer session for interested parties. Information about Worcester County’s disconnected youth was shared, and questions were answered regarding expectations of potential vendors. All request for proposal submissions were due to the County Commissioners by September 25th, 2017. A panel of 5 reviewers met to read over the submissions and score each one based on the seven criteria categories. These included: program need, goals, objectives, and outcomes, budget evaluation, work plan, procedures evaluation, personnel and agency qualifications, collaboration with other organizations and a location in Worcester County. The selection of Telamon was announced at the County Commissioners meeting on October 17, 2017.

The LMB staff and Telamon have worked together to troubleshoot and coordinate efforts for a seamless implementation of the WE3 program. Telamon has hired a full time youth coordinator to facilitate services and outreach to youth and young adults. Telamon is connecting to local libraries, recreation leagues, gyms, and other high trafficked areas by disconnected youth to engage individuals. Telamon has built partnerships with local agencies, including Worcester Youth & Family. These partnerships will begin to foster referral sources bi-laterally as well as improve outcomes for all child youth and families in Worcester County. Additionally, Telamon's State Director attended Participatory Action Research for the Passionate (PAR) facilitation training provided by the Governor's Office for Children. PAR is an interactive process that allows planning, facilitating and assessing the needs of the community through the eyes of the youth. This collaboration process allows the voices and needs of the youth to be heard. The theory behind PAR is that "the people closest to the experience should be the closest to the research because they are the experts in their own experience."(Clara Parker, 2017). Telamon's State Director has begun the follow up process for PAR to facilitate and implement the program locally.

Sustainability

The LMB will request Telamon Corporation explore opportunity to become a licensed supportive employment program to determine possibility of utilizing a fee for service system and Medicaid payments for behavioral health consumers. Since supportive employment fee for service is limited to individuals with behavioral health involvement, the LMB's support will enable the program to provide services to youth regardless of eligibility for fee for service programs. Telamon Corporation is unable to utilize a fee for service model for WE3 at this time therefore, local, state and federal agencies will be researched for funding opportunities. Private funding opportunities will also be explored including seeking partnerships with local employers in the area to garner long-term financial support and resources in order to help fund

the program. Additionally, the program will explore partnerships with other funded employment programs such as Shore-Up, Salvation Army, and Goodwill. Partnerships with local agencies and program that have similar goals of reducing the disconnected youth rate is ideal and will increase the program's options for funding and sustainability

Turning the Curve towards the Future

The LMB and local partners are dedicated to improving the outcomes for all children, youth and families in the community of Worcester County. In FY2020 the LMB, in partnership with the Worcester County Health Department and the WCLBHA, will once again utilize the MAPP framework in order to request input from the community and stakeholders. This process will assist with development of the Community Plan that is data driven and based on needs identified by the community. This framework and process will include: focus groups, key informant interviews, and surveys to capture community responses relating to the well-being of the community. Through the MAPP process the LMB will reevaluate and assess the strengths, gaps, and needs identified by the community. This process will assist the LMB with supporting programs that will meet the needs of children, youth, and families in Worcester County.

BOARD SUPPORT BUDGET AND REVENUE
Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative
	Children's Cabinet Funds	Non-Children's Cabinet Funds that Directly Support CPA (Cash + In-Kind)	Total	
Budget for Local Management Board Support	101,210.00			
Personnel	101,210.00	31,029.00	\$132,239	
Salaries	69,059.00	31,029.00	\$100,088	Director 16 hours/wk (\$26.82/HR); Resource coordinator 40 hours/wk (16.05/HR), admin support 6.4 hours/wk (\$20.712/HR), IT support 1.75 HR/wk (\$11.00/HR)
Fringe Costs	32,216.00	0.00	\$32,216	Benefits for staff calculated based on: health insurance rates, 27.88%, FICA 7.28%, 19.32% retirement, workmans comp 1%
Operating Expenses	5,207.00	0.00	\$5,207	
Communications	900.00	0.00	\$900	Telephone lines @ \$75/month
Postage	300.00	0.00	\$300	Postage and mailing materias @ \$25/month
Utilities	0.00	0.00	\$0	
Advertising	200.00	0.00	\$200	Advertisement ad \$200
Office Supplies	1,057.00	0.00	\$1,057	\$81/month for supplies including: print toner, paper, pens
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	750.00	0.00	\$750	300 Resource Guides printed @ \$2.50 each
Information System	0.00	0.00	\$0	
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
Travel	2,500.00	0.00	\$2,500	
Business Travel	2,500.00	0.00	\$2,500	Travel for training, meeting, and monitoring. \$2341.44 mileage (\$0.54/mile), \$2.50 tolls x 12= 30; Meals= \$128.56/year
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services	5,000.00	0.00	\$5,000	
Training	2,000.00	0.00	\$2,000	6 staff training registration and hotel accommodations \$250; Sponsor community trainings @ \$500/ year
Consultant (other than Legal & Accounting/Auditing)	3,000.00	0.00	\$3,000	epidemiologist \$50/hourx16 hours; website development \$100/hourx15 hours ; community needs assessment and planning support \$35/hourx 20 hours
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment	500.00	0.00	\$500	
Office Equipment	500.00	0.00	\$500	2 new office chairs for meeting room @ \$250 each
Other	11,633.00	0.00	\$11,633	
Indirect Cost	11,283.00	0.00	\$11,283	10% indirect to support local management board. This includes HR support, fiscal support, software needs.
Board member stipend	150.00	0.00	\$150	\$50 per community member x 3 members
Professional Dues/Publications/Subscriptions	200.00	0.00	\$200	Subscriptions for LMB related activities including memberships for town chambers
Food	0.00	0.00	\$0	
TOTAL Budget for Board Support	\$124,115	\$31,029	\$155,144	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations (Admin):				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		31,029.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$31,029		
CPA/Children's Cabinet FUNDING REQUEST	\$124,115			
TOTAL Revenue-Children's Cabinet + Other Sources Used to Support CPA			\$155,144	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS

Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Personnel				
Salaries	23,962.00	0.00	\$23,962	Community Health Educator I (13/8) - \$23,962; \$17.58/hour; 20.75 hours/week, 52 weeks/year
Fringe Costs	21,053.00	0.00	\$21,053	Tax rate 27.88%, FICA 7.28%; 19.32% Retirement; Workman's Comp 1% of Salaries, Health Insurance
Operating Expense				
Communications	300.00	0.00	\$300	Telephone @ \$25/month
Postage	0.00	0.00	\$0	
Utilities	0.00	0.00	\$0	
Advertising	118.00	0.00	\$118	Radio add to increase enrollment
Office Supplies	440.00	0.00	\$440	Print toner (black, magenta, cyan, yellow) @ \$110 each
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	0.00	0.00	\$0	
Information System Repair/Maintenance	0.00	0.00	\$0	
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
TRAVEL				
Business Travel	500.00	0.00	\$500	Travel for courses and training= 926 miles/year @ \$0.54/mile
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services				
Training	500.00	0.00	\$500	5 Staff development trainings @ \$100 each
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment				
Office Equipment	0.00	0.00	\$0	
Other				
Vehicle purchase and lease	0.00	0.00	\$0	
Education Supplies	400.00	0.00	\$400	\$25 program materials for 16 participants (worksheets, workbooks, handouts)
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Indirect Costs	4,727.00	0.00	\$4,727	10% indirect to support program. This includes HR support, fiscal support, software needs.
Other (specify)	0.00	0.00	\$0	
TOTAL Budget for Comprehensive Parenting Program Initiative	\$52,000	\$0	\$52,000	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		0.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$0		
CPA/Children's Cabinet FUNDING REQUEST	\$52,000			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$52,000	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS
Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program/Strategy: Youth/AS One				For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
Personnel	29,457.00	0.00	\$29,457	
Salaries	20,027.00	0.00	\$20,027	MH Prof Counselor (16/1) - \$20,027; \$14.65/hour; 17.75 hours/week or 44%, 52 weeks/year
Fringe Costs	9,430.00	0.00	\$9,430	Tax rate 27.88%; Tax Rate 27.88%; FICA 7.28%; 19.32% of Retirement; Workman's Comp 1%; Health Insurance
Operating Expenses	452.00	0.00	\$452	
Communications	0.00	0.00	\$0	
Postage	0.00	0.00	\$0	
Utilities	0.00	0.00	\$0	
Advertising	0.00	0.00	\$0	
Office Supplies	452.00	0.00	\$452	Paper \$77, 3 print toner x\$125
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	400.00	0.00	\$400	Printing resource guides (100 @ \$2.50); 250 color flyersx \$0.25 ; and educational materials \$87.50
Information System Repair/Maintenance	0.00	0.00	\$0	
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
Travel	600.00	0.00	\$600	
Business Travel	600.00	0.00	\$600	Travel for staff training and to program sites at \$0.54 per mile (1,112 miles/year)
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services	0.00	0.00	\$0	
Training	0.00	0.00	\$0	
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment	0.00	0.00	\$0	
Office Equipment	0.00	0.00	\$0	
Other	3,091.00	0.00	\$3,091	
Vehicle purchase and lease	0.00	0.00	\$0	
Program Supplies	0.00	0.00	\$0	
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Indirect Costs	3,091.00	0.00	\$3,091	10% indirect to support program. This includes HR support, fiscal support, software needs.
Other (specify)	0.00	0.00	\$0	
TOTAL Budget for Youth/AS One	\$34,000	\$0	\$34,000	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		0.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$0		
CPA/Children's Cabinet FUNDING REQUEST	\$34,000			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$34,000	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS

Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program/Strategy: The CRICKET Center Family Advocate				
Personnel	15,950.00	0.00	\$15,950	
Salaries	12,760.00	0.00	\$12,760	Salary: Family Advocate - Yearly Salary \$58,000/year. Budgeted for 22% of Salary \$5,220
Fringe Costs	3,190.00	0.00	\$3,190	Benefits: Family Advocate - 22% of Salary, 3,190
Operating Expenses	14,050.00	0.00	\$14,050	
Communications	4,800.00	0.00	\$4,800	7 telephone lines and 1 fax line @ \$50 per month
Postage	1,800.00	0.00	\$1,800	Quarterly mailing to 180 families and community members @ \$2.50/person per quarter
Utilities	0.00	0.00	\$0	
Advertising	0.00	0.00	\$0	
Office Supplies	3,950.00	0.00	\$3,950	toner for 3 printers \$1,200; 10 reams of paper @ \$62.50 each; notepaper, folders, binders, notepads, other supplies \$21
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	3,500.00	0.00	\$3,500	1,400 Resource guides @ \$2.50 each
Information System Repair/Maintenance	0.00	0.00	\$0	
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
Travel	0.00	0.00	\$0	
Business Travel	0.00	0.00	\$0	
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services	0.00	0.00	\$0	
Training	0.00	0.00	\$0	
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment	0.00	0.00	\$0	
Office Equipment	0.00	0.00	\$0	
Other	0.00	0.00	\$0	
Vehicle purchase and lease	0.00	0.00	\$0	
Program Supplies	0.00	0.00	\$0	
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Other (specify)	0.00	0.00	\$0	
Other (specify)	0.00	0.00	\$0	
TOTAL budget for The CRICKET Center Family Advocate	\$30,000	\$0	\$30,000	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		0.00		
GOCCP		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$0		
CPA/Children's Cabinet FUNDING REQUEST	\$30,000			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$30,000	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS

Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program/Strategy: Community Connection Program (Newborn)				
Personnel	97,117.00	9,500.00	\$106,617	
Salaries	77,710.00	8,000.00	\$85,710	Two Family Navigators @ \$60,600 plus \$17,110 for 30% of Program Director's Salary
Fringe Costs	19,427.00	1,500.00	\$20,927	Fringe based on 25% of salaries.
Operating Expenses	8,950.00	1,500.00	\$5,450	
Communications	0.00	250.00	\$250	
Postage	0.00	500.00	\$500	
Utilities	0.00	0.00	\$0	
Advertising	0.00	0.00	\$0	
Office Supplies	900.00	0.00	\$900	\$75/month for general office supplies including paper for printing, faxing and filing.
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	1,550.00	0.00	\$1,550	\$130/month for copying costs including toner and drum maintenance
Information System Repair/Maintenance	0.00	750.00	\$750	Microsoft operating system
Vehicle Operating (other than Insurance)	1,500.00	0.00	\$1,500	\$125/month to operate two vehicles (fuel, maintenance, repairs) for two Family Navigators.
Taxes	0.00	0.00	\$0	
Business Travel	0.00	0.00	\$0	
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services	230.00	1,000.00	\$1,230	
Training	250.00	0.00	\$250	Staff training and development (4 trainings at \$62.50/registration)
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	1,000.00	\$1,000	Costs for program financial audit
Equipment	7,165.00	0.00	\$7,165	
Office Equipment	7,165.00	0.00	\$7,165	Computers system maintenance, software, and IT costs (\$598/month)
Other	2,374.00	127,400.00	\$129,774	
Vehicle purchase and lease	0.00	0.00	\$0	
Program Supplies	0.00	0.00	\$0	
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Insurance- Vehicles	2,374.00	0.00	\$2,374	Insurance for two vehicles @ \$198/month
Funds given to Family Connection Clients	0.00	127,400.00	\$127,400	520 clients received on average \$245 from Churches, non-profits, etc. 520 x 245.00 = \$127,400
TOTAL Budget for Community Connection Program (Newborn)	126,076	\$139,400	\$265,476	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		8,500.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Funds Obtained for Family Connection Clients		127,400.00		
Private Grants		3,500.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$139,400		
CPA/Children's Cabinet FUNDING REQUEST	\$110,876			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$250,276	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS
Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program/Strategy: Community Service Center				
Personnel	61,043.00	0.00	\$61,043	
Salaries	46,972.00	0.00	\$46,972	Communications Coordinator salary \$33,660 plus 15% of Director's salary \$13,312
Fringe Costs	14,071.00	0.00	\$14,071	Fringe based on 25% of salaries.
Operating Expenses	51,913.00	46,158.00	\$98,071	
Communications	1,225.00	0.00	\$1,225	Fax and telephone @ \$102/month
Postage	0.00	0.00	\$0	
Utilities	4,530.00	0.00	\$4,530	50% of Utilities (\$377.50/month)
Advertising	0.00	0.00	\$0	
Office Supplies	0.00	0.00	\$0	
Insurance	1,162.00	1,162.00	\$2,324	50% of property liability insurance
Rent/Mortgage	37,990.00	37,990.00	\$75,980	\$3,166/month for half of 7000 sq ft facility
Printing/Duplication	0.00	0.00	\$0	
Information System Repair/Maintenance	7,006.00	7,006.00	\$14,012	\$584/month for IT support, software maintenance, and system maintenance
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
Travel	0.00	0.00	\$0	
Business Travel	0.00	0.00	\$0	
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services	0.00	0.00	\$0	
Training	0.00	0.00	\$0	
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment	0.00	0.00	\$0	
Office Equipment	0.00	0.00	\$0	
Other	0.00	0.00	\$0	
Vehicle purchase and lease	0.00	0.00	\$0	
Program Supplies	0.00	0.00	\$0	
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Facilities Expense \$738 per month	0.00	0.00	\$0	
Other (specify)	0.00	0.00	\$0	
TOTAL Budget for Community Service Center	\$112,956	\$46,158	\$159,114	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		46,158.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$46,158		
CPA/Children's Cabinet FUNDING REQUEST	\$112,956			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$159,114	

SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS
Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program Strategy - Building Bridges				
Personnel				
Salaries	141,458.00	0.00	\$141,458	Salary: Part time clinical social worker; full time re-entry coordinator; full time child and family community support staff
Fringe Costs	35,587.00	0.00	\$35,587	Fringe is based on: Tax rate 27.88%, FICA, retiree benefits, Health insurance costs for 2.5FTE
Operating Expense				
Communications	1,500.00	0.00	\$1,500	\$125 per month for two cell phones, one air card
Postage	200.00	0.00	\$200	\$17/month for postage, envelopes
Utilities	0.00	0.00	\$0	
Advertising	0.00	0.00	\$0	
Office Supplies	1,216.00	0.00	\$1,216	\$102/month for supplies (copy paper, pens, binders, toner, printer maintenance)
Insurance	0.00	0.00	\$0	
Rent/Mortgage	0.00	0.00	\$0	
Printing/Duplication	200.00	0.00	\$200	Printing of 80 resource guides @ \$2.50 each
Information System Repair/Maintenance	0.00	0.00	\$0	
Vehicle Operating (other than Insurance)	0.00	0.00	\$0	
Travel				
Business Travel	1,300.00	0.00	\$1,300	\$109/month for travel to support child and family activities in the community
Conferences/Conventions	0.00	0.00	\$0	
Contractual Services				
Training	2,000.00	0.00	\$2,000	Staff development (4 training at \$500 each to include registration and accommodations)
Consultant (other than Legal & Accounting/Auditing)	0.00	0.00	\$0	
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment				
Office Equipment	1,000.00	0.00	\$1,000	1 surface pro with accessories to support staff working in the community
Other				
Vehicle purchase and lease	0.00	0.00	\$0	
Program Supplies- Bus Tickets	500.00	0.00	\$500	Bus ticket \$3.00/ea for transportation to behavioral health appointments and community activities
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	
Food	0.00	0.00	\$0	
Indirect Costs	16,597.00	0.00	\$16,597	10% indirect to support program. This includes HR support, fiscal support, software needs.
Other (specify)	0.00	0.00	\$0	
TOTAL Budget for Building Bridges	\$165,971	\$0	\$165,971	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		0.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$0		
CPA/Children's Cabinet FUNDING REQUEST	\$165,971			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$165,971	

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SCHEDULE OF COMMUNITY PARTNERSHIP AGREEMENT - BUDGET AND REVENUE PROJECTIONS

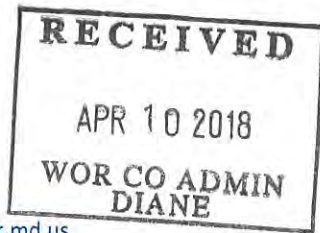
Fiscal Year 2019

LMB: Worcester County Initiative to Preserve Families

DESCRIPTION	Community Partnership Agreement			Budget Narrative For each Column C line item where funding is proposed, enter below the calculations that show how the expense was derived. No entries are required for shaded lines.
	Children's Cabinet	Non-Children's Cabinet Funds that Directly Support CPA Operations (Cash + In-Kind)	Total	
Program/Service: WEF				
Personnel				
Salaries	61,449.00	0.00	\$61,449	Program coordinator, part time employment specialist, supervision
Fringe Costs	40,695.00	0.00	\$40,695	50% fringe benefit rate (insurance, FICA, retiree tax, health insurance)
Operating Expenses				
Communications	20,754.00	0.00	\$20,754	\$100/month telephone, air card, fax included
Postage	69,345.00	0.00	\$69,345	\$12.50/month for postage stamps
Education materials	1,200.00	0.00	\$1,200	
Advertising	150.00	0.00	\$150	3x advertisements @ \$1,000 each
Office Supplies	2,000.00	0.00	\$2,000	portfolios, thumb drives, toner, paper, notebooks, folders
Criminal Background Checks	3,000.00	0.00	\$3,000	Criminal background checks for staff and volunteers
Rent	3,125.00	0.00	\$3,125	Portion of rental space in Worcester County office for 1 year
Printing/Duplication	200.00	0.00	\$200	Prints associated with flyers, brochures, resource guides, consumer resumé, applications
Employee Development/Recruitment	6,414.00	0.00	\$6,414	Costs to support staff recruitment (monster job ads, radio ads, newspaper printing)
Building Maintenance	2,300.00	0.00	\$2,300	
Participant Costs	525.00	0.00	\$525	To support 18 OY in career readiness program, youth leadership program, or college program
	0.00	0.00	\$0	
Travel				
Business Travel	50,431.00	0.00	\$50,431	
Conferences/Conventions	2,765.00	0.00	\$2,765	\$231 per month for travel costs of staff to support program and participants
Contractual Services				
Training	2,500.00	0.00	\$2,500	5 conferences @ \$500 each including registration and accommodations (meals, lodging)
Consultant (other than Legal & Accounting/Auditing)	1,100.00	0.00	\$1,100	1 Training for community members hosting approximately 30 people
Legal	0.00	0.00	\$0	
Accounting/Auditing	0.00	0.00	\$0	
Equipment				
Office Equipment	2,500.00	0.00	\$2,500	Purchase of two meeting chairs
Equipment Maintenance	500.00	0.00	\$500	Maintenance of printer, laptops, projector, fax machine
Other				
Vehicle purchase and lease	2,000.00	0.00	\$2,000	
Insurance	10,341.00	0.00	\$10,341	Liability insurance for program office
Professional Dues/Publications/Subscriptions	0.00	0.00	\$0	Subscriptions to 4 Worcester County Chambers of Commerce @ \$125 each
Software and licenses	500.00	0.00	\$500	Maintenance of program licenses and software upgrades
Indirect Costs	8,341.00	0.00	\$8,341	Indirect costs
	0.00	0.00	\$0	
	0.00	0.00	\$0	
	0.00	0.00	\$0	
	0.00	0.00	\$0	
	0.00	0.00	\$0	
	0.00	0.00	\$0	
Other (specify)	0.00	0.00	\$0	
TOTAL budget for WEF	\$150,000	\$0	\$150,000	
Revenue Sources for Non-Children's Cabinet Funds that Directly Support CPA Operations:				
County/City Direct Revenue (Cash)		0.00		
County/City In-Kind		0.00		
Fee for Service		0.00		
Cash Match		0.00		
Other (Enter Source Here)		0.00		
TOTAL Non-Children's Cabinet Revenue that Directly Supports CPA		\$0		
CPA/Children's Cabinet FUNDING REQUEST	\$150,000			
TOTAL Revenue from Children's Cabinet and Other Sources Used to Support CPA			\$150,000	

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KATHRYN GORDON
Deputy Director
kgordon@co.worcester.md.us



6

DEPARTMENT OF
ECONOMIC DEVELOPMENT

Worcester County

TO: Harold Higgins, Chief Administrative Officer
FROM: Kathryn Gordon, Deputy Director 
DATE: April 10, 2018
RE: Continued IEDC Professional Development Course

.....

The International Economic Development Council (IEDC) offers training courses throughout the year to economic development professionals seeking to become a Certified Economic Developer (CEcD). June 7-8, IEDC is offering their Real Estate Development and Reuse course in Atlanta, Georgia. This course articulates the eight stage process for real estate development and reuse covering the fundamentals of market and site analysis, financial feasibility, retail, industrial, hotel, and mixed use development, land assembly, and brownfield redevelopment. Additionally, the course will cover a wide variety of financing tools available to the local, regional, and state levels, including tax increment financing, and tax credits. This course not only fulfills the core course requirement to sit for the IEDC exam, but will also enhance the professional development of the WCED office and allow our team to remain current on emerging concepts of comprehensive economic development. I respectfully request to attend this course.

Complete expense information is listed below:

IEDC Tuition:	\$490.00 (early registration <u>before</u> May 4, 2018 PLUS IEDC member discount - \$800 <u>after</u> May 4)
Flight:	\$300.00 *plus applicable taxes and fees-as of memo date*
Hotel:	\$617.00 (\$205/night * 3 nights) *plus applicable taxes and fees
Meal & Incidental (M&IE):	\$252.00 (IRS 2018 Per Diem rate of \$63 for 4 days)

TOTAL: \$1,659.00

The Economic Development FY18 budget will cover the full cost of this request. (*Travel, Training, & Expense Meetings/Conferences/Shows 7000.100*). Thank you for your time and consideration for this request.

Why Choose IEDC for Professional Development?



There are a lot of professional development opportunities out there. *Why choose IEDC? Here are a few good reasons:*

- An IEDC training course provides practical, practitioner based educational opportunities. Attendees leave our courses with concrete tools and strategies, not just theories and abstract concepts.
- Our courses give participants the opportunity to learn from recognized experts from throughout the U.S. and Canada in a variety of locations, helping to save travel budgets and time.
- People from all over the U.S. and Canada (and sometimes beyond!) attend IEDC training courses. In addition to the wealth of knowledge the instructors share, we believe peer-to-peer learning is an integral part of adult education. We make sure participants have the platform to share their own ideas and hear from their colleagues, as well.
- And, of course, taking an IEDC training course sets attendees on the path to meeting the professional development requirements to sit for the CEcD exam.

Becoming a Certified Economic Developer (CEcD)

All Candidates for the Certified Economic Developer exam must first meet three (3) requirements.

1) Experience Requirement:

Completion of four years of consecutive, paid, full-time economic development or related experience.

2) Professional Development Requirement:

Completion of four core courses and two elective courses.

Core Courses:

- Introduction to Economic Development or Basic Economic Development Course
- Business Retention & Expansion
- Economic Development Credit Analysis
- Real Estate Development and Reuse

Elective Courses:

- Economic Development Finance Programs
- Economic Development Marketing and Attraction
- Economic Development Strategic Planning
- Entrepreneurial and Small Business Development Strategies
- Managing Economic Development Organizations
- Neighborhood Development Strategies
- Technology-Led Economic Development
- Workforce Development

*We offer a number of equivalencies and special waivers
Visit www.iedconline.org for full details.*

3) Primer Requirement

New candidates applying to sit for an exam must participate in a "A Primer to the CEcD Exam Process: What You Need to Know," either in-person or via webinar. This workshop provides candidates with a complete overview of the Certified Economic Developer (CEcD) exam process, from application to the oral examination. They will learn tools and techniques for preparing for the exam and witness a mock oral interview. This workshop is offered at the Annual Conference and Economic Future Forum, free of charge. It will also be offered at least once a year in webinar format.

Help Your Staff Become Certified

Make an investment in your staff, their future in the profession, and the future of your organization by encouraging their path towards becoming certified.

The Value of Certified Economic Developers to Employers

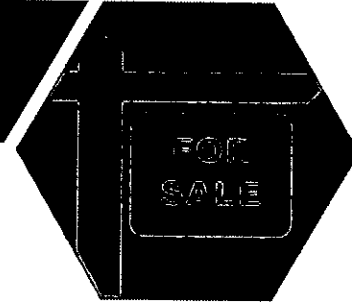
As leaders of your organization, you want to show your stakeholders and community that you are committed to professional excellence. Having one or more Certified Economic Developers on your team demonstrates your organization's competency and enhances your credibility.

As an employer, your investment in verification can have long-lasting benefits. It can:

- Boost your staff's level of confidence and professionalism
- Improve your staff's education and knowledge
- Enhance the image and credibility of your organization



Real Estate Development and Reuse (2 day course)



This course clearly articulates the eight stage process for real estate development and reuse from conception to realization. Learn a wide variety of financing tools that are available at the local, regional and state levels, including tax increment financing, bond financing, tax credits, tax abatements, land assembly and Brownfield redevelopment. Multiple in-class case studies will be used to help participants work through actual financial and regulatory problems.

Course Highlights:

- Housing, retail, office, industrial, hotel and mixed use development
- Regulatory and approval process including zoning and permitting
- Assessing community involvement and political feasibility
- Public, private and nonprofit financial modeling
- Understanding the pro forma operating statement structure
- Property valuation and capitalization rates
- Brownfield redevelopment phase structure and liability
- Request for qualification/proposal process

Course Offerings:

May 3-4, 2018 • Madison, WI

Early rate by: March 23

Regular rate: March 24 - April 20

Late rate after: April 20

Held in partnership with Wisconsin Economic Development Association.

June 7-8, 2018 • Atlanta, GA

Information online at www.pe.gatech.edu

Held in partnership with Georgia Institute of Technology.

November 1-2, 2018 • Phoenix, AZ

Early rate by: September 21

Regular rate: September 22 - October 19

Late rate after: October 19

Held in partnership with Arizona Association for Economic Development.

Maryland Economic Development Association



INTERNATIONAL
ECONOMIC DEVELOPMENT
COUNCIL

This award certifies that



Economic Development
Transforms lives.

Kathryn Gordon

Has Successfully Completed the

Chesapeake Basic Economic Development Course

July 24-27, 2017

Kimberly Clark
President, Maryland Economic Development Association (MEDA)

July 27, 2017

Date

Jeffrey Finkler, CECD
President & CEO, International Economic Development Council (IEDC)

July 27, 2017

Date



INTERNATIONAL
ECONOMIC DEVELOPMENT
COUNCIL

*The Power of
Knowledge and Leadership*

*By issue of the Board of Directors, this certificate
acknowledges that*

Kathryn Gordon

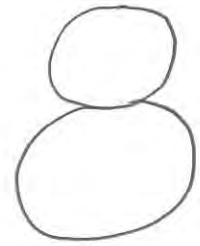
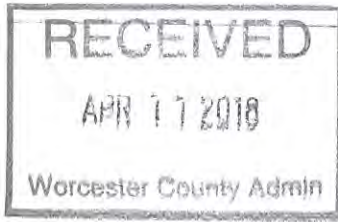
*has completed the **Economic Development
Credit Analysis** course.*

Craig Richard, CEcD Chair, Board of Directors

February 23, 2018

Date


Jeffrey A. Finkle, President & CEO



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

From: Robert J. Mitchell, LEHS 
Director

Subject: Maryland Coastal Bays Program
Request for Annual Cost Share

Date: April 10, 2018

Pursuant to your request, I have reviewed the attached letter from Mr. Frank Piorko, Executive Director of the Maryland Coastal Bays Program. In this letter, Mr. Piorko is requesting matching funds of at least \$600,000 from Worcester County toward the match required by the Environmental Protection Agency's National Estuary Program Grant Funding for the time frame of October 1, 2018 through September 30, 2019. The Program is scheduled to receive \$600,000 in annual funding from the Federal Government and has to provide an equivalent match from other non-federal sources.

In prior years, the County Commissioners approved an in-kind match, specifically the State funds expended for the purchase of Rural Legacy Easements in our Coastal Bays Rural Legacy Program Area and other state grant and in-kind services conducted by the County aimed at the protection and restoration of our Coastal Bays.

We are working through our annual grant of from the State for the Bay Restoration Fund (BRF) for sewer connections and septic pre-treatment upgrades. Historically, over 80% of the annual BRF funding is expended in the Coastal Bays Watershed and I believe we would be right to project that a significant portion of this funding program (well over \$200,000) will be expended in the Federal Grant Cycle detailed in the letter.

Also, our expected level of funding would total between a minimum of \$500,000 to \$1,100,000+ from the State in Rural Legacy Grant Funds for easement purchases in the Coastal Bays Rural Legacy Area (RLA) in FY 19. This coming fiscal year it is the Coastal Bays RLA which has their turn for funding renewal. Ms. Katherine Munson, Planner V, feels confident that we will expend a significant portion of these funds in the referenced timeframe. After reviewing the potential interest in easements with Ms. Munson, I also believe we will be able to expend an amount within the range quoted above during the Federal Grant Cycle.

Continuing our past practice of matching these grants in this manner will be of assistance to the Coastal Bays Program without requiring any cash being directly laid out by the County. Additionally, there are also other programs and in-kind services that would also qualify as a match for this partner funding should the program funding referenced above fall short for any reason.

Should the County Commissioners concur and wish to approve this same type of in-kind match in the amount of \$600,000, a draft letter to the Maryland Coastal Bays Program is attached herewith for your consideration.

As always, both I and my staff will be available to discuss the matter with you and the County Commissioners at your convenience.

Attachments

cc: David Bradford
Katherine Munson
Kathy Whited



MARYLAND COASTAL BAYS PROGRAM

8219 Stephen Decatur Highway
Berlin, Maryland 21811
(410) 213-2297 - PHONE
(410) 213-2574 – FAX
mcbp@mdcoastalbays.org
www.mdcoastalbays.org

March 28, 2018

Mr. Harold L. Higgins
Worcester County Government Center
One West Market St., Snow Hill, MD 21863 – 1195

Dear Mr. Higgins,

The Maryland Coastal Bays Program is once again applying for the EPA National Estuary Program grant funding for the time frame of October 1, 2018 through September 30, 2019. This grant-funding year, the Maryland Coastal Bays Program is still expected to receive \$600,000 from the EPA. The program must provide as match an equivalent amount of \$600,000 from other non-federal sources. I am attaching the letter from FY 18 that the County was able to provide to MCBP.

We are being asked to apply for this grant early this year, so we are looking to complete the application process by April 30, 2018.

For this grant application, we are requesting a similar amount of match previously provided by each of the program participants. In the past, Worcester County provided match for the grant from the following in-kind source:

- Rural Legacy
- Environmental Programs

We would appreciate whatever match Worcester County can provide. In order to facilitate the grant application process, please respond by April 20, 2017.

The Maryland Coastal Bays Program appreciates your support and involvement in the National Estuary Program. If you have questions, please contact me at 410-213-2297 x 102.

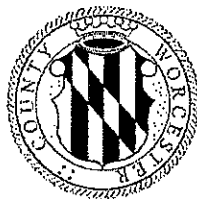
Thank you,

Frank M. Piorko

Frank M. Piorko
Executive Director

Cc: Bob Mitchell
Katherine Munson

TEL: 410-632-1194
FAX: 410-632-3191
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

April 4, 2017

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
MADISON J. BUNTING, JR., PRESIDENT
DIANA PURNELL, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
JAMES C. CHURCH
THEODORE J. ELDER
MERRILL W. LOCKFAW, JR.
JOSEPH M. MITRECIC

Mr. Frank M. Piorko, Executive Director
Maryland Coastal Bays Program
8219 Stephen Decatur Highway
Berlin, Maryland 21811

Re: National Estuary Program Grant Match, FFY18

Dear Mr. Piorko:

As you are aware, at their meeting on April 4, 2017 the County Commissioners 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, 2017 to September 30, 2018.

Worcester County will use non-federal Rural Legacy Program funds, expended during the above-stated time period for this match. There will also be a match from the Bay Restoration Fund (BRF) grants for the same time period along with other County programs that could qualify as a match for your partner funding requirements. The Department of Environmental Programs (EP) will assemble and submit the necessary documentation required by the EPA to the Maryland Coastal Bays Program. Please contact either Robert Mitchell, EP Director or Katherine Munson, Planner IV, directly regarding this matter.

Sincerely,

Harold L. Higgins
Chief Administrative Officer

cc: Bob Mitchell, Environmental Programs Director
Katherine Munson, Planner V, EP
Kathy Whited, Budget Officer

DRAFT

April 17, 2018

Mr. Frank M. Piorko, Executive Director
Maryland Coastal Bays Program
8219 Stephen Decatur Highway
Berlin, Maryland 21811

Re: National Estuary Program Grant Match, FFY19

Dear Mr. Piorko:

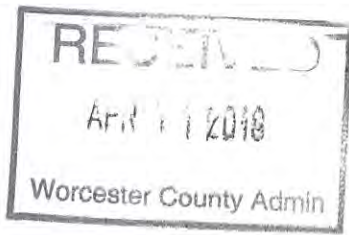
Please be advised that at their meeting on April 17, 2018 the County Commissioners approved an in-kind match of approximately \$600,000 for the Environmental Protection Agency (EPA) National Estuary Program (NEP) grant for the period of October 1, 2018 to September 30, 2019.

Worcester County will use non-federal Rural Legacy Program funds, expended during the above-stated time period for this match. There will also be a match from the Bay Restoration Fund (BRF) grants for the same time period along with other County programs that could qualify as a match for your partner funding requirements. The Department of Environmental Programs (EP) will assemble and submit the necessary documentation required by the EPA to the Maryland Coastal Bays Program. Please contact either Robert Mitchell, EP Director or Katherine Munson, Planner V, directly regarding this matter.

Sincerely,

Harold L. Higgins
Chief Administrative Officer

cc: Bob Mitchell, Environmental Programs Director
Katherine Munson, Planner V, EP
Kathy Whited, Budget Officer




9

Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

From: Robert J. Mitchell, LEHS 
Director, Environmental Programs

Subject: CREP Permanent Easement
Agreement of Sale
Aydelotte Farms Property - TM 78, Parcel 65
60 Acres

Date: April 10, 2018

Attached you will find a memorandum from Katherine Munson, of my staff with regard to the referenced Conservation Reserve Enhancement Program (CREP) easement Agreement of Sale. This CREP Permanent Easement is to be funded by MD DNR in accordance with a prior contract between MD DNR and Worcester County.

When funding under this program again became available to Worcester County, Environmental Programs reached out to eligible landowners and received interest from nine (9) property owners. Of these, MD DNR selected three (3) that they were willing to fund. Mr. Aydelotte was the only owner willing to move forward with an easement sale that was at a value that could be offered. An Easement Value System (EVS) was utilized to determine the per acre payment of \$1,735.50/acre. The initial area estimate was determined by deed examination and final payment will be based on an actual survey of the property. This deed will require the owner to maintain the property in forest and disallows subdivision.

We would respectfully recommend the County Commissioners authorize President Purnell to sign the document. The contract of sale is attached. We have also included the deed of easement as it is an exhibit to the contract of sale. That will be executed at settlement when the information and acreage is confirmed.

Ms. Howarth has reviewed the contract and the document is attached with signature line noted. As Ms. Munson has noted, all administrative and incidental costs will be paid for by MD DNR.

Citizens and Government Working Together

If you have any questions or need additional information please let me know.

Attachments

cc: Katherine Munson



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE CONSTRUCTION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Robert Mitchell, Director

FROM: Katherine Munson, Planner V *KM*

SUBJECT: CREP Permanent Easement—Aydelotte Farms; TM 78, Parcel 65

DATE: April 5, 2018

This deed of easement is to be purchased by Maryland Department of Natural Resources (MD DNR) per a contract between MD DNR and Worcester County dated October 1, 2013. All costs, including county administrative costs and all incidental costs, will be paid for by MD DNR.

The purpose of the CREP (Conservation Reserve Enhancement Program) Permanent Easement Program is to maintain CREP practices established on a property, in perpetuity, on a voluntary basis. The deed of easement requires the entire property to remain in forest and disallows subdivision.

This program has been available to Worcester County landowners participating in a CREP contract in the past and to date there are seven (7) properties in Worcester County in CREP Permanent Easements, held by Worcester County.

With assistance from the Farm Service Agency (FSA), we sent letters to all eligible landowners informing them of this opportunity. We received interest from nine (9) landowners. Of these properties, MD DNR was interested in funding 3 projects (including this one). Of the three, only Mr. Aydelotte was willing to move forward with an easement sale at the value we could offer. This program determines per acre payment with an Easement Valuation System (EVS) rather than with appraisals. The payment will be \$1,735.50 per acre.

A map showing the location of the property, an aerial image, the EVS and the contract of sale, for signature by Commissioner Purnell, are attached.

Please let me know of any questions you have.

Attachments

CREP VALUATION FORMULA – WORKSHEET

Property Owner Name

I. PROPERTY LOCATED IN TARGET AREA (Max 60 %)

- A. Property in Priority One Targeted Watershed
(60%)

- B. Property in Priority Two Targeted Watershed 40%
(40%)

II. AVERAGE BUFFER WIDTH FOR RIPARIAN BUFFERS BASED ON NUTRIENT EFFICIENCY (Max 20 %)

- 1. 35 feet
(0%)

- 2. 35-100 feet
(5%)

- 3. 100-250 feet 10%
(10%)

- 4. 250+ feet
(20%)

III. TOTAL CURRENT CREP CONTRACT ACRES (GOING INTO PERMANENT EASEMENT) (Max 20%)

- A. 0 -5 acres
(0%)

- B. 5 – 10 acres
(5%)

- C. 10 – 20 acres
(10%)

- D. 20 -- 40 acres 15%
(15%)

- E. 40+ acres
(20%)

**TOTAL FORMULA Percentage: 65%
(Max 100 %)**

(continued on next page)

Total Percentage .65 x \$4,450 (MALPF FAIR MARKET VALUE PER ACRE in County*) = \$2892.50
x .60 (60%) CAP = \$1,735.50 Per acre price.

x number of acres 60**= Total value \$104,130.00

**Most recent MALPF reported values (currently FY 2017/18)*

***Acreage is estimated based on deed. Survey needed.*

AGREEMENT OF SALE

THIS AGREEMENT OF SALE (“Agreement”), dated as of the _____ day of _____, _____ is made between Aydelotte Farms, Inc. (“Seller”) and the County Commissioners of Worcester County, Maryland (“Buyer”), collectively the “Parties”.

RECITALS

1. The Seller is the owner of property located in the 8th tax district of Worcester County, Maryland; which is 59.66 acres total, more or less, having a tax ID number of 08-000131, and described in **Exhibit A**, attached hereto and hereby made a part hereof (the “Property”).
2. The Buyer desires to purchase a conservation easement from the Seller on, over and across the Property on the terms and conditions set forth in this Agreement.
3. The Seller is willing to grant to Buyer and a second easement holder selected by the Buyer (collectively “Grantees”) for the hereinafter-set price, a conservation easement in perpetuity, on, over and across the Property.

NOW THEREFORE, in consideration of the terms and conditions of this Agreement and other good and valuable consideration, the Parties acknowledge the receipt and sufficiency of which, the parties agree as follows:

SECTION 1. PURCHASE AND SALE.

Subject to the terms and conditions set forth in this Agreement, Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller a Deed of Conservation Easement (as defined in section 4.1) on, over and across the Property.

SECTION 2. PURCHASE PRICE AND PAYMENT.

2.1. Subject to Section 2.3, the purchase price to be paid for the Deed of Conservation Easement (as defined in section 4.1) shall be One Thousand, Seven Hundred Thirty-Six Dollars (\$1,736.00) per acre, (the “Purchase Price”).

2.2. At Closing (as defined below), the entire Purchase Price shall be made payable by Buyer to Seller by a check.

2.3. The payment of the Purchase Price for the Deed of Conservation Easement is complete payment for the status and quality of the title to the Property required to be conveyed under this Agreement.

2.4 A survey shall be performed and the metes and bounds description shall be subject to the review and approval of the Seller and the Buyer. If the survey indicates that the area of the

property consists of more or less than 59.66 acres, then the Purchase Price shall be recalculated by multiplying the actual acres, as evidenced by the survey, by One Thousand, Seven Hundred Thirty-Six Dollars (\$1,736.00) per acre.

SECTION 3. CLOSING.

The consummation of the transactions contemplated in this Agreement (“Closing”) shall take place on or before March 29, 2019 at a date, time and place agreed to by the parties hereto.

SECTION 4. CONVEYANCE OF THE DEED OF EASEMENT.

4.1. At Closing, Seller shall convey to Buyer a Deed of Conservation Easement to the Property containing covenants of special warranty and further assurances in the same form and containing those restrictions and conditions set forth in the easement attached hereto as **Exhibit B** and hereby made a part hereof. Each of the Grantees shall have independent rights to enforce the Deed of Conservation Easement. Title shall be good and marketable and free and clear of any and all encumbrances, exceptions, limitations, leases and liens whatsoever, except that any Mortgages or deeds of trust shall be subordinated at closing. In the event any Mortgagee or beneficiary of a deed of trust fails to execute the required subordination at or prior to Closing to the satisfaction of the Buyer, the Buyer at its sole option, may terminate this Agreement and the Parties shall have no further obligation to each other.

4.2. Seller shall not mortgage, lease, encumber or otherwise dispose of the Property, or any part thereof, prior to Closing or the termination of this Agreement without first having obtained the prior written consent of the Buyer.

4.3. If prior to or through Closing, the existing Conservation Reserve Enhancement Program Contracts (the “Contracts”) entered into between the Commodity Credit Corporation (“CCC”) and Seller are terminated for any reason, this Agreement shall terminate and the Parties shall have no further obligation to each other.

SECTION 5. CONDITION OF THE PROPERTY AND RISK OF LOSS.

5.1. If prior to or through Closing, all or a substantial part of the Property is destroyed or damaged, without fault of the Buyer, then this Agreement, at the option of the Buyer, upon written notice to Seller, shall be null and void and of no further effect and the Parties shall have no further obligation to each other.

5.2 Seller covenants that at Closing, the Property shall be in the following condition:

No alterations, construction, or other activities or uses of and on the Property that would be inconsistent with the terms of the Deed of Conservation Easement will be made to the Property from and after the effective date of this Agreement.

5.3. From and after the effective date of this Agreement, the Seller grants permission to

the Buyer and its contractors and subcontractors to enter upon the Property for the purpose of making tests, surveys and inspections of the Property and the improvements thereon. Without limiting the generality of the foregoing, Buyer shall have the right to inspect the Property, one or more times prior to Closing, for the purpose of determining whether the property and the title to the Property is in the condition, status and quality required under this Agreement.

5.4. The Seller is responsible for the removal of dumps of materials including but not limited to soil, rock, other earth materials, trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery or other material on the Property to the satisfaction of the Buyer. Soil, rock, other earth materials and vegetative matter may remain stored on the Property for reasonable agriculture and silviculture purposes or for construction or maintenance of structures or means of access ongoing at the time of this Agreement and permitted under the Easement, as determined by the Buyer.

SECTION 6. CLOSING COSTS.

6.1. Buyer shall pay the following costs associated with the consummation of the transaction contemplated in this Agreement:

- i) any state or county recordation and transfer taxes or fees or other costs imposed upon the recordation of the Easement.
- ii) all expenses for examination of title and the premium for any title insurance obtained by it.

6.2. Seller shall pay the following costs associated with the consummation of the transaction contemplated in this Agreement:

- i) all taxes and fees relating to the recordation of any release of a mortgage, deed of trust, or other lien or encumbrance affecting the Property which is to be released or discharged at Closing;
- ii) any attorney's fees incurred by the Seller, and
- iii) all real estate taxes and personal property taxes owing for the then current year levied or assessed with respect to the Property. All taxes and other assessments against said property shall be in and remain the exclusive responsibility of the Seller, including but not limited to the payment of real estate taxes.

SECTION 7. SELLER'S REPRESENTATIONS.

7.1. Seller makes the following representations and warranties as of the dates on which each of them respectively executes this Agreement and as of Closing.

7.2. Seller represents and warrants that:

i) No government or private action, suit or proceeding to enforce or impose liability under any Environmental Laws has been instituted or threatened concerning the Property and no lien has been created under any applicable Environmental Laws;

ii) Seller has no notice or knowledge of conditions or circumstances at the Property, which pose a risk to the environment or to the health, and safety of persons,

iii) No work shall have been done or materials placed for or about any of the Property within one hundred eighty (180) days ending on the day of the Closing or which the person performing the work or providing the materials has not acknowledged in writing that it has been paid in full at or before Closing.

7.3. The Seller's representations and warranties set forth above shall not merge with or into the Deed of Conservation Easement and shall survive the delivery of the Deed of Conservation Easement at Closing.

SECTION 8. OBLIGATIONS OF SELLER AT CLOSING.

8.1. At Closing, Seller shall execute, acknowledge and deliver the Deed of Conservation Easement to the Buyer.

8.2. At Closing, Seller shall execute and deliver to the Grantees and the closing attorney such other writings usually requested from a seller by a closing attorney in connection with the sale of property. Writings may include evidence of Seller's authority to execute and convey the Deed of Conservation Easement, including, but not limited to, good standing certificate, a corporate resolution, and all organizational documents and authorizations for a particular person to sign on behalf of the Seller.

SECTION 9. OBLIGATIONS OF BUYER AT CLOSING.

At Closing, Buyer shall deliver the Purchase Price in accordance with the terms and conditions of this Agreement.

SECTION 10. DEFAULT.

10.1. In the event that Seller cannot convey to Buyer the easement on the Property as required under this Agreement, Buyer shall:

i) Permit Seller to take any action necessary to perfect its title and remove any and all legal, equitable and beneficial grounds of objection to or defect of the title; and

ii) Extend Closing until such action is completed, but no longer than ninety (90) days from the Seller receipt of notice from Buyer of such defect(s) to the title.

In the event that Seller fails to cure the defect(s) to title within that ninety (90) day period, then and only then shall Seller be in default of its obligations to convey title to the Property under this Agreement.

10.2. Subject to Section 10.1, in the event that Seller default in any of the terms, provisions, covenants or agreements to be performed by the Seller under this Agreement, Buyer shall be entitled after such default to:

- i) Waive any failure to perform in writing,
- ii) Terminate this Agreement, in which event the Parties hereto shall thereafter be relieved of any and all further rights, liabilities and obligation under or pertaining to this Agreement, other than those which by the express terms of this Agreement are intended to survive termination, in which event the Deposit and any interest accrued thereon shall be returned to the Buyer provided Seller must then pay to Buyer an amount equal to all Buyer's survey costs; and
- iii) Exercise any and all rights and seeks any and all remedies which Buyer may have or to which Buyer may be entitled at law or in equity, including, without limitation, seeking damages or specific performance.

10.3. In the event Buyer defaults in any of the terms, provisions, covenants or agreement to be performed by Buyer under this Agreement, Seller shall be entitled, after such default, to:

- i) Waive any failure of performance in writing; and
- ii) Terminate this Agreement in entirety, in which event the parties hereto shall thereafter be relieved of any and all further rights, liabilities and obligations, other than those, which by the express terms of this Agreement are intended to survive such termination.

SECTION 11. GENERAL PROVISIONS.

11.1. This Agreement is the full agreement among the parties on the matters set forth herein. This Agreement can only be amended by written amendment executed by the Parties hereto.

11.2. The Parties hereto further agree that this Agreement is expressly contingent upon the Maryland State Board of Public Works ("Board of Public Works") approving the Project Agreement ("Project Agreement") submitted by the Maryland Department of Natural Resources Program Open Space. In the event the Board of Public Works fails to approve this Project Agreement, the Buyer, at its sole option, may terminate this Agreement by written notice to Seller, and the Parties shall have no further obligation to each other.

11.3. This Agreement may be assigned to the Maryland Department of Natural Resources or any other assignee approved by the Maryland Department of Natural Resources.

11.4. This Agreement is effective upon the later of the date at the beginning of this Agreement or the date of the last Parties' execution and acknowledgment.

SECTION 12. SURVEY PROVISION

12.1 The Parties acknowledge that they believe and estimate in good faith that the area of easement is 59.66 acres. Buyer, at Buyer's expense, will cause a survey to be made by a professional land surveyor or property line surveyor, selected by Buyer, to determine the exact

lines of the area of the easement and acreage thereof. In the event the Seller may void this Agreement all sums paid hereunder shall be returned to Buyer and Seller shall reimburse Buyer for Buyer's out of pocket costs for the survey.

12.2 The Parties shall cooperate with, and assist, the surveyor who shall be permitted all necessary access to the property. Buyer shall, upon request of Seller, extend settlement a period of 120 days to permit Seller to contest any survey results.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed, acknowledged, and delivered, the day and year written in this Agreement.

Witness:

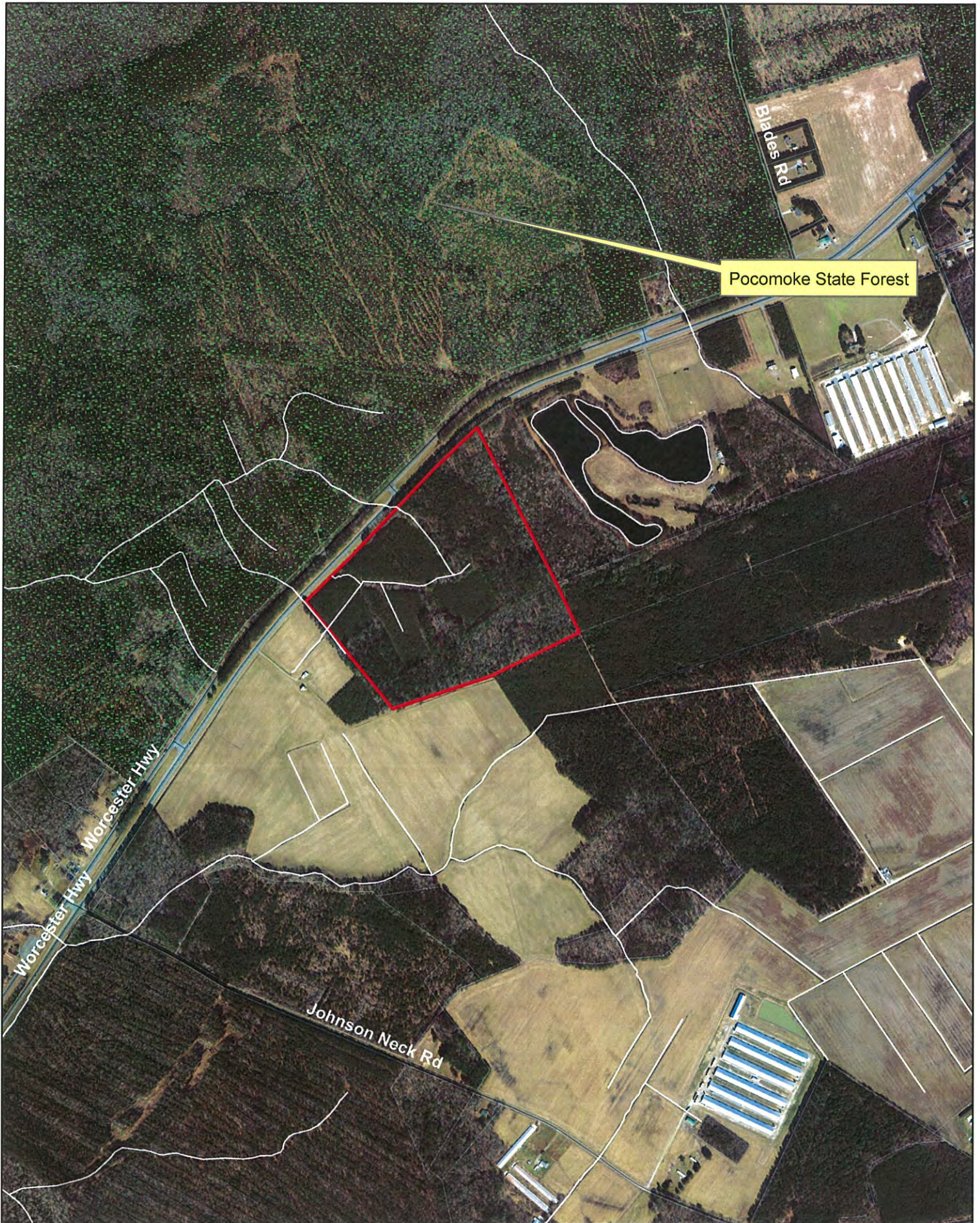
SELLER
Aydelotte Farms, Inc.

_____(Seal)
Brooks Aydelotte

BUYER

County Commissioners of Worcester County, Maryland

By: _____(Seal)
Diana Purnell, President



Aydelotte Farms
TM 78, M 65
50 66 3333

0 0.1 0.2 0.4 Miles

13

RECEIVED
APR 12 2018
Worcester County Admin



10

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: April 12, 2018
SUBJECT: Aerial Spraying

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

.....
As requested, I have had the opportunity to review the attached document from the Maryland Department of Agriculture, dated April 9, 2018, and acknowledge the need to do aerial spraying to control the mosquito populations in both rural and populated areas of Worcester County.

We would recommend the County Commissioners sign the Acknowledgement/Approval document attached.

Should you have any questions or concerns please feel free to contact me.

Attachments

cc: Ken Whited



Maryland Department of Agriculture

Office of Plant Industries and Pest Management

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Joseph Bartenfelder, Secretary
Julianne A. Oberg, Deputy Secretary

Mosquito Control

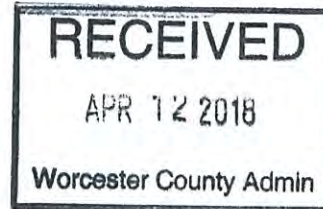
The Wayne A. Cawley, Jr. Building
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
www.mda.maryland.gov

Agriculture | Maryland's Leading Industry

410.841.5870 Baltimore/Washington
410.841.5835 Fax
800.492.5590 Toll Free

April 09, 2018

Mr. Harold L. Higgins
Chief Administrative Officer
Worcester County Government Center
1 West Market Street Room 1103
Snow Hill, MD. 21863



Dear Mr. Higgins,

Enclosed is an acknowledgement form stating that the Worcester County Board of Commissioners approves the use of the Maryland Department of Agriculture's aircraft to conduct aerial spray operations for mosquito control in Worcester County. This acknowledgement form is a Federal Aviation Administration requirement under regulation CFR 137.51(b)(1) which allows for pesticide applications over congested areas. This is the same form that was approved last year; however, the FAA is now requiring that we obtain a signed acknowledgement form each year.

Please return a signed copy of the acknowledgement form to my office. If you need any additional information, please contact me at 410-543-6626. I appreciate your attention in this matter as well as your continued support of our mosquito control program.

Regards,

Daniel Schamberger
Administrator III
Maryland Department of Agriculture
Mosquito Control Section
27722 Nanticoke Road Unit 2
Salisbury, MD. 21801
daniel.schamberger@maryland.gov

**LOCAL GOVERNMENT ACKNOWLEDGMENT/APPROVAL
OF AERIAL SPRAYING OPERATIONS
FOR MOSQUITO CONTROL**

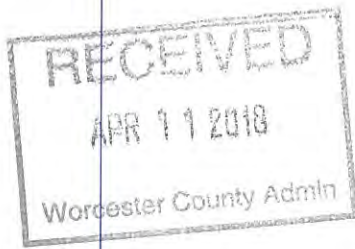
The Worcester County Board of Commissioners acknowledges and approves of the use of aircraft for the application of pesticides to control mosquito populations in Worcester County. The Worcester County Board of Commissioners understands that the aircraft will be operated by the Maryland Department of Agriculture (Department) as part of a public agency mosquito control program. The Worcester County Board of Commissioners also understands that the Department is responsible for and will ensure that all necessary licenses and permits for the operation of the aircraft are in effect, pesticides are applied according to State and Federal regulations, a proficient pilot is employed to operate the aircraft in a safe and efficient manner, and that adequate insurance for the operation of the aircraft is in effect. The Worcester County Board of Commissioners acknowledges that the aircraft will be used to apply pesticides over both rural and populated areas of Worcester County.

Signed: _____

Name(Typed/Printed): _____

Title: _____

Date: _____



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Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: April 11, 2018
SUBJECT: FY18 Spring Paving Schedule – Additional Road Request

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

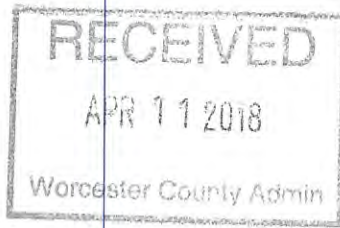
On February 20, 2018, the County Commissioners agreed to extend the contract for blacktop resurfacing of County roadways to Chesapeake Paving at a cost of \$777,490.00. At the County Commissioner’s meeting of April 3, 2018, the bid for tar and chip resurfacing was awarded in the amount of \$471,389.79 and the crack seal bid in the amount of \$17,697.00. Funding in the amount of \$1,500,000.00 for road resurfacing projects is available this spring in the General Fund – Assigned Fund Balance. Due to all of the various resurfacing project bids coming in substantially lower than estimated this has resulted in \$233,423.21 available for additional roads to be added to the blacktop schedule which is approximately 3,334 tons.

Below is a recommendation of additional roads to be added to the current blacktop schedule for your approval.

<u>Road Name</u>	<u>Directions</u>	<u>Lengt h</u>	<u>Widt h (ft)</u>	<u>Tons</u>
Beauchamp Road	*Change to 2 Inches of B/T	1.45	23'	544 - additional
Bristol Road	Balte Rd – W. Torquay Rd	.13	20'	137
Ebenezer Road	Rt 610 – Morris Rd	1.32	18'	1,162
Five Bridges Road	Whitesburg Rd – County Line	.90	18'6"	839
Swan Gut Road	Rt 12 – Mailbox 4746	.62	18'6"	561
Total Additional Tonnage				3,243
Total Additional Cost				\$227,010.00

Should you have any questions, please don't hesitate to call me.

cc: Frank Adkins



12

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: April 9, 2018
SUBJECT: Ocean Pines Pump Station M
Pump Replacement

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Last month, one of the two pumps in Ocean Pines Pump Station M failed. As we have done before, the pump was taken to Hill Electric, Inc. (Hill) for repair. Hill indicated that the pump was not economically repairable. In the interim, a temporary pump has been installed in the station should the remaining pump fail.

Since we continue to standardize on Flygt Pumps for our collection system, we contacted Sherwood Logan and Associates, Inc., the authorized pump supplier for Flygt Pumps in this region. Sherwood Logan provided the attached proposal for a new pump in the amount of \$11,295, freight included.

Because the pump will require 10 to 12 weeks for delivery, we anticipate this expense will be incurred in the 2018/2019 budget year. The proposed 2018/2019 budget includes \$260,000 in Account Number 555.8004.6500.010 to cover these types of expenses.

We are requesting that the Commissioners waive the formal bidding process for this pump and authorize the purchase of the Flygt Pump for \$11,295 directly from Sherwood Logan and Associates, Inc.

If you have any questions, please feel free to contact me.

Attachments

cc: John S. Ross, P.E., Deputy Director
Jessica Wilson, Enterprise Fund Controller

SHERWOOD-LOGAN & ASSOCIATES, INC.

3/13/18

Attn: Jeff Tingle
Collections System Supervisor
Worcester County DPW
1000 Shore Lane
Berlin, MD 21811

RE: Pump Station M: Proposal for Qty. 1 - Flygt NP3127.060-HT submersible pump

Mr. Tingle,

Sherwood-Logan & Associates is pleased to provide you with the following Flygt NP3127.060-HT submersible pump proposal as per your request;

Quantity One (1) – Flygt NP3127.060 HT with 488-adaptive impeller per the attached data sheets. Pump will include 10HP/208V/3phase motor, 4" drilled ANSI outlet flange, 50' of cable, FLS, factory testing, MiniCas module for leakage & temperature monitoring (installed in control panel by others) & estimated freight charges.

Total Price per the scope of supply above: \$11,295.00

Notes/Comments:

- Delivery: 10 - 12 weeks ARO
- Each pump has a drilled volute bottom & is drilled for a flush valve
- Factory authorized start-up services have been excluded
- Freight is included
- Pump 4" outlet flange will be drilled to accommodate existing pump sliding bracket

Exclusions: Lifting chain, davit crane, hoist, guideclaw/sliding bracket, bolts, fasteners, ancillary hardware not specified above, XP rating, controls/control panel & installation.

Please feel free to contact me at the number below if you have any questions or require additional information & thank you the opportunity, we're grateful for your business.

Sincerely,

John Logan
2140 Renard Court
Annapolis, MD 21401
Phone: 410.841.6810 ext. 326
logan.j@sherwoodlogan.com



13

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

April 9, 2018

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
On Behalf Of Worcester County Sewer Committee
SUBJECT: Request for Allocation of EDU for Deem Property

Please be advised that on March 16, 2018 we received the attached request from Michael Jay Deem for the allocation of one (1) equivalent dwelling unit (EDU) of sanitary sewer service from the Mystic Harbour Sanitary Service Area (MHSSA) to serve an existing residential structure which is currently served by a septic system. The subject property is identified on Tax Map 33 as Parcel 322. The request was subsequently reviewed by the Worcester County Sewer Committee at our meeting on April 5, 2018. On behalf of the committee, I offer the following staff report for your consideration with regard to this request:

Summary of Request: Mr. Deem is requesting to purchase 1 EDU of sanitary sewer service from the Mystic Harbour Sanitary Service Area (MHSSA) to serve an existing single family home which is currently served by a private well and septic system. The subject property is located east of Stephen Decatur Highway (MD Route 611) at 12249 Eagles Nest Road, is approximately 5.00 acres in area and improved with a 5,998 square foot structure. The property is currently zoned A-1 Agricultural District, and was designated in a 2008 amendment as S-3 in the County Water and Sewerage Plan which indicates an area of planned sewer service to be built within 6 to 10 years, but does not guarantee any service or obligate the provision of services in that time frame. If approved, the septic system would be abandoned and properly filled which would further the County's goal of removing private septic systems where more environmentally-sensitive public sewer facilities are available.

Current Available Capacity - South: There are currently 53 EDUs allocated in Area 2 (south of the airport), in which the Deem is located, which have not yet been purchased. These remaining EDUs have been allocated for the following uses: Commercial Infill South of Airport (20 EDUs), Vacant or Multi-Lot properties (2 EDUs), Assateague Greens Executive Golf Course/Range (6 EDUs), Church (5 EDUs), and Single Family Dwellings (20 EDUs) to replace septic systems for existing homes. Given the nature of this request, we suggest that the "Single Family Dwellings" allocation would be the most appropriate category from which to consider assigning this EDU.

Background on Original Allocation of New Sewer Capacity in Mystic Harbour: The expansion of the Mystic Harbour WWTP and funding from USDA in 2008 was predicated upon the need for infill and intensification of properties along the Route 50 commercial corridor and vicinity, service to vacant or multi-lot properties, single family dwellings converting from septic systems to public sewer, and commercial properties. The Worcester County Planning Commission recommended a rating system to rank priority allocations of the additional EDUs with highest priority to (1) infill lots, (2) expansion of existing facilities, (3) replacement of septic tanks, and (4) new developments. This request appears to be in keeping with priority 3 above since it will result in the replacement of an existing septic system.

Options for Commissioners' Action on the Request:

Option 1 - Approve the request for allocation of 1 EDU of sewer service from Area 2 (south of the airport) of the MHSSA to serve the Deem property, and allocate the EDU from the "Single Family Dwellings" category or from another of the available categories as follows:

- **Area 2 (south):** 20 EDUs - Commercial Infill South of Airport
- 2 EDUs - Vacant or Multi-Lot properties
- 6 EDUs - Assateague Greens Executive Golf Course
- 5 EDUs - Church
- 20 EDUs - Single Family Dwellings

Option 2 - Deny the request for 1 EDU of sewer service from the MHSSA to serve the Deem property.

The Sewer Committee will be available to answer any questions which you may have with regard to this application in order for you to make the most informed decision on this request.

Worcester County - Department of Public Works - Water and Wastewater Division
Mystic Harbour Sewer Service Application

Name: Michael Jay Deem Date: 3-16-18

Mailing address: 12249 Eagles Nest Rd

Address of service location: 12249A Eagles Nest Rd

Property identification (acct # & map/parcel): 10-217407 33/322

Type of project (circle one below):

Single Family Minor Site Plan Major Site Plan Residential Planned Community

Type of service requested (circle one): Residential Commercial

If commercial, list type of business, square footage and number of seats in restaurant (if applicable):

EDU's/gallons assigned to property: 1 EDU's to be purchased: 1

If developer new construction, will you be providing the meter (circle one): Yes No N/A

Name & license number of licensed plumber providing connection from meter to building:

TRD

Name & phone number of person to contact with regards to this application/account:

Michael Deem 410-251-1049 410-213-0002

Signature: Michael Jay Deem Date: 3-18-18

Attachments required to be submitted with application:

- Single Family- Copy of permit application.
- Minor Site Plans- Copy of TRC report or documentation of administrative waiver.
- Major Site Plans- Copy of TRC report.
- Residential Planned Community- Copy of Planning Commission's findings/recommendation for Step 1.

NOTICE: Please review attached Resolution No. 17-19 which details the EDU allocation process and the time frame in which the EDUs must be utilized or returned to the County for future allocation and utilization. If mains are to be installed by applicant a separate "Small Sewer and Water Project Agreement" will be required.

OFFICE USE ONLY:

Date received: 3/16/18 By: Jessica Wilson

Environmental Programs approval: _____ Date: _____

Treasurer's Office approval: _____ Date: _____

Public Work's approval: _____ Date: _____

FEES PAID:

Deposit \$1,000 per EDU X 1 (EDU's) = \$ 1,000

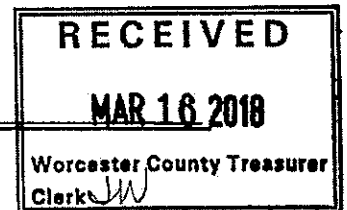
Remaining Balance \$6,700 per EDU X _____ (EDU's) = \$ _____

Date received: 3/16/18 By: Jessica Wilson

RETURN TO:

Worcester County Treasurer's Office
Attn: Jessica Wilson
P.O. Box 349
Snow Hill, MD 21863

FULL POLICY ATTACHED AND INCORPORATED.



Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 10 Account Number - 217407							
Owner Information									
Owner Name:		DEEM MICHAEL J SR			Use:		RESIDENTIAL		
Mailing Address:		12249 EAGLES NEST RD BERLIN MD 21811			Principal Residence:		YES		
					Deed Reference:		/01169/ 00114		
Location & Structure Information									
Premises Address:		12249 EAGLES NEST RD OCEAN CITY 21842-0000			Legal Description:		PARCEL C 5.0035 ACS E SIDE ANTIQUE ROAD MINOR SUB R.M. PALMER		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0033	0005	0322		75Z8				2017	Plat Ref:
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1998		5,998 SF				5.0000 AC			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1 1/2	NO	STANDARD UNIT	SIDING	2 full/ 1 half	2 Attached				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of		As of		
				01/01/2017	07/01/2017		07/01/2018		
Land:		97,500		97,500					
Improvements		294,000		288,100					
Total:		391,500		385,600		385,600		385,600	
Preferential Land:		0						0	
Transfer Information									
Seller: BENTON GEORGE J & MARY ANN				Date: 04/14/1986		Price: \$53,000			
Type: ARMS LENGTH IMPROVED				Deed1: WCL /01169/ 00114		Deed2:			
Seller: PALMER REYNOLD M & GERALDINE E				Date: 12/13/1982		Price: \$25,000			
Type: ARMS LENGTH IMPROVED				Deed1: WCL /00847/ 00247		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									
Homestead Application Status: Approved 09/05/2013									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				

4

RESOLUTION NO. 17 - 19

**RESOLUTION CREATING THE MYSTIC HARBOUR SANITARY SERVICE AREA
SEWER EDU ALLOCATION PROCESS**

WHEREAS, the Mystic Harbour Wastewater Treatment Plant (WWTP) was upgraded and expanded in 2014 to provide additional sanitary sewer treatment capability to serve residential and commercial needs of properties within the Mystic Harbour Sanitary Service Area (SSA); and

WHEREAS, the upgrade and expansion resulted in a total of 200,000 gallons per day of additional sewage treatment capacity in the Mystic Harbour WWTP which created a total of 666 new Equivalent Dwelling Units (EDUs) of sewer capacity at a rate of 300 gallons per day per EDU which are now available in the Mystic Harbour SSA; and

WHEREAS, the planning documents included in the latest approved *Worcester County Water and Sewerage Master Plan* amendment regarding the Mystic Harbour SSA identified a number of goals for the additional capacity and included a chart (attached hereto) allocating the new EDUs to different areas within the Mystic Harbour SSA for different purposes; and

WHEREAS, on March 15, 2016, the Worcester County Commissioners reviewed and approved an implementation policy for the newly available sewer EDUs in the Mystic Harbour/West Ocean City SSA Overlay Area; and

WHEREAS, upon the recommendation of the Worcester County Water and Sewer Committee, the County Commissioners have determined that it is prudent to have an allocation process in place for all 666 new sewer EDUs in the Mystic Harbour SSA, not just those aimed at the Overlay Area, to include County Commissioner approval of future allocations.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following Mystic Harbour Sanitary Service Area EDU Allocation Process is hereby adopted:

1. The allocation of Mystic Harbour Sanitary Service Area sewer EDUs shall only be approved for properties with an existing demonstrated need and in connection with either a permit or plan application specifying how and where the capacity will be allocated:
 - A. The project must apply to the County Commissioners for the EDU allocation while the project is pending as follows:
 - i. Single Family Dwellings and change of use commercial spaces - The property owner or their representative must apply for and receive any needed EDU allocation prior to receiving any permit for the project. EDU(s) must be paid for in full at time of the first permit application.
 - ii. Minor Site Plans and other projects requiring administrative approvals - The project must have completed the Technical Review Committee process (when required) or the granting of an administrative waiver before applying to the County Commissioners for EDU allocation. The project must have EDU allocations prior to the project applying for final signature approval with the Zoning Administrator. A deposit shall be required upon application as detailed in

Section 1B hereof. The remaining balance to purchase the EDUs shall be paid prior to any project permit being issued.

- iii. Major Site Plans - The project must have completed the Technical Review Committee process before applying to the County Commissioners for EDU allocation. The project must have EDU allocations prior to the project applying for final site plan approval with the Planning Commission. A deposit shall be required upon application as detailed in Section 1B hereof. The remaining balance to purchase the EDUs shall be paid prior to any project permit being issued.
 - iv. Residential Planned Community (RPC) - Concurrent with Step 1 of the RPC approval process, the project shall apply to the County Commissioners for EDU allocation. The project cannot move to Step 2 of the RPC approval process without sufficient EDUs being allocated. A deposit shall be required upon application as detailed in Section 1B hereof.
- B. Included with the application shall be a \$1,000 deposit per EDU applied for. If the County Commissioners deny the allocation or if the Planning Commission fails to approve the site plan, the deposit shall be returned. If the County Commissioners approve the allocation and if the Planning Commission approves the site plan or RPC, the deposit is non-refundable.
 - C. If the project approvals expire, the project shall lose its allocation of EDUs. The County shall return the amount paid to purchase the EDUs less the non-refundable deposit.
 - D. If after one year of the project having EDUs allocated to it, a building permit has still not been issued for the project, an additional deposit of \$1,000 per EDU per year shall be required for each year of additional reservation of service up to a maximum of five years. No reservation shall be allowed beyond five years. The additional deposit shall be paid not less than 60 days prior to the anniversary date of the original allocation approval. If the additional deposit is not paid as required or if five years elapses, the EDU allocation shall be null and void and all prior deposits shall be forfeited.
 - E. Applications shall be submitted to: Worcester County Administration, Government Center - Room 1103, One West Market Street, Snow Hill, MD 21863.
- 2. There shall be no transfers of sewer allocations permitted in the Mystic Harbour Sanitary Service Area (MHSSA) by property owners who have excess capacity allocated to their properties. In the event that excess sewer capacity exists on a property as a result of changes or modifications to the original development plan, any and all excess capacity shall revert to the MHSSA two years after the issuance of the certificate of occupancy for the last building shell in the project. The property owner shall only be entitled to the return of the amount of the original price paid to the County for the EDUs less the non-refundable deposit. The property owner shall be notified in writing of the forfeiture of the unused capacity. Such notice shall be sent by registered mail to the property owner(s) address as identified on the tax assessment rolls as maintained by the Maryland Department of Assessments and Taxation.
 - 3. The current equity contribution in fiscal year 2018 (FY18) for each Mystic Harbour Sanitary Service Area sewer EDU is \$7,700, with quarterly debt service payments of \$54 per EDU


thereafter until the debt is paid in full. The equity contribution will be recalculated each fiscal year to include the debt service from the prior year. Quarterly debt service payments may be adjusted in the future to pay for additional debt incurred by the Mystic Harbour Sanitary Service Area.

4. Upon allocation of the EDUs, accessibility charges as established in the annual budget for the Mystic Harbour Sanitary Service Area shall become due and payable on a quarterly basis. The current accessibility charge is \$150 per quarter per EDU. Accessibility charges are non-refundable should the applicant fail to utilize the allocated EDUs.


AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED AND ADOPTED this 19th day of September, 2017.


ATTEST:

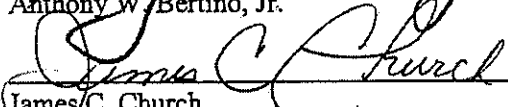

Harold L. Higgins - Kelly Shanahan
Chief Administrative Officer; Assistant CAO

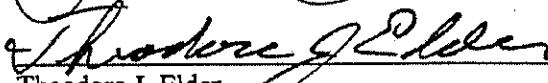
COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

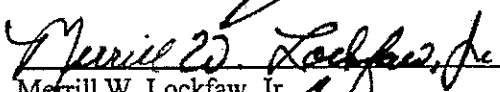

Madison J. Bunting, Jr., President

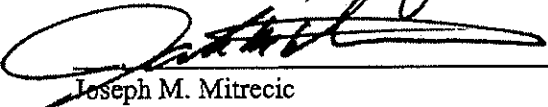

Diana Burnell, Vice President


Anthony W. Bertino, Jr.

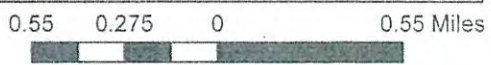
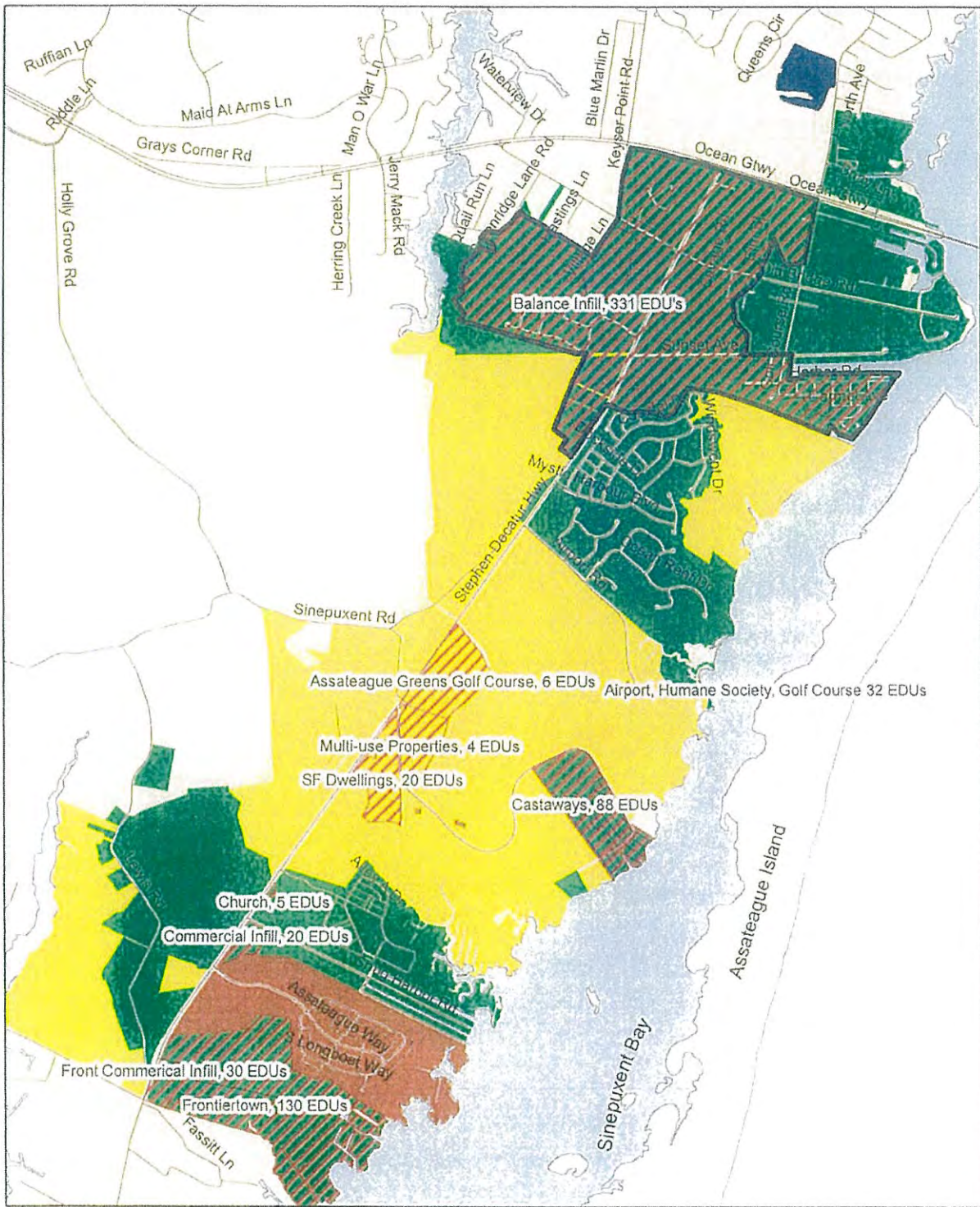

James C. Church


Theodore J. Elder

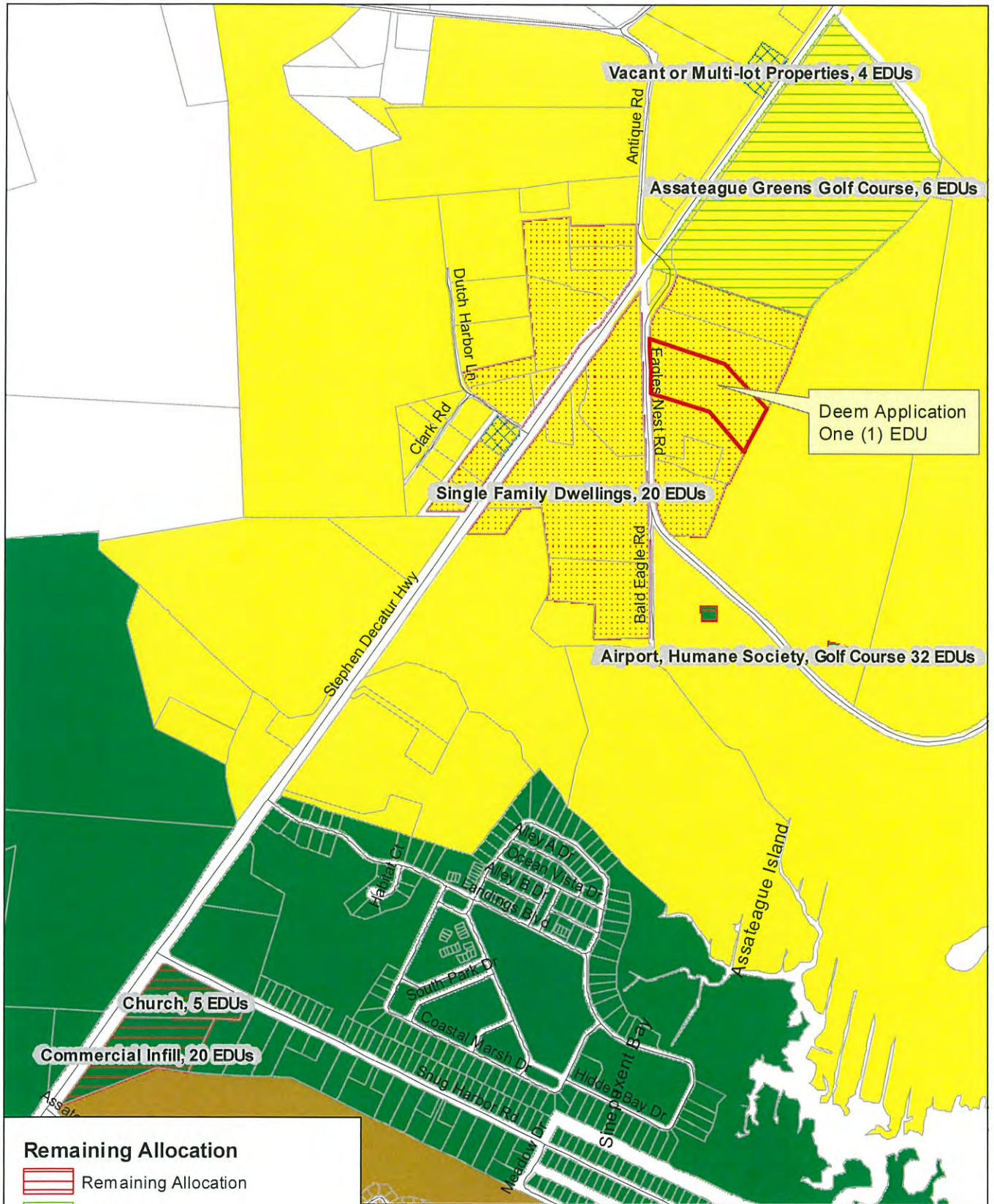

Merrill W. Lockfaw, Jr.


Joseph M. Mitrecic

Allocation of Sewer EDUs in Mystic Harbour Sanitary Service Area (New Capacity as of 4/3/18)						
North of Airport, North of Antique Road, East and West of Route 611 - "Area 1"	Original Allocation	Current Adjusted Allocation	Sold and In Service	Sold and Not In Service	Remaining Allocation	Footnotes
Infill and Intensification of Properties in "Area 1"	154	148	0	0	148	3
Vacant or Multi-lot Properties in "Area 1"	80	80	0	0	80	
Single Family Dwellings	17	17	0	0	17	
Commercial Properties in "Area 1"	80	80	0	31	49	4, 5, 7, 8
Subtotal EDUs in "Area 1"	331	325	0	31	294	
Airport and South of Airport, East of Route 611 - "Area 2"						
Commercial Infill South of Airport	20	20	0	0	20	
Vacant or Multi-lot Properties	4	4	0	2	2	6
Assateague Greens Executive Golf Course/Range-9-holes	6	6	0	0	6	
Ocean City Airport, Clubhouse and Humane Society	32	32	32		0	1
Church	5	5	0	0	5	
Single Family Dwellings	20	20	0	0	20	
Castaways Campground	88	88	88		0	2
Frontier Town Campground	130	166	0	166	0	3
Commercial Portion of Frontier Town Campground	30	0			0	
Subtotal EDUs in "Area 2"	335	341	120	168	53	
TOTAL EDUs	666	666	120	199	347	
Note: See attached map for location of EDU allocations						
Footnotes:						
1 - Transferred 32 EDUs to Town of Ocean City on June 3, 2014 as part of the Eagles Landing Spray Irrigation MOU.						
2 - Sold 88 EDUs to Castaways Campground on July 3, 2014.						
3 - Sold 166 EDUs to Frontier Town Campground on March 30, 2017 by transferring 30 EDUs from Frontier Town Commercial allocation and 6 EDUs from "Infill and intensification of properties in Area 1" allocation as agreed by Commissioners on September 19, 2017.						
4 - Sold 14 EDUs to Park Place on May 16, 2017.						
5 - Hampton Inn bought 40 EDUs from Mitch Parker and bought an additional 13 EDUs from the County on August 28, 2017.						
6 - Approved the sale of 2 EDU's to Victor H. Birch Property on March 20, 2018.						
7 - Approved the sale of 1 EDU to Eugene Parker Trust Property on April 3, 2018.						
8 - Approved the sale of 3 EDU's to L & B Ocean City, LLC Properties on April 3, 2018.						

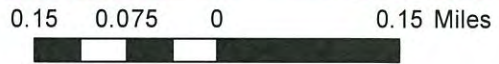


Mystic Harbour Sewer Planning Area
 New Mystic Capacity--666 EDU's
 Prepared by the Worcester County
 Department of Environmental Programs
 June 2015



Remaining Allocation

-  Remaining Allocation
-  Commercial
-  Residential
-  Vacant or multi-lot
-  Assateague Pointe Service Area
-  Mystic Harbour Service Area S1
-  Mystic Harbour Service Area S3



Mystic Harbour Sewer Planning Area
 Remaining Allocation of Sewer Capacity
 South of Airport (Area 2)
 Prepared by the Worcester County
 Department of Environmental Programs
 March 21, 2018

10



14

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

April 11, 2018

TO: Worcester County Commissioners
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*
On Behalf Of Worcester County Sewer Committee
SUBJECT: Request for Allocation of EDUs for Frontier Town Campground Expansion

Please be advised that on February 20, 2018 we received the attached request from Attorney Hugh Cropper, IV on behalf of Sun TRS Frontier LLC (the Applicant) for the allocation of an additional 40 equivalent dwelling units (EDUs) of sanitary sewer service from the Mystic Harbour Sanitary Service Area (MHSSA) for a proposed expansion of the Frontier Town Campground. The application was later amended by Mr. Cropper by an email received March 9, 2018 to request a total of 34 EDUs. The amended request was subsequently reviewed by the Worcester County Sewer Committee at our meeting on April 5, 2018. On behalf of the committee, I offer the following staff report for your consideration with regard to this request:

Background on Frontier Town Campground EDUs: Frontier Town Campground previously purchased 166 EDUs on March 30, 2017 to serve the existing campground in order to remove their current septic system. In planning for the expansion of the Mystic Harbour Wastewater Treatment Plant (WWTP), 130 EDUs were allocated to the Frontier Town Campground and 30 EDUs were allocated for the Commercial Portion of Frontier Town Campground to facilitate the removal of their septic system. This plan is documented in the EDU Allocation Table (attached) which the Maryland Department of the Environment (MDE) required the County to incorporate into our Water and Sewer Plan when MDE approved the Water and Sewer Plan Amendment needed for the MHSSA expansion. The original 30 EDUs for commercial use were reallocated on March 30, 2017 to serve existing campsites at Frontier Town. While drafting the MHSSA Sewer EDU Allocation Process, staff recognized that an additional 6 EDUs had been sold to Frontier Town Campground above and beyond the original allocation of 160 EDUs. Original calculations were that 160 EDUs were needed for the existing sites. It was later determined the number of campsites and corresponding EDUs were counted incorrectly. There were 584 existing sites and those sites needed 166 EDUs. On September 19, 2017, the County granted the extra 6

EDUs as it was consistent with the Plan and MDE's approval to provide public sewer to the existing campground. In order to properly document this purchase, the Commissioners agreed that the 6 EDUs would come from the "Infill and Intensification of Properties in Area 1" (the North Area) which was approved on September 19, 2017 upon adoption of the EDU Allocation Process.

By application dated November 27, 2017, the Applicant previously requested an additional 71 EDUs for a campground expansion to serve 213 new campsites at Frontier Town Campground. The application was subsequently denied by the County Commissioners on December 19, 2017 since such an allocation would have required amending the Allocation Table and Map in the Water and Sewerage Plan (the "Plan") which was required by the Maryland Department of the Environment (MDE) as a condition to their approval of the MHSSA expansion, would eliminate all EDUs in the South and diminish available EDUs in the North, and since the Allocation Table only allocated 160 EDUs to Frontier Town for the existing campground, and none had been allocated for future expansion of the campground. Doing otherwise would have violated the Plan unless the Plan was formally amended by the County Commissioners and approved by MDE. The decision to deny the request was subsequently appealed to the Circuit Court of Worcester County and is currently pending the Court's decision.

Summary of Current Request: The Applicant now requests an allocation of an additional 34 EDUs of sewer service from the MHSSA to provide for Phase I of the campground expansion to serve 101 of the 213 total new campsites planned by the Applicant. Phase I encompasses the 101 new campsites and a community building on the south side of the entrance road for which needed capacity is computed as follows:

$$\begin{aligned} & - 101 \text{ campsites at } 100 \text{ gallons per day (gpd) per campsite} = 10,100 \text{ gpd} \\ & \div 300 \text{ gpd/edu} = \mathbf{34 \text{ EDUs Total Request}} \end{aligned}$$

The subject property is located on the east side of Stephen Decatur Highway (MD Route 611) north of Assateague Road (MD Route 376), is approximately 199.99 acres in area, currently zoned A-2 Agricultural District, and is designated S-1 in the Plan which indicates an area of existing or planned sewer service to be built within 2-years, but does not guarantee any service or obligate the provision of services in that time frame. While a site plan has been submitted and conceptually approved by the Worcester County Planning Commission for the campground expansion, signature site plan approval is contingent upon the Applicant securing the necessary sanitary capacity from the MHSSA as approved by the County Commissioner in accordance with Resolution 17-19.

Current Available Capacity - South: There are currently 53 EDUs allocated in Area 2 (south of the airport), in which Frontier Town Campground is located, which have not yet been purchased. Remaining EDUs in all categories in Area 2 are as follows: Commercial Infill South of Airport (20 of 20 EDUs), Vacant or Multi-Lot properties (2 of 4 EDUs), Assateague Greens Executive Golf Course/Range (6 of 6 EDUs), Ocean City Airport, Clubhouse and Humane Society (0 of 32 EDUs), Church (5 of 5 EDUs), Single Family Dwellings (20 of 20 EDUs), Castaways Campground (0 of 88 EDUs), Frontier Town Campground/Commercial Portion of Frontier Town Campground (0 of 166 EDUs). Of the remaining capacity in Area 2, only the 20 EDUs for

Commercial Infill South of the Airport was allocated for new development. The other remaining 33 EDUs are intended to serve properties which will enable the replacement of septic systems for existing homes and other existing developments.

As referenced above, since Frontier Town Campground has been previously allocated and sold a total of 166 EDUs, there is presently no additional capacity available for allocation in either the “Frontier Town Campground” or “Commercial Portion of Frontier Town Campground” categories of the approved MHSSA EDU Allocation Table as referenced in the Plan. While the Commissioners may wish to consider allocating the EDUs for “Commercial Infill South of the Airport” to Frontier Town Campground, the committee notes that the 33 remaining EDUs in Area 2 are intended to serve single family residential properties or other existing developments which are needed to enable the replacement of septic systems on these properties.

Current Available Capacity - North: There are currently 294 EDUs allocated in Area 1 (north of the airport) which have not yet been purchased. These remaining EDUs have been allocated for the following uses: Infill and Intensification (148 EDUs), Vacant or Multi-Lot properties (80 EDUs), Single Family Dwellings (17 EDUs), and Commercial (49 EDUs). Should the Commissioners wish to consider re-allocating a portion of the available capacity in Area 1 north of the airport to Area 2 south of the airport, such action should be carefully considered in accordance with the established priorities of the original allocation of the sewer capacity (see explanation below), would require an amendment to the Plan and approval by MDE for such a change to shift EDUs from Area 1 to Area 2 and since the EDU Allocation Table was officially adopted as part of the Plan as required by MDE.

Background on Original Allocation of New Sewer Capacity in Mystic Harbour: The expansion of the Mystic Harbour WWTP and funding from USDA in 2008 was predicated upon the need for infill and intensification of properties along the Route 50 commercial corridor and vicinity, service to vacant or multi-lot properties, single family dwellings converting from septic systems to public sewer, and commercial properties. The Worcester County Planning Commission recommended a rating system to rank priority allocations of the additional EDUs with highest priority to (1) infill lots, (2) expansion of existing facilities, (3) replacement of septic tanks, and (4) new developments. While staff recognizes that revisions to the original allocations may be prudent from time to time, any such re-allocations should be in keeping with the original intent of the Planning Commission and the County Commissioners in 2008 when the Mystic Harbour WWTP expansion was approved and upon which the USDA committed funding for the expansion project. Furthermore, since the EDU Allocation Table was officially incorporated into the Plan as required by MDE, a change to shift EDUs from Area 2 to Area 1 would require an amendment to the Plan with the approval of MDE and concurrence that such action is in keeping with the original purpose of the expansion and the priority allocations as established by the Planning Commission. In addition, once EDUs are reallocated from one category to another and sold, they will no longer be available for the originally intended purpose.

Options for Commissioners' Action on the Request:

Option 1 - Approve the requested allocation of 34 EDUs from among the following use categories with remaining allocations:

- Area 2 (south):** 20 EDUs - Commercial Infill South of Airport
- 2 EDUs - Vacant or Multi-Lot properties
- 6 EDUs - Assateague Greens Executive Golf Course
- 5 EDUs - Church
- 20 EDUs - Single Family Dwellings

Note - Shifting EDUs from Area 1 to Area 2 would require a Plan amendment and MDE approval

- Area 1 (north):** 148 EDUs - Infill and Intensification
- 80 EDUs - Vacant or Multi-Lot properties
- 17 EDUs - Single Family Dwellings
- 49 EDUs - Commercial

Option 2 - Approve a portion of the requested 34 EDU's by allocating up to 20 of the EDUs for "Commercial Infill South of Airport" to Frontier Town Campground. These "commercial" EDUs could be allocated without sacrificing capacity for conversion of septic properties in Area 2 and since the "commercial" allocation was not previously planned for any specific property.

Option 3 - Deny the request for allocation of an additional 34 EDUs of sewer service from the MHSSA to provide for Phase I expansion of 101 campsites at Frontier Town since there is currently no remaining allocation available for that use in Area 2 without reallocating planned capacity from another use category.

The Sewer Committee will be available to answer any questions which you may have with regard to this application in order for you to make the most informed decision on this request.

LAW OFFICES

**BOOTH BOOTH
CROPPER & MARRINER P.C.**

CURTIS H. BOOTH
BRYNJA MCDIVITT BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
ROY B. COWDREY, JR. **

*ADMITTED IN MD & DC
** OF COUNSEL

9923 STEPHEN DECATUR HIGHWAY, #D-2

OCEAN CITY, MARYLAND 21842

(410) 213-2681

EMAIL: hcropper@bbcmlaw.com

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130 NORTH WASHINGTON ST.
EASTON, MD 21601
(410) 822-2929
FAX (410) 820-6586

WEBSITE

www.bbcmlaw.com

February 16, 2018

Ms. Jessica Wilson, Worcester County
Treasurer's Office
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, Maryland 21863

Dear Ms. Wilson:

Please find enclosed an Application pursuant to Resolution 17-19 to transfer Forty (40) wastewater treatment EDU's in the Mystic Harbour Sanitary Service Area to the property of the Sun TRS Frontier, LLC, Worcester County Tax Map 33, Parcels 93 & 94. My client's deposit check in the amount of Forty Thousand Dollars (\$40,000.00) is attached.

Thank you, and have a great day.

Very truly yours,



Hugh Cropper, IV

HC/tgb

Enclosures

CC: Kelly Shannahan, Assistant CAO, Worcester County
Maureen Howarth, Worcester County Attorney
Mr. Tom O'Branovic, Sun Communities
Margaret M. Witherup, Esquire

Worcester County - Department of Public Works - Water and Wastewater Division
Mystic Harbour Sewer Service Application

Name: SUNTRS Frontier LLC Date: 2-16-18
Mailing address: c/o Hugh Cropper IV, 9923 Stephen Dec Hwy, D-2, Ocean City, MD 21842
Address of service location: 8428 Stephen Decatur Hwy, Ocean City, MD
Property identification (acct # & map/parcel): M 33, P 93-94

Type of project (circle one below):

Single Family Minor Site Plan Major Site Plan Residential Planned Community

Type of service requested (circle one): Residential Commercial

If commercial, list type of business, square footage and number of seats in restaurant (if applicable):

Campground

EDU's/gallons assigned to property: 166 EDU's to be purchased: 40

If developer new construction, will you be providing the meter (circle one): Yes No N/A

Name & license number of licensed plumber providing connection from meter to building:

Name & phone number of person to contact with regards to this application/account:

Hugh Cropper IV 410-213-2681 hcropper@bbcm.law.com

Signature: [Signature] Date: 2/16/18

Attachments required to be submitted with application:

- Single Family- Copy of permit application.
- Minor Site Plans- Copy of TRC report or documentation of administrative waiver.
- Major Site Plans- Copy of TRC report.
- Residential Planned Community- Copy of Planning Commission's findings/recommendation for Step 1.

NOTICE: Please review attached Resolution No. 17-19 which details the EDU allocation process and the time frame in which the EDUs must be utilized or returned to the County for future allocation and utilization. If mains are to be installed by applicant a separate "Small Sewer and Water Project Agreement" will be required.

OFFICE USE ONLY:

Date received: 2/20/18 By: Jessica R. Wilson

Environmental Programs approval: _____ Date: _____

Treasurer's Office approval: _____ Date: _____

Public Work's approval: _____ Date: _____

FEES PAID:

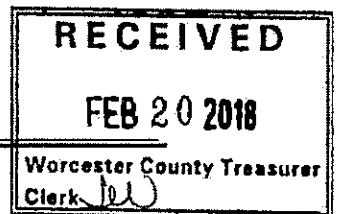
Deposit \$1,000 per EDU X 40 (EDU's) = \$ 40,000
Remaining Balance \$6,700 per EDU X _____ (EDU's) = \$ _____

Date received: 2/20/18 By: Jessica R. Wilson

RETURN TO:

Worcester County Treasurer's Office
Attn: Jessica Wilson
P.O. Box 349
Snow Hill, MD 21863

FULL POLICY ATTACHED AND INCORPORATED.



Maureen L. Howarth

From: Hugh Cropper <hcropper@bbcmlaw.com>
Sent: Friday, March 9, 2018 11:03 AM
To: Maureen L. Howarth
Cc: Kurt Beleck; Robert Hufnagel; Witherup, Margaret; Robert Mitchell
Subject: Sun TRS Frontier

Maureen:

Inasmuch as Sun Communities intends to utilize the community building "as described" to Worcester County, I will amend my application pursuant to Resolution 17-19 from 40 EDU's to 34 EDU's.

We are ready to proceed with the application. Please make sure my previous letter gets forwarded to the Sewer Committee and the Commissioners.

Thank you, and have a great day.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
www.bbcmlaw.com

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LAW OFFICES

**BOOTH BOOTH
CROPPER & MARRINER P.C.**

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THOMAS C. MARRINER*
ELIZABETH ANN EVINS
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*ADMITTED IN MD & DC
** OF COUNSEL

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WEBSITE

www.bbcmlaw.com

March 5, 2018

Maureen F.L. Howarth
County Attorney for Worcester County
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, Maryland 21863

RECEIVED

MAR 07 2018

Worcester County Admin

RE: *Frontier Town Campground Expansion*

Dear Maureen:

I want to thank you for taking the time to meet with me to discuss the application of Sun TRS Frontier, LLC, pursuant to Resolution 17-19, for 40 wastewater EDU's to be allocated to the above referenced campground expansion at Frontier Town. You requested an explanation of why Sun has applied for 40 EDU's. Sun needs a minimum of 34 EDU's immediately to allow Phase I of the expansion to proceed. We simply rounded up to 40 for the application.

As we discussed, Sun paid in excess of \$40 million dollars for Frontier Town which, as part of the deal including Fort Whaley, represented a total purchase price close to \$70 million dollars. The purchase price was based upon a pro forma, which was based upon the campground expansion of approximately 200 campsites.

When Sun Communities purchased Castaways Campground, they decommissioned the existing wastewater treatment facility, purchased Mystic EDU's, and added 23 additional campsites in the area of the former drainfield (drip irrigation system). Although Frontier Town is a much bigger request, Frontier Town is a bigger campground, and there was no treatment whatsoever; the property is served by traditional drainfields.

Throughout the entire approval process for the 200 expansion campsites, which became 213 campsites once the surveyors, environmental consultants, etc. finalized their

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work, all parties have proceeded on the understanding that the EDU's for the expansion would be available.

We worked with Environmental Programs to solve significant Critical Area issues, forestry issues (outside the Critical Area), as well as the connection of the existing 585 campsites. The expansion area was downzoned from commercial to agricultural, and included a specific finding that the wastewater facilities will be adequate to serve the petitioned area. Special exceptions were granted for the proposed expansion.

Forest Conservation plats were presented, accepted, and recorded by Worcester County. These Forest Conservation plats were necessary to accommodate the campground expansion. Stormwater Management plans were generated and approved. Wetland delineations were approved. Sun Communities spent over \$500k in permitting the project (which is probably cheap). There were numerous meetings, emails, phone calls, and everyone believed that adequate sewer EDU's were available.

It is undisputed that the pump station was sized to include the 213 campsite expansion area. In fact, at one point the pump station was sized with additional capacity, to include a proposed campground at Ayres Creek Family Farm. It was MDE, not the Department of Public Works, that required a new construction permit deleting the Ayres Creek Family Farm capacity.

The pump station will be a huge asset for Worcester County. It will cost well over \$1.2 million, and the land upon which it is situated will be deeded to Worcester County. It will give Worcester County the opportunity to serve failing septic systems in the area, which otherwise would not be served. It would be impossible to serve properties like the trailers just past Buck's Place, without the regional pump station. It would not make sense to run a single pipe from Assateague Road to Mystic Harbour for a single trailer, or group of trailers.

Perhaps most importantly, the 213 campsite expansion obtained Site Plan approval from the Planning Commission. In my 29 years of practicing, I cannot think of any other project which received Site Plan approval and was then denied the necessary EDU's for the approved Site Plan. On the contrary, the Commissioners are *required* to allocate sufficient EDU's necessary to accommodate an approved Site Plan. In reliance on all of the County's approvals Sun Communities is spending literally millions of dollars on

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connecting the campground to the WWTP and upgrading the facilities. These upgrades include a new waterslide, zip line, etc., which will create numerous high paying jobs here in Worcester County, additional property taxes, hospitality taxes, as well as providing a great destination for visitors and citizens. This expansion is a good thing for Worcester County on so many levels, I cannot understand why the Commissioners are refusing to allocate the EDU's necessary for the expansion.

At no time in the entire process did anyone from the County suggest that the EDU's were not available to accommodate the expansion. To the contrary, there are numerous documents that suggest the EDU's were available.

According to the approved Site Plan, the campground expansion has two Phases. Phase I is everything on the south, or right hand side of the entrance road, which consists of 101 campsites, and a community building. Phase I requires a minimum of 34 EDU's. Phase I was designed as a unified development. An allocation of only 20 EDU's would authorize 60 campsites and would not make sense financially or logistically to mobilize equipment, construction crews, etc. to construct 60 campsites in a phase of 101 campsites. It certainly does not justify the construction of the community building. Frontier Town is a first-class campground, with first-class amenities, attracting both citizens and visitors to Worcester County.

As explained above, we believe that Sun is entitled to an allocation of the full 71 EDU's in accordance with the approved Site Plan. Without waiving our rights to pursue the remaining EDU's at a later date, we have applied for 40 EDU's in order to allow Phase I of the expansion to proceed. For the purpose of resolving the immediate EDU request, I would be willing to amend my recent request down from 40 to 34 EDU's, which is the minimum amount needed to accommodate Phase I. Phase I is a unified development, and it does not make sense to mobilize to construct a partial phase.

There is excess capacity in the north area. There are 53 EDU's remaining in the "Commercial Properties in Area I" category. Although I recently applied for five EDU's, I am not aware of any other commercial developments in the pipeline. The vast majority of commercially zoned properties are fully developed. The remainder of the commercially zoned properties are in the area of overlap with the West Ocean City Sanitary Service Area. If the Commissioners allocate 14 EDU's from this category, more than sufficient EDU's will remain to serve the few remaining undeveloped commercial

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properties. These properties appear to be completely developed. I just cannot imagine that these properties would require more Mystic EDU's. Without mentioning names, I know that at least two of those properties now have excess West Ocean City EDU's, created by virtue of the Mystic EDU purchases.

I hope this explains our position. I want to thank you for your very kind consideration. Have a great day.

Very truly yours,



Hugh Cropper, IV

HC/tgb

CC: Maggie Witherup
Kurt Beleck
Tom O'Branovic
Robert Hufnagel

The Commissioners met with Assistant Chief Administrative Officer Kelly Shannahan to review the Worcester County Sewer Committee report regarding a request from Attorney Hugh Cropper, on behalf of Sun Frontier, LLC, for allocation of an additional 71 equivalent dwelling units (EDUs) of sewer capacity from the Mystic Harbour Sanitary Service Area (SSA) for a proposed expansion of the Frontier Town Campground. Mr. Shannahan advised that Frontier Town Campground purchased 166 EDUs on March 30, 2017 to remove their septic system and serve the existing campground with public sewer. This allocation, though it reflects an increase of six additional EDUs as requested by Sun Frontier, LLC to reflect the current 584 campsites, is in keeping with the original 160 EDUs (130 EDUs for campsites and 30 EDUs for commercial) allocated to the campground by the County as part of planning for the expansion of the Mystic Harbour Wastewater Treatment Plant (WWTP) to reduce septic flow in the Atlantic Coastal Bays Critical Area. This plan is documented in the EDU Allocation Table, which the Maryland Department of the Environment (MDE) required to be incorporated into the County's Water and Sewer Plan for the Mystic Harbour Sanitary Service Area (SSA) when the plan was amended to add Frontier Town. This expansion was enabled by the expansion of the Mystic Harbour Wastewater Treatment Plant (WWTP) approved in 2008, and project funding by the United States Department of Agriculture (USDA) in 2009 was predicated on the need for infill and intensification of properties along the U.S. Rt. 50 commercial corridor and vicinity; service to vacant or multi-lot properties, single-family dwellings converting from septic systems to public sewer, and commercial properties. The Planning Commission recommended a rating system to rank priority allocations of the additional EDUs with highest priority to (1) infill lots, (2) expansion of existing facilities, then (3) replacement of septic tanks, and last (4) new development. Once EDUs are transferred from one category to another and sold, they will no longer be available for the originally intended purpose. Therefore, any transfer of allocations should be in keeping with the original intent of the Planning Commission and the County Commissioners in 2008, when the Mystic Harbour WWTP expansion was approved and upon which the USDA committed project funding. Mr. Shannahan advised that, while drafting the SSA sewer EDU Allocation Process, staff understood that the 30 EDUs previously designated for the Commercial Portion of the Frontier Town Campground were transferred and added to the original allocation of 130 EDUs for the Frontier Town Campground category, plus a transfer of 6 EDUs from the "Infill and Intensification of Properties in Area 1" category to serve the existing 584-site campground. Mr. Shannahan advised that there are currently 55 EDUs available in Area 2 (south of the Ocean City Airport) in which no additional EDUs are allocated for Frontier Town, and 298 EDUs available in Area 1 (north of the airport).

Mr. Shannahan reviewed the two options available to address Mr. Cropper's request. Option one is to deny the request for allocation, since there is currently no remaining allocation available for Frontier Town in Area 2 in accordance with the Water and Sewer Plan. Option 2 is to approve all or part of the requested allocation by transferring EDUs from among the following use categories with remaining allocations: Area 2 (south) - 20 EDUs for commercial infill, 4 EDUs for vacant or multi-lot properties, 6 EDUs for Assateague Greens Executive Golf Course, 5 EDUs for the church property, and 20 EDUs for single-family dwellings to convert from septic to public sewer; and Area 1 (north) - 148 EDUs for infill and intensification, 80 EDUs for vacant or multi-lot properties, 17 EDUs for single-family dwellings, and 53 EDUs for commercial development. In response to a question by Commissioner Bertino, Mr. Shannahan advised that

when all the available Mystic Harbour SSA sewer EDUs have been allocated, the only option to accommodate future growth would be to modify the existing Mystic Harbour WWTP to increase capacity and identify a disposal site to accommodate the additional flow, which proved most challenging for the current expansion. Public Works Deputy Director John Ross stated that such a project would take at least three to five years, to include the permit process, design phase, bidding and project construction. In response to a question by Commissioner Elder, Environmental Programs Director Bob Mitchell advised that, if there are no EDUs to serve properties with failing septic systems, property owners with failing septic systems would be required to utilize a holding tank, a costly alternative, until such time that additional EDUs became available. In response to an additional question by Commissioner Bertino, Mr. Shannahan advised that in Worcester County sewer EDUs dictate how and where the County will grow. He stated that the EDUs will sell, but how the Commissioners choose to allocate the available EDUs will dictate how the County will grow now and in the future.

Commissioner Purnell recognized Attorney Hugh Cropper.

Mr. Cropper stated that there are currently 353 EDUs available within the Mystic Harbour SSA, which the County must sell at a cost of \$7,700 per EDU to repay the USDA loan of approximately \$8 million. He stated that, though the County is in the business of selling EDUs, it is his understanding that not many EDUs have been sold to date, and his client would like to purchase an additional 71 EDUs to expand the campground. He further stated that his client has spent nearly \$1 million on plans to expand the campground, and these plans include funding a sewer line and pump station that will serve the campground, and other properties within the vicinity of the sewer pipe, which represents smart growth. In closing, he urged the Commissioners to approve this request. Commissioner Elder stated that the County is not in the business of selling EDUs. Rather their responsibility is to care for the citizens, remove properties from drainfields, and clean up the bay.

Commissioner Mitrecic supported the request and stated that 71 EDUs represents 20% of the EDUs available within the Mystic Harbour SSA, which would leave 282 EDUs available for other purposes. Commissioner Mitrecic stated concern that those residing in the Mystic Harbour SSA would be stuck repaying the USDA loan if the County is not able to sell enough EDUs, and he too supported Mr. Cropper's request. In response to a follow-up question by Commissioner Bertino, Enterprise Fund Controller Jessica Wilson advised that the County has sold enough EDUs to meet the USDA loan payments through 2019, after which the County must either sell 20 EDUs per year to continue to meet this obligation or provide the Mystic Harbour SSA with a short-term loan from the General Fund to cover the debt if the Commissioners wish to avoid passing this cost on to the current SSA customers.

Commissioner Bunting stated that he could not support the request for 71 additional EDUs, as doing so would require amending the allocation table in the water and sewer plan that would eliminate all EDUs in the South and diminish available EDUs in the North as well. He stated that the available EDUs, as outlined in the EDU Allocation Table within the County's Water and Sewer Plan, were required by MDE as a condition to their approval of the Mystic Harbour SSA expansion. He pointed out that the Allocation Table only allocated 160 EDUs to Frontier Town for the existing campground, and none had been allocated for future expansion of the campground. Likewise, he pointed out that the other EDUs in the south are for specific purposes, including the church, golf course, and single-family homes currently served by septic

systems. He urged the Commissioners to remain consistent with the plan when determining how to allocate EDUs, and he cautioned that any proposed revisions may require MDE approval through an amendment to the water and sewer plan.

Mr. Cropper urged the Commissioners to approve his client's request, noting that Sun TRS Frontier, LLC is funding the cost of an expensive pump station and sewer force main to the Mystic Harbour WWTP, which will make it possible for property owners to abandon their septic systems and connect to sewer. He stated that his clients are great citizens, but that they should not be expected to foot the cost of extending sewer down MD Rt. 611 to serve adjacent properties if their request for additional EDUs is denied.

Commissioner Lockfaw stated that the Commissioners should seriously consider the request before them, noting that they built a larger WWTP with additional capacity with the intention of selling the EDUs. He stated that the request before them represents a need for those EDUs. He stated that despite the plan the Commissioners adopted previously, the County is constantly changing, and they should be willing to amend the plan to meet those changes.

A motion by Commissioner Mitrecic to approve the request to allocate 71 Area 1 EDUs, 10 from Commercial and 61 from Infill and Intensification, for the Frontier Town Campground expansion failed 3-4, with Commissioners Church, Lockfaw, and Mitrecic voting in favor of the motion and Commissioners Bertino, Bunting, Elder, and Purnell voting in opposition.

A subsequent motion by Commissioner Bunting passed 4-3, with Commissioners Bertino, Bunting, Elder, and Purnell voting in favor of the motion and Commissioners Church, Lockfaw, and Mitrecic voting in opposition, to deny the application for the allocation of 71 EDUs of sewer service based upon his prior comments, since there is no remaining allocation available for the Frontier Town Campground in Area 2 south of the airport in accordance with the allocation table included in the Water and Sewer Master Plan and to return the EDU deposit of \$71,000.

RESOLUTION NO. 17 - 19

**RESOLUTION CREATING THE MYSTIC HARBOUR SANITARY SERVICE AREA
SEWER EDU ALLOCATION PROCESS**

WHEREAS, the Mystic Harbour Wastewater Treatment Plant (WWTP) was upgraded and expanded in 2014 to provide additional sanitary sewer treatment capability to serve residential and commercial needs of properties within the Mystic Harbour Sanitary Service Area (SSA); and

WHEREAS, the upgrade and expansion resulted in a total of 200,000 gallons per day of additional sewage treatment capacity in the Mystic Harbour WWTP which created a total of 666 new Equivalent Dwelling Units (EDUs) of sewer capacity at a rate of 300 gallons per day per EDU which are now available in the Mystic Harbour SSA; and

WHEREAS, the planning documents included in the latest approved *Worcester County Water and Sewerage Master Plan* amendment regarding the Mystic Harbour SSA identified a number of goals for the additional capacity and included a chart (attached hereto) allocating the new EDUs to different areas within the Mystic Harbour SSA for different purposes; and

WHEREAS, on March 15, 2016, the Worcester County Commissioners reviewed and approved an implementation policy for the newly available sewer EDUs in the Mystic Harbour/West Ocean City SSA Overlay Area; and

WHEREAS, upon the recommendation of the Worcester County Water and Sewer Committee, the County Commissioners have determined that it is prudent to have an allocation process in place for all 666 new sewer EDUs in the Mystic Harbour SSA, not just those aimed at the Overlay Area, to include County Commissioner approval of future allocations.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following Mystic Harbour Sanitary Service Area EDU Allocation Process is hereby adopted:

1. The allocation of Mystic Harbour Sanitary Service Area sewer EDUs shall only be approved for properties with an existing demonstrated need and in connection with either a permit or plan application specifying how and where the capacity will be allocated:
 - A. The project must apply to the County Commissioners for the EDU allocation while the project is pending as follows:
 - i. Single Family Dwellings and change of use commercial spaces - The property owner or their representative must apply for and receive any needed EDU allocation prior to receiving any permit for the project. EDU(s) must be paid for in full at time of the first permit application.
 - ii. Minor Site Plans and other projects requiring administrative approvals - The project must have completed the Technical Review Committee process (when required) or the granting of an administrative waiver before applying to the County Commissioners for EDU allocation. The project must have EDU allocations prior to the project applying for final signature approval with the Zoning Administrator. A deposit shall be required upon application as detailed in

Section 1B hereof. The remaining balance to purchase the EDUs shall be paid prior to any project permit being issued.

- iii. Major Site Plans - The project must have completed the Technical Review Committee process before applying to the County Commissioners for EDU allocation. The project must have EDU allocations prior to the project applying for final site plan approval with the Planning Commission. A deposit shall be required upon application as detailed in Section 1B hereof. The remaining balance to purchase the EDUs shall be paid prior to any project permit being issued.
 - iv. Residential Planned Community (RPC) - Concurrent with Step 1 of the RPC approval process, the project shall apply to the County Commissioners for EDU allocation. The project cannot move to Step 2 of the RPC approval process without sufficient EDUs being allocated. A deposit shall be required upon application as detailed in Section 1B hereof.
- B. Included with the application shall be a \$1,000 deposit per EDU applied for. If the County Commissioners deny the allocation or if the Planning Commission fails to approve the site plan, the deposit shall be returned. If the County Commissioners approve the allocation and if the Planning Commission approves the site plan or RPC, the deposit is non-refundable.
 - C. If the project approvals expire, the project shall lose its allocation of EDUs. The County shall return the amount paid to purchase the EDUs less the non-refundable deposit.
 - D. If after one year of the project having EDUs allocated to it, a building permit has still not been issued for the project, an additional deposit of \$1,000 per EDU per year shall be required for each year of additional reservation of service up to a maximum of five years. No reservation shall be allowed beyond five years. The additional deposit shall be paid not less than 60 days prior to the anniversary date of the original allocation approval. If the additional deposit is not paid as required or if five years elapses, the EDU allocation shall be null and void and all prior deposits shall be forfeited.
 - E. Applications shall be submitted to: Worcester County Administration, Government Center - Room 1103, One West Market Street, Snow Hill, MD 21863.
- 2. There shall be no transfers of sewer allocations permitted in the Mystic Harbour Sanitary Service Area (MHSSA) by property owners who have excess capacity allocated to their properties. In the event that excess sewer capacity exists on a property as a result of changes or modifications to the original development plan, any and all excess capacity shall revert to the MHSSA two years after the issuance of the certificate of occupancy for the last building shell in the project. The property owner shall only be entitled to the return of the amount of the original price paid to the County for the EDUs less the non-refundable deposit. The property owner shall be notified in writing of the forfeiture of the unused capacity. Such notice shall be sent by registered mail to the property owner(s) address as identified on the tax assessment rolls as maintained by the Maryland Department of Assessments and Taxation.
 - 3. The current equity contribution in fiscal year 2018 (FY18) for each Mystic Harbour Sanitary Service Area sewer EDU is \$7,700, with quarterly debt service payments of \$54 per EDU


thereafter until the debt is paid in full. The equity contribution will be recalculated each fiscal year to include the debt service from the prior year. Quarterly debt service payments may be adjusted in the future to pay for additional debt incurred by the Mystic Harbour Sanitary Service Area.

4. Upon allocation of the EDUs, accessibility charges as established in the annual budget for the Mystic Harbour Sanitary Service Area shall become due and payable on a quarterly basis. The current accessibility charge is \$150 per quarter per EDU. Accessibility charges are non-refundable should the applicant fail to utilize the allocated EDUs.

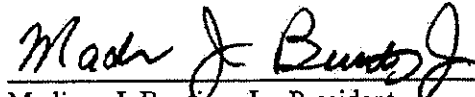
AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED AND ADOPTED this 19th day of September, 2017.

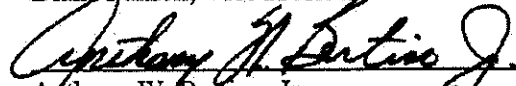
ATTEST:


Harold L. Higgins - Kelly Shanahan
Chief Administrative Officer; Assistant CAO

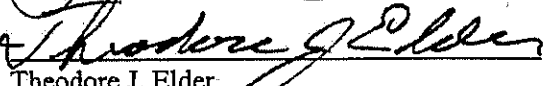
COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

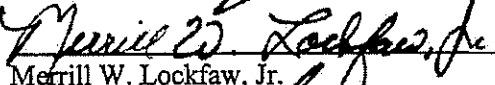

Madison J. Bunting, Jr., President



Diana Burnell, Vice President


Anthony W. Bertino, Jr.

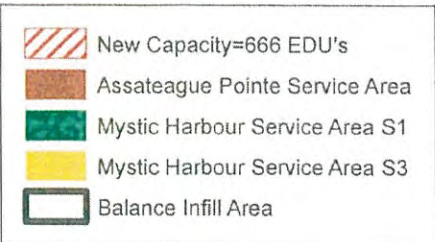
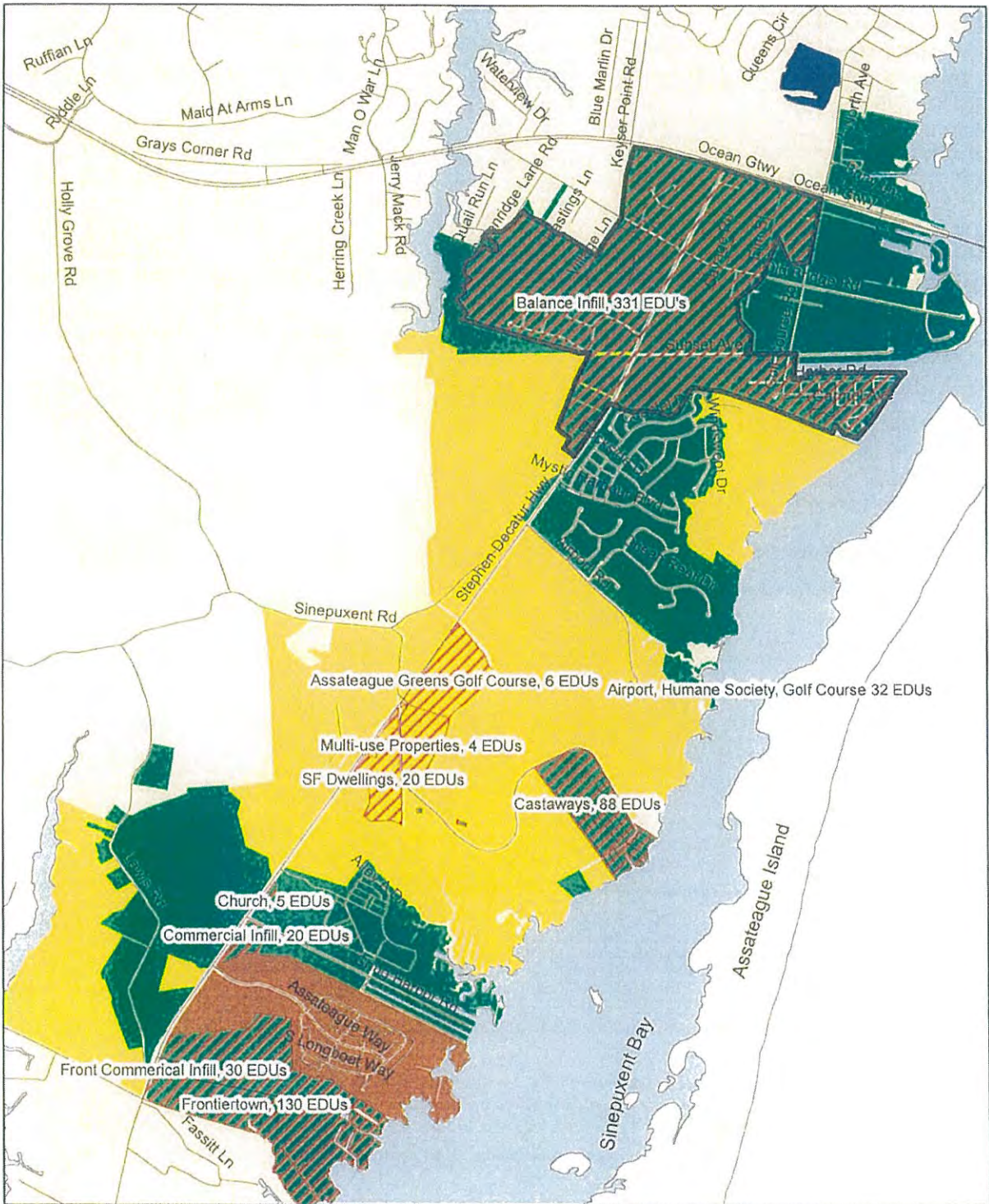

James C. Church


Theodore J. Elder


Merrill W. Lockfaw, Jr.


Joseph M. Mitrecic

Allocation of Sewer EDUs in Mystic Harbour Sanitary Service Area (New Capacity as of 4/3/18)						
North of Airport, North of Antique Road, East and West of Route 611 - "Area 1"	Original Allocation	Current Adjusted Allocation	Sold and In Service	Sold and Not In Service	Remaining Allocation	Footnotes
Infill and intensification of Properties in "Area 1"	154	148	0	0	148	3
Vacant or Multi-lot Properties in "Area 1"	80	80	0	0	80	
Single Family Dwellings	17	17	0	0	17	
Commercial Properties in "Area 1"	80	80	0	31	49	4, 5, 7, 8
Subtotal EDUs in "Area 1"	331	325	0	31	294	
Airport and South of Airport, East of Route 611 - "Area 2"						
Commercial Infill South of Airport	20	20	0	0	20	
Vacant or Multi-lot Properties	4	4	0	2	2	6
Assateague Greens Executive Golf Course/Range-9-holes	6	6	0	0	6	
Ocean City Airport, Clubhouse and Humane Society	32	32	32		0	1
Church	5	5	0	0	5	
Single Family Dwellings	20	20	0	0	20	
Castaways Campground	88	88	88		0	2
Frontier Town Campground	130	166	0	166	0	3
Commercial Portion of Frontier Town Campground	30	0			0	
Subtotal EDUs in "Area 2"	335	341	120	168	53	
TOTAL EDUs	666	666	120	199	347	
Note: See attached map for location of EDU allocations						
Footnotes:						
1 - Transferred 32 EDUs to Town of Ocean City on June 3, 2014 as part of the Eagles Landing Spray Irrigation MOU.						
2 - Sold 88 EDUs to Castaways Campground on July 3, 2014.						
3 - Sold 166 EDUs to Frontier Town Campground on March 30, 2017 by transferring 30 EDUs from Frontier Town Commercial allocation and 6 EDUs from "infill and intensification of properties in Area 1" allocation as agreed by Commissioners on September 19, 2017.						
4 - Sold 14 EDUs to Park Place on May 16, 2017.						
5 - Hampton Inn bought 40 EDUs from Mitch Parker and bought an additional 13 EDUs from the County on August 28, 2017.						
6 - Approved the sale of 2 EDU's to Victor H. Birch Property on March 20, 2018.						
7 - Approved the sale of 1 EDU to Eugene Parker Trust Property on April 3, 2018.						
8 - Approved the sale of 3 EDU's to L & B Ocean City, LLC Properties on April 3, 2018.						



0.55 0.275 0 0.55 Miles



Mystic Harbour Sewer Planning Area
New Mystic Capacity--666 EDU's

Prepared by the Worcester County
Department of Environmental Programs
June 2015

OCEAN CITY INLET & HARBOR

- CONTINUING AUTHORITIES PROGRAM (CAP), SECTION 107
- NEAR TERM DREDGING ACTIVITIES
- LONG TERM DREDGING ACTIVITIES

U.S. Army Corps of Engineers, Baltimore District

April 17, 2018

Presented by:

Tony Clark, CAP Program Manager, Anthony.A.Clark@usace.army.mil



US Army Corps
of Engineers.



U.S. ARMY

Handwritten initials "GJ" in the bottom right corner.

PROCESS FOR STUDY AND DESIGN OF OCEAN CITY INLET & HARBOR

Continuing Authorities Program (CAP)

2 Phase Implementation Process - Overview

1. Feasibility Phase (3 years)

- Plan formulation
- Plan selection
- Feasibility level design and costs
- Environmental compliance completed

Cost Share: Initial \$100,000 federally funded, then 50% federal/50% non-federal

2. Design & Implementation (18-24 months)

- Advancement of designs
- Technical and procurement activities
- Construction

Cost Share: 90% federal/10% non-federal for CAP 107



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PROCESS FOR STUDY AND DESIGN FOR OCEAN CITY INLET & HARBOR

1. Feasibility Phase

- ❑ Feasibility Phase Initiation – Assistance requested by sponsor ✓ completed
- Federal Interest Determination (FID) (6 months) – in progress
 - Occurs during federally funded (\$100K) portion of the study; \$50K
 - Cursory evaluation (conceptual level design and cost) of study viability, e.g., consistency with principles, priorities, and CAP constraints
 - Economic evaluation – benefit to cost-ratio, total project cost (federal limit for total CAP 107 project cost is \$10 million)
 - Approved at the USACE Division level (North Atlantic Division) – projected completion August 2017.
- Section 107 Factsheet – in progress (concurrent with FID)
 - Approved by USACE Headquarters
 - Required prior to initiation of Feasibility Cost Sharing Agreement



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PROCESS FOR STUDY AND DESIGN FOR OCEAN CITY INLET & HARBOR

1. Feasibility Phase continued....

- Project Management Plan (PMP) (6 months; projected completion Feb 2019):
 - Occurs during federally funded portion of the study; \$50K
 - Negotiated between USACE and non-federal sponsor
 - Describes tasks, schedules, and costs to be accomplished during feasibility study

- Feasibility Cost Sharing Agreement (FCSA) (concurrent with drafting PMP):
 - Required for projects requiring funding beyond the initial federally funded \$100,000
 - FCSA signed with sponsor to outline cost sharing & funding schedule (50% federal/50% non-federal)
 - Current estimated cost for Ocean City Inlet & Harbor feasibility study is \$1.2 million*
 - Sponsor may receive credit for *in-kind services* (value established in PMP)

- Decision Document (18-24 months; projected completion Feb 2021):
 - Final product for the feasibility phase
 - Feasibility Report with required environmental documentation - Environmental Assessment (versus Environmental Impact Assessment) assumed for this study.
 - Approved at the USACE Division level.



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PROCESS FOR STUDY AND DESIGN OF OCEAN CITY INLET & HARBOR

- Execution of a **Project Partnership Agreement (PPA)** with the non-federal sponsor is required prior to the initiation of Design & Implementation
 - this defines the cost share and items of local cooperation required by the sponsor

2. Design & Implementation Phase

- Complete plans and specifications
- Finalize and certify costs
- Obtain property and/or easements, etc.
- Obtain necessary permits
- Prepare and award construction contracts
- Construction

Cost Share: 90% federal/10% non-federal for CAP 107



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STATUS OF FEDERAL INTEREST DETERMINATION (FID)

Purpose of FID – To evaluate whether there is sufficient justification and a federal interest in pursuing a detailed (feasibility level) investigation.

- For a Section 107 navigation study, federal interest is largely based on economics – positive benefit to cost ratio, total project cost less than CAP limit (\$10 million federal).
- Builds on Ocean City Water Resources Study (completed 1998), which recommended inlet and harbor deepening, as well as consideration of a structural solution to prevent shoaling.

• FID is based on existing information.

- Conceptual design
- Conceptual costs
- Cursory economic evaluation
- Environmental considerations
- Recommendation

1	AUTHORITY REQUIREMENTS
2	LOCATION OF STUDY AREA
3	CONGRESSIONAL DISTRICT AND SPONSOR
4	STUDY PURPOSE
5	PROBLEMS AND NEEDS
6	WITH AND WITHOUT PROJECT CONDITION
6.1	Existing Economic Conditions
6.2	Alternative Descriptions & Cost Estimates
6.3	Dredged Material Placement Options
6.4	With-Project Economic Benefits
7	ENVIRONMENTAL CONSIDERATIONS
8	SPONSORSHIP
9	ESTIMATE OF STUDY COSTS
10	RECOMMENDATION

If FID is positive, a Project Management Plan and Feasibility Cost Sharing Agreement will be executed to start the Feasibility Study. The feasibility study will include detailed modeling, design, and costs for a larger array of alternatives.

STATUS OF FEDERAL INTEREST DETERMINATION

Schedule

Task Name	Date
Start Federal Interest Determination (FID)	15 February 2018
Complete Draft of FID Report	22 April 2018
District Quality Control Review & Sponsor Review	7 May to 13 May 2018
Submit Draft FID to North Atlantic Division (NAD)*	4 June 2018
Final FID Approval (NAD)*	2 August 2018

*Section 107 Fact Sheet will be submitted to NAD and USACE Headquarters for approval. This must be approved by USACE Headquarters prior to execution of a Feasibility Cost Sharing Agreement.



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STATUS OF FEDERAL INTEREST DETERMINATION

Local Input Needed for FID:

- Economics evaluation – Currently, how many commercial vessels (fishing, tourist, cargo, etc.) utilize the Ocean City Inlet and Harbor?
- Disposal facility – Disposal facility is needed for Ocean City Harbor Material. We are assuming the use of the County landfill at Snow Hill on Langsmaid Road. **Capacity and condition?**
- Survey in preparation for Feasibility Study:

SURVEY - BOAT USE, OCEAN CITY INLET AND HARBOR

Interest: How do the users of the inlet and harbor benefit from its improvement?

Focus: Commercial navigation users of the harbor, including commercial fishing, cargo and passenger carriage by ferries, state and municipal vessel operations, commercial 'for hire' vessels such as cruise ships, party fishing boats, tour boats, windjammers, etc.

SECTION I. Vessel Background Information

Please describe your equipment below.

1. Vessel Type: _____

2. What is the name and license or registration number of your vessel?

3. Vessel Size:
Length (feet) _____
Beam (feet) _____



US Army Corps
of Engineers.



8

NEAR TERM DREDGING ACTIVITIES

9

Dredging (Navigation Maintenance Funds) occurred on the following dates in the OC Inlet (specifically between buoys 11/12):

- October 6-8 2017 - Approximately 3,000 cy removed
- February 4-12 2018 - Approximately 5,300 cy removed

Assateague Island Restoration Dredging Occurred late February 2018 (technically Fall 2017 cycle)

- Approximately 4,800 cy removed from the inlet itself 31,625 cy removed total (includes Ebb Shoal areas)

Assateague Island Restoration Spring Dredge will be split up into two 15 day periods

- Dredge expected to return April 25-May 8 and again sometime in mid August

Enough (Navigation Maintenance) funds remaining to complete one more “emergency dredge – Planned for July, prior to White Marlin Festival.



US Army Corps
of Engineers.



LONG TERM DREDGING ACTIVITIES

Assateague Island Restoration will continue dredging activities (twice a year) for the long-term phase of the project through fiscal year 2027 with optimum funding.

Navigation Maintenance Dredging – Maintenance Dredging funds for low commercial use (<1M tons annually) channels are very competitive and there are no guarantees that the funding will be received each year.

- President's Budget for FY19 did not include request for Inlet
- FY18 Work Plan expected to be announced in May

Contributed Funds MEMORANDUM OF AGREEMENT (MOA)

O&M Dredging is Federal Expense; No Federal funds available;

Contributor provides all funds for work

Section 408 (Alteration to USACE CW project)

Allows non-federal entities to request to conduct maintenance dredging in absence of federal funds



US Army Corps
of Engineers.



LONG TERM DREDGING ACTIVITIES

The USACE has two special dredges, the Currituck and Murden that operate along the East Coast and only oceanic inlets, i.e. Ocean City. These dredges may be contracted out to local parties for dredging purposes and need to be scheduled in advance.

- The Murden costs approximately \$22,000 per day to hire for dredging.
- The Murden is estimated to remove approximately 2,000 Cubic Yards (CY) of material per day. It carries 500 CY and can take 4 trips per day
- USACE estimates that we remove approximately 30,000 – 40,000 CY of material from the OC Inlet per year.
- The most efficient use of the dredge would be to hire the Murden for 3 visits per year and each visit would be for 6 days. That would be a total of 18 working days per year focused on dredging the inlet.
- $18 \text{ working days} \times 2,000 \text{ CY removed/day} = 36,000 \text{ CY removed per year}$
- $18 \text{ working days} \times \$22,000/\text{day} = \$396,000 \text{ cost per year for maintenance}$



US Army Corps
of Engineers.

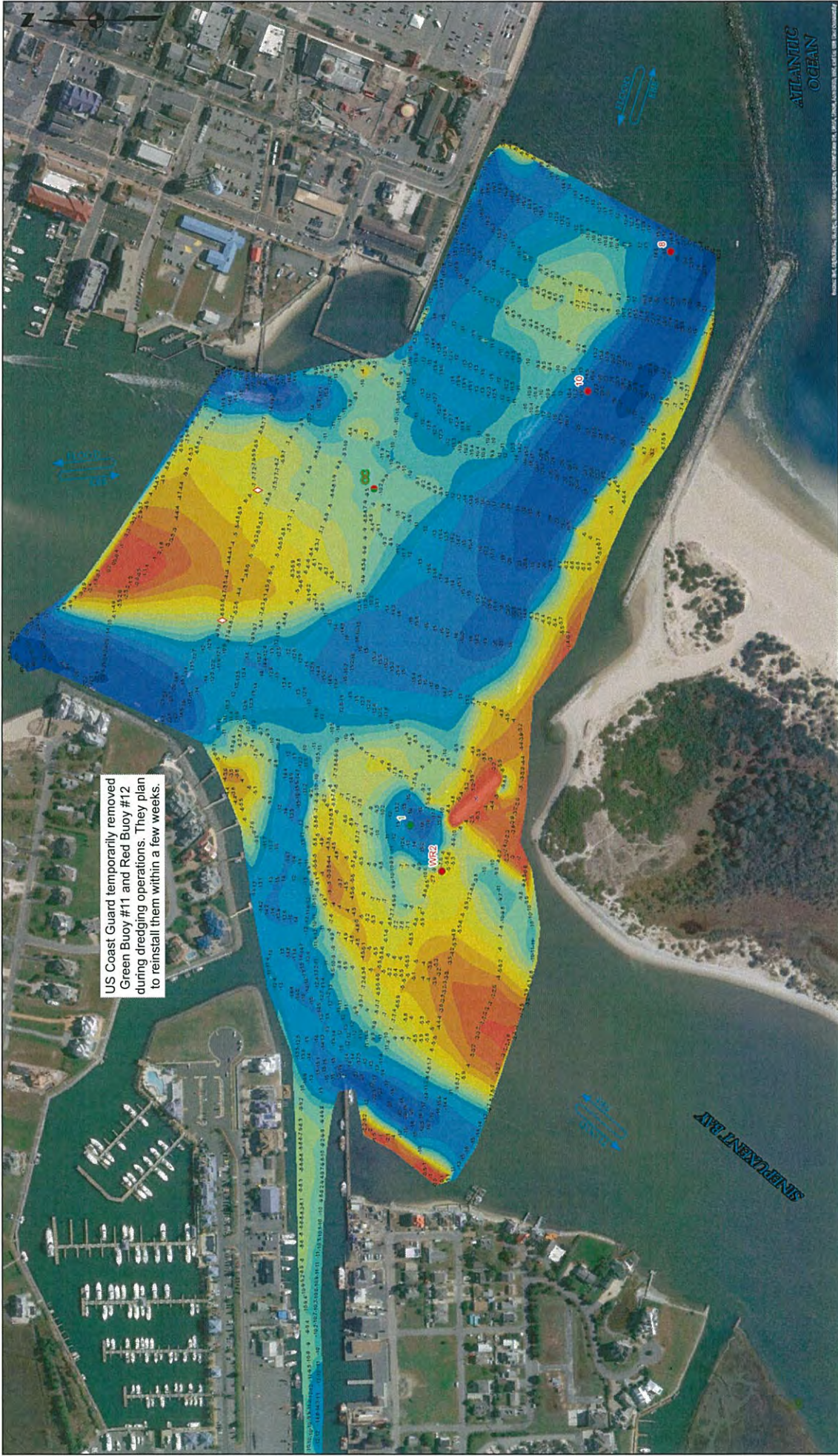


QUESTIONS/COMMENTS?



US Army Corps
of Engineers.





US Coast Guard temporarily removed Green Buoy #11 and Red Buoy #12 during dredging operations. They plan to reinstall them within a few weeks.

Bathymetric Survey
 Ocean City Inlet
 Worcester County
 23 March 2018



150 75 0 150 300 Feet
 Bathymetric survey performed by DNR on 23 March 2018. All depths are adjusted for tides to feet below mean lower low water (MLLW). Tidal Benchmark used was tideboard located on corner of T-pier adjacent to West Ocean City Boat Ramp. Map is to be used for informational purposes only.

Bottom Surface	Depth (ft)	Depth Sounding	Depth Sounding Legend
-17.9 -- -16	-4.9 -- -4	-4.6	Danger Buoy
-15.9 -- -14	-3.9 -- -3		Junction Buoy
-13.9 -- -12	-2.9 -- -2		Red Buoy
-11.9 -- -11	-1.9 -- -0.5		Green Buoy
-9.9 -- -9	-0.9 -- -0.5		
-8.9 -- -8			
-7.9 -- -7			
-6.9 -- -6			
-5.9 -- -5			
-4.7 -- -3.0			
-2.9 -- -2.0			
-1.9 -- -1.8			

TEL: 410-632-1194
FAX: 410-632-3131
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 22, 2018

16

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
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

FAXED
2/22/18 @ 5:00 PM

TO: *The Daily Times Group and Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*

Please print the attached Notice of Introduction of Bill 18-2 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on March 29, 2018 and April 12, 2018. Thank you.

NOTICE OF INTRODUCTION OF BILL 18-2 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 18-2 (Zoning - Seasonal Resort Developments) was introduced by Commissioners Church, Elder, Lockfaw, Mitrecic and Purnell on February 20, 2018.

A fair summary of the bill is as follows:

§ ZS 1-208(c)(17). (Renumbers the existing subsection 17 to subsection 18 and adds a new subsection 17 to add Seasonal Resort Developments, subject to the provisions of section ZS 1-350, to the list of principal uses and structures permitted by special exception in the R-4 General Residential District.)

§ ZS 1-350. (Adds this new section to the Worcester County Zoning Ordinance regarding Seasonal Resort Developments for the purpose of encouraging comprehensively planned seasonal resort developments and associated uses under a unified plan of development that allows for flexibility while also requiring unified design and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area and in accordance with plans to ensure adequate open space, safe internal traffic circulation, sufficient parking, appropriate access to public roadways, and adequate buffering and landscaping as the lands are developed; requires a minimum lot area of five acres for a seasonal resort development; establishes permitted uses and structures, including cabins, cottages and similar structures, recreational areas and facilities, and associated office and maintenance facilities; establishes limitations on operations to prevent their use as a primary residence and to specifically prevent occupancy during the months of November through February; establishes area limitations for uses and requires a minimum of 30% of the land area to be devoted to common use open space; establishes a permitted density not to exceed eight units per acres; establishes minimum lot and road frontage requirements; establishes minimum parking requirements; provides for landscaping, buffering and screening requirements; establishes maximum height requirements for buildings and structures;

provides review and approval procedures for site plans; establishes Planning Commission criteria for approval requiring a finding that the proposed development will consist of structures of an integrated and harmonious design, provided with adequate vehicular, pedestrian and bicycle circulation, parking, service, utility services, open space, and landscaping; specifies that other regulations of the Zoning Ordinance shall also apply to such developments; and provides that no permit shall be issued for any work in connection with a seasonal resort development until the Planning Commission shall have reviewed and approved the seasonal resort development.)

A Public Hearing

will be held on Bill 18-2 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on Tuesday, April 17, 2018 at 11:00 a.m.

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at www.co.worcester.md.us .

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 18-2

BY: Commissioners Church, Elder, Lockfaw, Mitrecic and Purnell
INTRODUCED: February 20, 2018

A BILL ENTITLED

AN ACT Concerning

Zoning - Seasonal Resort Developments

For the purpose of amending the Zoning and Subdivision Control Article to provide for seasonal resort developments in appropriate zoning districts which are designed in a unified plan of development.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-208(c)(17) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be renumbered as Subsection § ZS 1-208(c)(18) and a new Subsection § ZS 1-208(c)(17) be enacted to read as follows:

- (17) Seasonal resort developments, subject to the provisions of § ZS 1-350 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Section § ZS 1-350 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

§ ZS 1-350. Seasonal Resort Developments.

- (a) Purpose and intent. The purpose and intent of this section is to encourage comprehensively planned seasonal resort developments and associated uses under a unified plan of development that allows for flexibility while also requiring unified design and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area. Although construction of the seasonal resort development may not occur at one time and may instead be phased, it must be accomplished in a manner which will ensure compatible, integrated development with provisions being made for adequate open space, safe internal traffic circulation, sufficient parking, appropriate access to public roadways, and adequate buffering and landscaping as the lands are developed.
- (b) Location and area requirements. The minimum required lot area for a seasonal resort development is five acres which in no case may be reduced by action of the Board of Zoning Appeals notwithstanding the provisions of § ZS 1-116(c)(4) hereof.
- (c) Permitted uses and structures. The following uses and structures may be permitted in a seasonal resort development:
- (1) Cabins, cottages and similar structures which are built on a permanent foundation or attached to a permanent chassis and which meets all of the following criteria:

- A. Is designed to provide seasonal or temporary living quarters for transients having complete sanitary and kitchen facilities and separate entrances.
 - B. Does not exceed a total of six hundred square feet in gross floor area of enclosed space, with a cumulative maximum of 200 square feet in gross floor area of a deck or porch which may not be enclosed with any material whatsoever other than insect screening.
- (2) Private noncommercial social and recreational areas and facilities which serve only the tenants of the seasonal resort development.
 - (3) Offices, maintenance facilities and other uses associated solely with the operation of the seasonal resort development.
- (d) Limitation on operation. Units in a seasonal resort development shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. The seasonal resort development shall not operate during the months of January, February, November and December of each year nor shall any units be occupied during those months. Utilities, other than those reasonably necessary for security and caretaking purposes and for the seasonal resort development's administrative office, shall be shut off during the period when the seasonal resort development is closed. Water and sewer facilities to all units and amenities shall be among the utilities shut off.
- (e) Area limitations for uses. Within a seasonal resort development a minimum of thirty percent of the total gross lot area [as defined in § ZS 1-305(a) hereof] but excluding State wetlands [as defined in § ZS 1-103(b) hereof] shall be devoted to common use open space. Such open space shall not include utility and other service areas, roads and off-street parking, loading areas, except underground utility areas nor shall it include buildings except those specifically intended for recreational use. Where possible, those areas contained in the one-hundred-year floodplain should be dedicated as open space or recreational areas. At least fifty percent of the required common use open space shall be provided for active or passive recreation. No recreational area shall be required to exceed thirty percent of the total area of the development. Such recreational areas shall consist of contiguous lands not containing any wetlands, tidal or nontidal, and be of sufficient configuration as determined by the Planning Commission that they can suitably function for the purpose stated herein. All recreational areas shall be separated from any adjacent vehicular travelway or parking area by a vegetated or man-made barrier. Proposed recreational areas must be specified on the site plan for review and approval by the Planning Commission.
- (f) Permitted density. A seasonal resort development is intended to be designed and function as a unified development and as such may be comprised of multiple parcels or lots. The maximum density is eight units per gross acre of lot area.
- (g) Lot and road frontage requirements. For individual structures, there shall be no minimum lot area, bulk, lot width, area or road frontage requirements. Such standards shall be as approved by the Planning Commission on a site plan prepared in accordance with § ZS 1-325 hereof. Minimum yard setbacks shall be: front yard setback, fifty feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty-five feet; and rear yard setback, fifty feet. Such setback shall be provided with buffering in accordance with § ZS 1-322(e)(2) hereof.

- (h) Parking requirements. There shall be at least two parking spaces provided for each seasonal resort development unit, at least one of which must be located at the unit's location. If not provided at the site of the unit, the second required parking space shall be located in a common parking area within six hundred feet of the unit. Parking provided shall not exceed a maximum of two and one half parking spaces per each seasonal resort development unit. Parking shall be in accordance with the provisions of § ZS 1-320 hereof. One bike rack shall be provided at each amenity area, bathhouse, store or other facility which is commercial in nature.
- (i) Landscaping, buffering and screening requirements. In addition to the requirements set forth in subsection (f) herein, the seasonal resort development shall comply with all pertinent landscaping, buffering and screening requirements set forth in § ZS 1-322 hereof.
- (j) Height. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no structure shall exceed either one story or fifteen feet in height as measured from the average grade at the building's foundation or the flood protection elevation for those properties located in a special flood hazard area.
- (k) Review and approval procedure. The seasonal resort development application shall be reviewed by the Technical Review Committee and the Planning Commission pursuant to the provisions of § ZS 1-325 hereof and this section. Construction and development of the seasonal resort development shall be in accordance with the site plan as approved by the Planning Commission pursuant to § ZS 1-325 hereof.
- (l) Planning Commission criteria. The Planning Commission shall not approve a seasonal resort development until it shall find that each of the following criteria have been met:
 - (1) The proposed development will consist of structures of an integrated and harmonious design, provided with adequate vehicular, pedestrian and bicycle circulation, parking, service, utility services, open space, and landscaping.
- (m) Other regulations. In regulating the development of seasonal resort developments, the provisions of this section shall first apply, but when a matter is not specifically regulated by this section, then the other provisions of this Title and of the district in which the development is located shall apply.
- (n) Permits. No permit shall be issued for any work in connection with a seasonal resort development until the Planning Commission shall have reviewed and approved the seasonal resort development.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

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

§ ZS 1-208. R-4 General Residential District.

- (a) Purpose and intent. This district is intended to protect the existing residential subdivisions throughout the County that are currently developed in accordance with its provisions while also providing for compatible infill development. Additionally, this district is meant to accommodate the most diverse housing types and range of affordability. Projects of greater than twenty dwelling units which are proposed after the effective date of this Title are required to be developed as residential planned communities in order to encourage traditional neighborhood development and utilization of conservation design principles. While this district can serve as the core of a traditional neighborhood development, it is not limited to usage only in areas designated for growth by the Comprehensive Plan.
- (b) Permitted principal uses and structures. The following uses and structures are permitted in the R-4 District:
- (1) Single-family clustered housing. Minimum lot requirements shall be: lot area, five thousand square feet; maximum density, eight units per net acre; lot width, fifty feet; front yard setback, fifteen feet; each side yard setback, five feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-307 hereof.
 - (2) Single-family dwellings. Minimum lot requirements shall be: lot area, five thousand square feet [see § ZS 1-305(l) hereof]; maximum density, eight units per net acre; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, thirty feet.
 - (3) Two-family and multi-family dwellings. Minimum lot requirements shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; maximum density, eight units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; rear yard setback, twenty feet; and subject to the provisions of § ZS 1-312 hereof.
 - (4) Townhouses. Minimum lot requirements shall be: lot area, two thousand square feet [see § ZS 1-305(l) hereof]; maximum density, eight units per net acre; lot width, eighteen feet for interior units and twenty-four feet for end units; front yard setback, fifteen feet [see § ZS 1-305(b) hereof]; each side yard setback, zero feet if joined by a party wall to another unit and eight feet if not; and rear yard setback, fifteen feet; and subject to the provisions of § ZS 1-313 hereof.
 - (5) Manufactured homes in accordance with § ZS 1-314(a) hereof. Minimum lot requirements shall be: lot area, five thousand square feet [see § ZS 1-305(l) hereof]; maximum density, eight manufactured homes per net acre; lot width, sixty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, thirty feet.
 - (6) Manufactured home parks and cooperative manufactured home park subdivisions in accordance with the provisions of §§ ZS 1-314, ZS 1-322 and ZS 1-325 hereof.
 - (7) Major and minor subdivisions in accordance with the provisions of § ZS 1-311 hereof.

(c) Special exceptions. The following principal uses and structures may be permitted by special exception in the R-4 District in accordance with the provisions of § ZS 1-116(c) hereof:

- (1) Boarding and lodging houses. Minimum lot requirements shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; lot area per boarder or lodger, two thousand square feet; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, thirty feet.
- (2) Nursing facilities and assisted living facilities. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.
- (3) Planned senior developments, subject to the provisions of § ZS 1-316 hereof.
- (4) Schools, including boarding schools. Minimum lot requirements shall be: lot area, five acres; lot width, four hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, fifty feet; and rear yard setback, fifty feet.
- (5) Day-care centers. Minimum lot requirements shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, thirty feet.
- (6) Churches, temples and mosques. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, twenty feet; and rear yard setback, twenty feet.
- (7) Cemeteries, including chapels and mausoleums. Minimum lot requirements shall be: lot area, forty thousand square feet; lot width, two hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; and no side or rear yard setbacks shall apply unless imposed by the Board. No structures, monuments or grave sites shall be located in any required yard setback.
- (8) Private noncommercial marinas designed for the mooring, launching and fueling of pleasure craft, provided that dry storage and boat maintenance facilities do not exceed twenty-five feet in height. Minimum lot requirements shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet; provided, however, that any such marina, boat storage, launching or maintenance facility must be incidental to a principal permitted use or structure, group of uses or group of structures and located on the same or on a contiguous lot or tract of land. Such marina, boat storage, launching or maintenance facility may serve a single lot or group of lots, provided that it is contiguous to one or more of such lots or a common area contiguous to and serving the lots. Any marina, boat storage, launching or maintenance facility may

not provide for the docking, storage or maintenance of more than one boat per lot or per dwelling unit. The Board of Zoning Appeals may grant a waiver of the requirements of contiguousness, but in no event shall the marina, boat storage, launching or maintenance facility be permitted more than two hundred feet from the lot or from one of the lots served.

- (9) Public utility structures and properties other than essential services as defined in § ZS 1-121 hereof, including cross-County lines and mains of all kinds, subject to the provisions of § ZS 1-325 hereof. Minimum lot requirements for construction, maintenance or storage buildings or yards shall be: lot area, twenty thousand square feet; lot width, one hundred feet; front yard setback, thirty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, thirty feet; and rear yard setback, thirty feet. See § ZS 1-328 hereof for lot requirements for all other facilities. During its review of any public utility structure or property, the Planning Commission may require screening, buffering or landscaping of said structure or property where deemed necessary to protect adjoining land uses.
- (10) Wastewater and water treatment facilities, with the exception of sewage sludge disposal areas, in accordance with the provisions of § ZS 1-328 hereof.
- (11) Spray irrigation fields and storage lagoons for Class II effluent in accordance with the provisions of § ZS 1-328(g) hereof.
- (12) Dredge spoil disposal sites. Lot requirements for dredge spoil disposal sites, special conditions of operation and conditions regarding reclamation of sites shall be as specified by the Board of Zoning Appeals.
- (13) The addition to existing structures of telecommunications facilities that have the effect of increasing the overall height of the existing structure, subject to the provisions of § ZS 1-343 hereof.
- (14) Monopoles over one hundred feet in height, but not exceeding one hundred ninety-nine feet, and freestanding towers up to one hundred feet in height, subject to the provisions of § ZS 1-343 hereof.
- (15) Heliports for emergency and law enforcement aircraft only, subject to the provisions of § ZS 1-345 hereof.
- (16) Large day-care homes. Minimum lot requirements shall be: lot area, twelve thousand square feet [see § ZS 1-305(1) hereof]; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, thirty feet. **[Added 2-18-2014 by Bill No. 14-1¹⁶]**

Add Here →

(17) Any use or structure which is determined by the Board of Zoning Appeals to be of the same general character as an above-permitted use, not specifically mentioned in another district and compatible with the general character and intent of the R-4 District.

16. Editor's Note: This bill also renumbered former Subsection (c)(16) as Subsection (c)(17).

9



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

Introduced as
Bill 18-2
Public Hearing on 4/17/18

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director
DATE: February 8, 2018
RE: Text Amendment Application - Cottage Courts
in the R-4 General Residential District

The Department is in receipt of a text amendment application submitted by Mr. Hugh Cropper, IV on behalf of his client, Mark R. Odachowski, seeking to amend the Zoning and Subdivision Control Article to create a new Section § ZS 1-350 to establish Seasonal Resort Developments (AKA, cottage courts) as a use and to set forth the requirements for such developments. Mr. Cropper also seeks to amend the R-4 General Residential District regulations to allow the new use by Special Exception in the District.

Because of the staff concerns with the application as originally submitted, the staff met with Mr. Cropper and his client and consultants to discuss and refine the request. Mr. Cropper revised his application and appeared before the Planning Commission on two separate occasions before finally modifying his request to align with the staff's recommended version. This final version was ultimately reviewed by the Planning Commission and given a favorable recommendation at its meeting on February 1, 2018.

Attached herewith you will find a copy of the memorandum from Phyllis Wimbrow, Deputy Director, that fully outlines the process described above and the Planning Commission's favorable recommendation as well as the entire file for the request. An electronic version of the draft text amendment language in bill form has been transmitted to your office for your use should one of the County Commissioners wish to introduce the amendment at their upcoming legislative session.

As always, I will be available to discuss the matter with you and the County Commissioners at your convenience.

Attachment

cc: Phyllis Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator

APPROVED
Worcester County Commissioners
Date 4/4 2/20/18



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CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: February 5, 2018
RE: Planning Commission Recommendation - Text Amendment Application -
Cottage Courts in the R-4 General Residential District

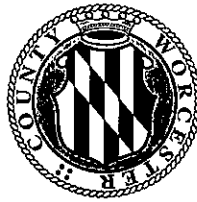


The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding the above referenced text amendment application. The Planning Commission reviewed this application at its meetings on December 7, 2017 and February 1, 2018. The text amendment application was submitted by Hugh Cropper, IV on behalf of Mark Odachowski and seeks to amend the Zoning and Subdivision Control Article to permit cottage courts in the R-4 General Residential District.

Because of concerns about the text amendment application as originally submitted, the staff met with Mr. Cropper and his client to discuss the matter. The staff subsequently prepared alternative language which would create a new form of development known as a seasonal resort development and be allowed by special exception in the R-4 General Residential Area. We shared the proposed language with Mr. Cropper and Mr. Odachowski. Mr. Cropper then submitted a modified version of the proposed language which mirrored the staff version with certain exceptions. This version was reviewed by the Planning Commission at its meeting on December 7, 2017. At that meeting the staff and the applicant could not come to agreement on several of the items in the applicant's proposed alternative language. The applicant asked to postpone further consideration of the matter until it could be revisited with the staff. Mr. Cropper subsequently submitted an email (attached) outlining their position on these matters and again met with the staff but disagreements about permitted density and sideyard setbacks remained. Both the applicant's version and a memo detailing the staff's comments were submitted to the Planning Commission for its review at its February 1, 2018 meeting. At this meeting Mr. Cropper stated that he now agreed with the staff's version of the proposed language and wished to adopt it as his revised application.

The Planning Commission concurred with the staff's conclusions and felt that seasonal resort developments are an appropriate special exception use in the R-4 General Residential District. The Planning Commission felt that the staff's version included appropriate measures such as limited density, setbacks and buffering requirements to protect neighboring uses and that the special exception review process via a public hearing before the Board of Zoning Appeals would allow for public comment. The Planning Commission subsequently concurred with the revised language prepared by the staff and gave a favorable recommendation to the text amendment application as amended and accepted by the applicant's attorney.

A copy of a draft bill as favorably recommended by the Planning Commission is attached, as is a copy of the staff report which includes the original application. Should you have any questions or require additional information, please do not hesitate to contact me.



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DEVELOPMENT REVIEW AND PERMITTING

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TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: December 29, 2017
RE: Draft Legislation and Text Amendment Application - Cottage Courts in the R-4 General Residential District

As you are aware, at your meeting on December 7, 2017, the Planning Commission considered the above referenced text amendment application. The application was submitted by Hugh Cropper, IV, attorney, on behalf of Mark Odachowski and seeks to amend the Zoning and Subdivision Control Article to permit cottage courts in the R-4 General Residential District. Because of concerns about the text amendment application as originally submitted, the staff had met with Mr. Cropper and his client to discuss the matter. The staff subsequently prepared alternative language which would create a new form of development known as a seasonal resort development and be allowed by special exception in the R-4 General Residential Area. We shared the proposed language with Mr. Cropper and Mr. Odachowski. Mr. Cropper then submitted a modified version of the proposed language which mirrored the staff version with certain exceptions. Please find below the language submitted *at that time* by Mr. Cropper and the staff comments:

- 1) Proposed § ZS 1-349(c)(1)B - The applicant's version states that units cannot exceed a total of 600 square feet in gross floor area, exclusive of any unenclosed porch or deck. The staff version included porches and unenclosed decks in the maximum of 600 square feet in total gross floor area.
- 2) Proposed § ZS 1-349(f) - The applicant's version states that the maximum density is ten units per gross acre of lot area. The staff version set the maximum density at eight units per gross acre of lot area.

- 3) Proposed § ZS 1-349(g) - The applicant's version states that required yard setbacks on the front and rear shall be a minimum of 50 feet while the side yard setbacks shall be a minimum of 15 feet. The staff version provided for a setback of at least 50 feet from all perimeter property lines.
- 4) Proposed § ZS 1-349(h) - The applicant's version states that there shall be at least one and a half parking spaces provided for each seasonal resort development unit. The staff version set this minimum at two spaces for each unit.

During the Planning Commission meeting on December 7, 2017, with the exception of Issue No. 1, the staff and the applicant could not come to agreement on the matters where there was disagreement. The applicant asked to postpone further consideration of the matter until it could be revisited with the staff. Please keep in mind that with regard to Issue No. 1 above, at the meeting the staff and applicant came to an agreement that decks and porches would be limited to a cumulative maximum of 200 square feet in gross floor area beyond the maximum of 600 square feet in gross floor area of enclosed space. With regard to the other issues, Mr. Cropper submitted the attached email outlining their position on the remaining matters. The comments that are shown in highlighting (darker shading) are the response submitted to Mr. Cropper by Ed Tudor. Using the same numbering of issues as shown above, Mr. Cropper's proposal and our comments are shown below.

- 1) Proposed § ZS 1-349(c)(1)B -At the Planning Commission meeting on December 7, 2017, the staff and applicant agreed that decks and porches would be limited to a cumulative maximum 200 square feet in gross floor area beyond the maximum 600 square feet of gross floor area for enclosed space.
- 2) Proposed § ZS 1-349(f) - The applicant is now requesting a maximum density of nine units per gross acre of lot area. The staff continues to believe that a maximum density of eight units per gross acre of lot area is most appropriate, as it is the maximum density for any type of residential use within the R-4 General Residential District. The staff concludes that it is particularly imperative to remember that the proposed uses are transient in nature, within a residential zoning district, albeit that district with the most diverse and greatest density of residential uses.
- 3) Proposed § ZS 1-349(g) - The applicant continues to propose side yard setbacks of a minimum of 15 feet. The staff stands by our belief that a greater side yard setback is necessary, again because of the transient nature of the proposed uses. However, we can accept a side yard setback of at least 25 feet, in that these yard setbacks must be provided with buffering.
- 4) Proposed § ZS 1-349(h) - The applicant and staff are now in agreement that there shall be at least two parking spaces provided for each seasonal resort development unit.
- 5) Proposed § ZS 1-349(g) - As a new issue, the applicant is requesting that the

minimum lot area be reduced from 10 acres to 9 acres. The staff has no objection to this reduction, because the density is dependent on the lot area and thus goes lower as the lot area is reduced, but stylistically prefers that the minimum lot area be established at 5 acres.

Should you have any questions or require additional information, please do not hesitate to contact me.

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener

Phyllis Wimbrow

From: Ed Tudor
Sent: Thursday, December 28, 2017 5:26 PM
To: Hugh Cropper
Cc: Phyllis Wimbrow; Jennifer Keener
Subject: Seasonal Resort Housing

Hugh, As I indicated in an earlier email we will have your proposed text amendment back on the Planning Commission agenda for the January 4th meeting. Phyllis, Jennifer and I have discussed the 4 unresolved issues from our previous discussion and your email of 12/14/17, a portion of which I have pasted below. Our position is highlighted in yellow on each of the issues. We will prepare a very brief memo to the Planning Commission outlining the issues below and our respective positions.

Ed

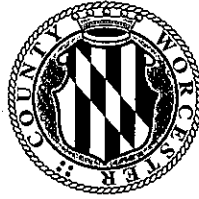
I had Bob Hand sketch an informal site plan. With two parking spaces per unit, the property will yield 85 units, with 170 parking spaces. This will require a side yard setback of 15 feet.

At this rate, the density is 8.8 units per acre.

Issue No. 4 I would like to amend our application to proceed with your original suggestion of 2 parking spaces per unit. As a trade-off, I would like to retain the side yard setbacks of 15 feet. *Issue No. 3* We are appreciative of your concurrence with our position with regard to the required parking however we do not support a side yard setback of 15 feet. It is our opinion that 25 feet would be the minimum side yard setback to address our concerns.

Issue No. 2 I would like to reduce the density to 9 units per acre. I recognize that you prefer 8 units per acre, but I hope this is a reasonable compromise. We still feel the density at 8 units per acre is the most appropriate.

New Issue - No. 5 Finally, I would like to reduce the total required lot size to 9 acres. There are some ownership issues with respect to the bed of Hastings Lane, the location of the rear ditch, etc. and the property may fall just shy of 10 acres. To be on the safe side, I would like to request a total lot area of 9 acres. We have no objection to a lower required lot area. Stylistically we do not like oddball acreage requirements but would have no objection to going all the way down to a 5 acre minimum lot area requirement.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: November 28, 2017
RE: Draft Legislation and Text Amendment Application - Cottage
Courts in the R-4 General Residential District

The attached draft legislation and text amendment application were submitted by Hugh Cropper, IV, attorney, on behalf of Mark Odachowski and seeks to amend the Zoning and Subdivision Control Article to permit cottage courts in the R-4 General Residential District. Because of concerns about the text amendment application as originally submitted, the staff met with Mr. Cropper and his client to discuss the matter. The staff subsequently prepared alternative language which would create a new form of development known as a seasonal resort development and be allowed by special exception in the R-4 General Residential Area. We shared the proposed language with Mr. Cropper and Mr. Odachowski. Mr. Cropper has now submitted a modified version of the proposed language which is attached for your review and comment.

The language now submitted by Mr. Cropper mirrors that contained in the staff version with the following exceptions:

- 1) Proposed § ZS 1-349(c)(1)B - The applicant's version states that units cannot exceed a total of 600 square feet in gross floor area, exclusive of any unenclosed porch or deck. The staff version included porches and unenclosed decks in the maximum of 600 square feet in total gross floor area.
- 2) Proposed § ZS 1-349(f) - The applicant's version states that the maximum density is ten units per gross acre of lot area. The staff version set the maximum density at eight units per gross acre of lot area.

- 3) Proposed § ZS 1-349(g) - The applicant's version states that required yard setbacks on the front and rear shall be a minimum of 50 feet while the side yard setbacks shall be a minimum of 15 feet. The staff version provided for a setback of at least 50 feet from all perimeter property lines.
- 4) Proposed § ZS 1-349(h) - The applicant's version states that there shall be at least one and a half parking spaces provided for each seasonal resort development unit. The staff version set this minimum at two spaces for each unit.

Following our customary practice, once I received the revised text amendment application I forwarded it to Ed Tudor, Director, Jennifer Keener, Zoning Administrator, and Maureen Howarth, County Attorney and Planning Commission Attorney, for their review and comment. The comments of both Mr. Tudor and Ms. Keener are attached. The staff stands by its original version, finding it to be more acceptable than that proposed by the applicant and to contain reasonable limitations to ensure compatibility with adjoining properties and with other provisions of the Zoning and Subdivision Control Article. The staff feels very strongly that limitations on the size of any unenclosed porches or decks must be included or such structures could easily approach the size of the enclosed unit, if not exceed it. Please keep in mind that these units are intended for seasonal occupation. Past experience in other similar developments has demonstrated how very easily an open deck is transformed to a screened porch, then to an enclosed room. This circumvents the seasonal and transient intent of the type of development. We feel the same about the density proposed by Mr. Cropper and his client. Eight units per acre is the maximum allowed for residential uses in the R-4 General Residential District. Mr. Cropper seeks to provide 10 units per acre. He also seeks to reduce the required side yard setbacks from the 50 feet proposed by the staff to 15 feet. The increased density and decreased side yard setbacks greatly increase the intensity of the development, regardless of its intended seasonal and transient nature, in a zoning district which is intended for residential use. In that the proposed units can provide more than one sleeping room, we feel that two parking spaces should be provided for each unit, just as residential uses are required to provide two parking spaces per dwelling unit.

Should you have any questions or require additional information, please do not hesitate to contact me.

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener

A BILL ENTITLED

AN ACT Concerning

Zoning - Seasonal Resort Developments

For the purpose of amending the Zoning and Subdivision Control Article to provide for seasonal resort developments in appropriate zoning districts which are designed in a unified plan of development.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Section § ZS 1-208(c)(17) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland renumbered as Section § ZS 1-208(c)(18) and a new Section § ZS 1-208(c)(17) be enacted to read as follows:

(17) Seasonal resort developments, subject to the provisions of § ZS 1-349 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Section § ZS 1-349 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

§ ZS 1-349. Seasonal Resort Developments.

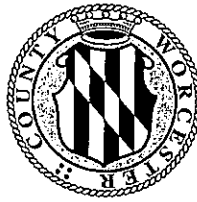
- (a) Purpose and intent. The purpose and intent of this section is to encourage comprehensively planned seasonal resort developments and associated uses under a unified plan of development that allows for flexibility while also requiring unified design within the development and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area. Although development of the seasonal resort development may not occur at one time and may instead be phased, its development is intended to be accomplished in a manner which will ensure compatible, integrated development with provisions being made for adequate open space, safe internal traffic circulation, sufficient parking, appropriate access to public roadways, and adequate buffering and landscaping, as the lands are developed.
- (b) Location and area requirements. The minimum required lot area for a seasonal resort development is ten acres which in no case may be reduced by action of the Board of Zoning Appeals notwithstanding the provisions of § ZS 1-116(c)(4) hereof.
- (c) Permitted uses and structures. The following uses and structures may be permitted in a seasonal resort development:
- (1) Cabins, cottages and similar structures which are built on a permanent foundation or attached to a permanent chassis and which meets all of the following criteria:
- A. Is designed to provide seasonal or temporary living quarters for transients having complete sanitary facilities and kitchen facilities and separate

entrances.

- B. Does not exceed a total of six hundred square feet in gross floor area, exclusive of any unenclosed porch or deck.
- (2) Private noncommercial social and recreational areas and facilities which serve only the tenants of the seasonal resort development.
- (3) Offices, maintenance facilities and other uses associated solely with the operation of the project as a seasonal resort development.
- (d) Limitation on operation. Units in a seasonal resort development shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. The seasonal resort development shall not operate during the months of January, February, November and December of each year nor shall any units be occupied during those months. Utilities, other than those reasonably necessary for security and caretaking purposes and for the seasonal resort development's administrative office, shall be shut off during the period when the seasonal resort development is closed. Water and sewer facilities to all units and amenities shall be among the utilities shut off.
- (e) Area limitations for uses. Within a seasonal resort development a minimum of thirty percent of the total gross lot area [as defined in § ZS 1-305(a) hereof] but excluding state wetlands [as defined in § ZS 1-103(b) hereof] shall be devoted to common use open space. Such open space shall not include utility and other service areas, roads and off-street parking and loading areas, except underground utility areas nor shall it include buildings except those specifically intended for recreational use. Where possible, those areas contained in the one-hundred-year floodplain should be dedicated as open space or recreational areas. At least fifty percent of the required common use open space shall be provided as recreational areas for games, sports, social gatherings, etc. No recreational area shall be required to exceed thirty percent of the total area of the development. Such recreational areas shall consist of contiguous lands not containing any wetlands, tidal or nontidal, and be of sufficient configuration as determined by the Planning Commission that they can suitably function for the purpose stated herein. All recreational areas shall be separated from any adjacent vehicular travelway or parking area by a vegetated or man-made barrier. Proposed recreational areas must be specified on the site plan for review and approval by the Planning Commission.
- (f) Permitted density. A seasonal resort development is intended to be designed and function as a unified development and as such may be comprised of multiple parcels or lots. The maximum density is ten units per gross acre of lot area.
- (g) Lot and road frontage requirements. For individual structures, there shall be no minimum lot area, bulk, lot width, area or road frontage requirements. Such standards shall be as approved by the Planning Commission on a site plan prepared in accordance with § ZS 1-325 hereof. Minimum yard setbacks shall be: front yard setback, fifty feet [see § ZS 1-305(b) hereof]; each side yard setback, fifteen feet; and rear yard setback, fifty feet. Such setback shall be provided with buffering in accordance with § ZS 1-322(e)(2) hereof.

- (h) Parking requirements. There shall be at least one and a half parking spaces provided for each seasonal resort development unit, at least one of which must be located at the unit's location. If not provided at the site of the unit, any additional required parking shall be required in common parking areas located within six hundred feet of the unit. Parking provided shall not exceed a maximum of two and one half parking spaces per each seasonal resort development unit. Parking shall be in accordance with the provisions of § ZS 1-320 hereof. One bike rack shall be provided at each amenity area, bathhouse, store or other facility which is commercial in nature.
- (I) Landscaping, buffering and screening requirements. In addition to the requirements set forth in subsection (f) herein, the seasonal resort development shall comply with all pertinent landscaping, buffering and screening requirements set forth in § ZS 1-322 hereof.
- (j) Height. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no structure shall exceed either one story or fifteen feet in height as measured from the average grade at the building's foundation or the flood protection elevation for those properties located in a special flood hazard area.
- (k) Review and approval procedure. The seasonal resort development application shall be reviewed by the Technical Review Committee and the Planning Commission pursuant to the provisions of § ZS 1-325 hereof and this section. Construction and development of the seasonal resort development shall be in accordance with the site plan as approved by the Planning Commission pursuant to § ZS 1-325 hereof.
- (l) Planning Commission criteria. The Planning Commission shall not approve a seasonal resort development until it shall find that each of the following criteria have been met:
 - (1) The proposed development will consist of structures of an integrated and harmonious design, provided with adequate vehicular, pedestrian and bicycle circulation, parking, service, utility services, open space, and landscaping.
- (m) Other regulations. In regulating the development of seasonal resort developments, the provisions of this section shall first apply, but when a matter is not specifically regulated by this section, then the other provisions of this Title and of the district in which the development is located shall apply.
- (n) Permits. No permit shall be issued for any work in connection with a seasonal resort development until the Planning Commission shall have reviewed and approved the seasonal resort development.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.



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ZONING DIVISION
BUILDING DIVISION
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ADMINISTRATIVE DIVISION
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TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Edward A. Tudor, Director *EAT*
DATE: November 22, 2017
RE: Text Amendment Application - Cottage Courts in the R-4 General Residential District

This memorandum is in response to your request for comments on the revised text amendment language submitted by Mr. Hugh Cropper, IV regarding the proposed text amendment to allow cottage courts in the R-4 General Residential District. As you pointed out in your memorandum, the staff had concerns with Mr. Cropper's original proposed text amendment language. We subsequently met with him and his client to discuss alternative language for the proposal. As a result of that discussion, you prepared a new version that was acceptable to the staff. Mr. Cropper's latest submittal alters the staff's recommendation in four areas, those being maximum unit size, density, setbacks and parking.

It is my opinion that the original staff draft remains acceptable and contains reasonable limitations to ensure compatibility with adjoining properties in the R-4 General Residential District and with other provisions in the Zoning Code. Therefore, I do not agree with the latest amendments proposed by Mr. Cropper and stand by the original staff version.

As always, I will be available to discuss the matter in greater depth if need be when it is reviewed by the Planning Commission.

cc: Maureen Howarth, County Attorney
Jennifer Keener, Zoning Administrator



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TECHNICAL SERVICES DIVIS.

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Phyllis Wimbrow, Deputy Director
From: Jennifer Keener, Zoning Administrator *JKK*
Date: November 7, 2017
Re: Text Amendment Application – Seasonal Resort Developments in the R-4
General Residential District

This memorandum is in response to your request for comments on the revised text amendment submitted by Mr. Hugh Cropper, IV on behalf of his client. He seeks to add a Seasonal Resort Development use to the R-4 General Residential District regulations as a special exception, and create a new section (§ZS 1-349) for these types of developments. Given that staff has worked with Mr. Cropper and drafted language that we felt comfortable presenting, I will only comment on the changes that Mr. Cropper has proposed to that language.

First, Mr. Cropper looks to modify the proposed language to allow individual units to be 600 square feet exclusive of unenclosed porches or decks. This means that they could theoretically construct a covered porch or open deck that exceeds the size of the unit itself, as there is no maximum square footage being proposed. The initial language presented by staff included the square footage of these structures within the overall limitation because they are to be seasonally occupied, and limited to the use of transients (30 days or less). The 600 square foot total is consistent with (if not larger than) many of the cottage establishments throughout the West Ocean City area. It is only reasonable that limitations should be placed on the deck/porch allowance. If the Planning Commission and County Commissioners agree to retain the unit size of 600 square feet exclusive of decks and porches, I would recommend that any unenclosed porches or decks be limited to no more than 100 square feet. The applicant could provide at-grade decks or paver patios in lieu of or in addition to these features for the guests if entertaining space is in high demand. To leave this item open ended is not appropriate.

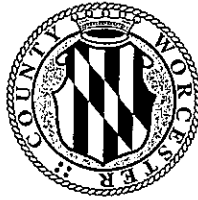
Second, Mr. Cropper wishes to increase the density to 10 units per gross acre of lot area. The staff recommended a density of 8 units per gross acre of lot area, as that is the maximum allowed density for residential uses in the R-4 General Residential District. Even though this is a seasonal use as proposed, I do not agree that the density should be greater than what a developer would be able to obtain with a standard residential development. That places even greater pressure on

existing facilities (roads, police, fire, etc.) during the peak tourist season in residential neighborhoods.

Third, Mr. Cropper would like to reduce the size yard setbacks from 50 feet as proposed by staff to 15 feet. Upon review of the zoning code, many other uses in the R-4 District have either a 20 foot or a 30 foot side yard setback. While the applicant wishes to reduce the setback to accommodate a certain type of design, I think it is appropriate to have an adequately buffered setback given the high density of the proposed use. Not all developers may want to centralize the active open space as the applicant has indicated, and 15 feet may not be adequate depending on the activity. I would recommend a compromise of a 25 or a 30 foot side yard setback.

Fourth, Mr. Cropper has recommended reducing the required parking to 1.5 spaces per unit. This would provide one parking space per unit, and a second space to be shared for every two units or fraction thereof. Typical residential uses require two spaces per dwelling unit. Hotels and motels require one space per sleeping room. With this proposal, there could be up to two or three sleeping rooms per unit. To be consistent with the other uses and parking requirements in the Zoning Code, I would recommend calculating parking at either two spaces per unit as originally recommended, or one space per sleeping room.

As always, I will be available to discuss this further with the applicants or the Planning Commission during their meeting for recommendation.



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MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: November 6, 2017

RE: Revised Text Amendment Application - Cottage
Courts in the R-4 General Residential District

As you remember, a text amendment application was submitted by Hugh Cropper, IV on behalf of Mark R. Odachowski seeking to amend the Zoning and Subdivision Control Article to permit cottage courts in the R-4 General Residential District. Because of concerns about the application as specifically submitted, the staff met with Mr. Cropper and his client to discuss the matter. The staff subsequently prepared alternative language which would create a new form of development known as a seasonal resort development and be allowed by special exception in the R-4 General Residential Area. We shared the proposed language with Mr. Cropper and Mr. Odachowski. Mr. Cropper has now submitted a modified version of the proposed language which is attached for your review and comment.

The language now submitted by Mr. Cropper mirrors that contained in the staff version with the following exceptions:

- 1) Proposed § ZS 1-349(c)(1)B - The applicant's version states that units cannot exceed a total of 600 square feet in gross floor area, exclusive of any unenclosed porch or deck. The staff version included porches and unenclosed decks in the maximum of 600 square feet in total gross floor area.
- 2) Proposed § ZS 1-349(f) - The applicant's version states that the maximum density is ten units per gross acre of lot area. The staff version set the maximum density at eight units per gross acre of lot area.
- 3) Proposed § ZS 1-349(g) - The applicant's version states that required yard setbacks on the front and rear shall be a minimum of 50 feet while the side yard setbacks shall be a minimum of 15 feet. The staff version provided for a setback of at least 50 feet from all perimeter property lines.

- 4) Proposed § ZS 1-349(h) - The applicant's version states that there shall be at least one and a half parking spaces provided for each seasonal resort development unit. The staff version set this minimum at two spaces for each unit.

I anticipate scheduling this text amendment for consideration by the Planning Commission at its December 7, 2017 meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than November 22, 2017.

Should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

attachment

Phyllis Wimbrow

From: Hugh Cropper [hcropper@bbcmlaw.com]
Sent: Wednesday, November 01, 2017 11:31 AM
To: Ed Tudor
Cc: Phyllis Wimbrow; Jennifer Keener; bob@rdhand.com; Mark Odachowski
Subject: Cottage Court Text Amendment
Attachments: MX-3550N_20171101_113638.pdf

Ed:

I would like to proceed with the Text Amendment (Zoning – Seasonal Resort Developments), as drafted by your office, with a couple of modifications:

- Density of 10 units per acre, instead of 8 units per acre.
- Parking of 1.5 spaces per units, instead of 2 spaces per unit.
- Maximum size of six hundred square feet in gross floor area, exclusive of any unenclosed porch or deck.

Otherwise, everything looks great. Thanks again for all of your help.

Bob Hand is working on a site plan, and he will send a copy to Jennifer for conceptual review. I would like to make sure that it accords with the new text amendment language.

Have a great day.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
***Please note my new email address: hcropper@bbcmlaw.com ***
www.bbcmlaw.com

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COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 17-

BY:
INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

Zoning - Seasonal Resort Developments

For the purpose of amending the Zoning and Subdivision Control Article to provide for seasonal resort developments in appropriate zoning districts which are designed in a unified plan of development.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Section § ZS 1-208(c)(17) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland renumbered as Section § ZS 1-208(c)(18) and a new Section § ZS 1-208(c)(17) be enacted to read as follows:

- (17) Seasonal resort developments, subject to the provisions of § ZS 1-349 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Section § ZS 1-349 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

§ ZS 1-349. Seasonal Resort Developments.

- (a) Purpose and intent. The purpose and intent of this section is to encourage comprehensively planned seasonal resort developments and associated uses under a unified plan of development that allows for flexibility while also requiring unified design within the development and ensuring compatibility with and minimum impact upon existing and future development in the surrounding area. Although development of the seasonal resort development may not occur at one time and may instead be phased, its development is intended to be accomplished in a manner which will ensure compatible, integrated development with provisions being made for adequate open space, safe internal traffic circulation, sufficient parking, appropriate access to public roadways, and adequate buffering and landscaping, as the lands are developed.
- (b) Location and area requirements. The minimum required lot area for a seasonal resort development is ten acres which in no case may be reduced by action of the Board of Zoning Appeals notwithstanding the provisions of § ZS 1-116(c)(4) hereof.
- (c) Permitted uses and structures. The following uses and structures may be permitted in a seasonal resort development:
- (1) Cabins, cottages and similar structures which are built on a permanent foundation or attached to a permanent chassis and which meets all of the following criteria:
- A. Is designed to provide seasonal or temporary living quarters for transients having

complete sanitary facilities and kitchen facilities and separate entrances.

- B. Does not exceed a total of six hundred square feet in gross floor area, including any unenclosed porch or deck.
- (2) Private noncommercial social and recreational areas and facilities which serve only the tenants of the seasonal resort development.
- (3) Offices, maintenance facilities and other uses associated solely with the operation of the project as a seasonal resort development.
- (d) Limitation on operation. Units in a seasonal resort development shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. The seasonal resort development shall not operate during the months of January, February, November and December of each year nor shall any units be occupied during those months. Utilities, other than those reasonably necessary for security and caretaking purposes and for the seasonal resort development's administrative office, shall be shut off during the period when the seasonal resort development is closed. Water and sewer facilities to all units and amenities shall be among the utilities shut off.
- (e) Area limitations for uses. Within a seasonal resort development a minimum of thirty percent of the total gross lot area [as defined in § ZS 1-305(a) hereof] but excluding state wetlands [as defined in § ZS 1-103(b) hereof] shall be devoted to common use open space. Such open space shall not include utility and other service areas, roads and off-street parking and loading areas, except underground utility areas nor shall it include buildings except those specifically intended for recreational use. Where possible, those areas contained in the one-hundred-year floodplain should be dedicated as open space or recreational areas. At least fifty percent of the required common use open space shall be provided as recreational areas for games, sports, social gatherings, etc. No recreational area shall be required to exceed thirty percent of the total area of the development. Such recreational areas shall consist of contiguous lands not containing any wetlands, tidal or nontidal, and be of sufficient configuration as determined by the Planning Commission that they can suitably function for the purpose stated herein. All recreational areas shall be separated from any adjacent vehicular travelway or parking area by a vegetated or man-made barrier. Proposed recreational areas must be specified on the site plan for review and approval by the Planning Commission.
- (f) Permitted density. A seasonal resort development is intended to be designed and function as a unified development and as such may be comprised of multiple parcels or lots. The maximum density is eight units per gross acre of lot area.
- (g) Lot and road frontage requirements. For individual structures, there shall be no minimum lot area, bulk, lot width, area or road frontage requirements. Such standards shall be as approved by the Planning Commission on a site plan prepared in accordance with § ZS 1-325 hereof. In no instance may a principal building be constructed closer than fifty feet to the perimeter property line of the seasonal resort development. Such setback shall be provided with buffering in accordance with § ZS 1-322(e)(2) hereof.
- (h) Parking requirements. There shall be at least two parking spaces provided for each seasonal resort development unit, at least one of which must be located at the unit's location. If not provided at the site of the unit, any additional required parking shall be required in common

parking areas located within six hundred feet of the unit. Parking provided shall not exceed a maximum of two and one half parking spaces per each seasonal resort development unit. Parking shall be in accordance with the provisions of § ZS 1-320 hereof. One bike rack shall be provided at each amenity area, bathhouse, store or other facility which is commercial in nature.

- (l) Landscaping, buffering and screening requirements. In addition to the requirements set forth in subsection (f) herein, the seasonal resort development shall comply with all pertinent landscaping, buffering and screening requirements set forth in § ZS 1-322 hereof.
- (j) Height. Except for certain other buildings, structures or parts thereof as provided in § ZS 1-305 hereof, no structure shall exceed either one story or fifteen feet in height as measured from the average grade at the building's foundation or the flood protection elevation for those properties located in a special flood hazard area.
- (k) Review and approval procedure. The seasonal resort development application shall be reviewed by the Technical Review Committee and the Planning Commission pursuant to the provisions of § ZS 1-325 hereof and this section. Construction and development of the seasonal resort development shall be in accordance with the site plan as approved by the Planning Commission pursuant to § ZS 1-325 hereof.
- (l) Planning Commission criteria. The Planning Commission shall not approve a seasonal resort development until it shall find that each of the following criteria have been met:
 - (1) The proposed development will consist of structures of an integrated and harmonious design, provided with adequate vehicular, pedestrian and bicycle circulation, parking, service, utility services, open space, and landscaping.
- (m) Other regulations. In regulating the development of seasonal resort developments, the provisions of this section shall first apply, but when a matter is not specifically regulated by this section, then the other provisions of this Title and of the district in which the development is located shall apply.
- (n) Permits. No permit shall be issued for any work in connection with a seasonal resort development until the Planning Commission shall have reviewed and approved the seasonal resort development.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2017.

ATTEST:

WORCESTER COUNTY COMMISSIONERS

Harold L. Higgins
Chief Administrative Officer

Madison J. Bunting, Jr., President

Diana Purnell, Vice President

Anthony W. Bertino, Jr.

James C. Church

Theodore J. Elder

Merrill W. Lockfaw, Jr.

Joseph M. Mitrecic

Original Application
7/17

Worcester County Commissioners
Government Office Building
One West Market Street, Room 1103
Snow Hill, Maryland 21863

Please Type or
Print in Ink

PETITION FOR AMENDMENT OF OFFICIAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE

(Office Use Only - Please Do Not Write In This Space)

Date Received by Office of the County Commissioners: _____

Date Received by Development Review and Permitting: 7/13/17

Date Reviewed by Planning Commission: _____

I. Application - Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

A. Resident of Worcester County. XXX

B. Taxpayer of Worcester County. XXX

C. Governmental Agency _____

(Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article.

A. Section Number: ZS1-208(c)(16)

B. Page Number: Please See Attached

C. Proposed revised text, addition or deletion:
Please See Attached

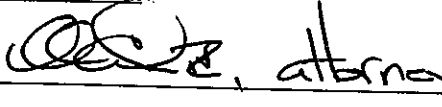
Original
Application 7/17 32

III. Reasons for Requesting Text Change:

- A. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

Please See Attached

IV. Signature of Applicants

Signature:  attorney


Printed Name of Applicant: Mark R. Odachowski

Mailing Address: 9939 Jerry Mack Road, Suite 400, Ocean City, MD 21842

Phone Number: 410-213-2658 E-Mail: marko-elec-co.com

Date: June 13, 2017

Signature of Attorney

Signature: 

Printed Name of Attorney: Hugh Cropper IV

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, Maryland 21842

Phone Number: 410-313-2681 E-Mail: hcropper@bbcmlaw.com

Date: June 13, 2017

V. General Information Relating to the Text Change Request.

- A. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- B. Procedure for Text Amendments - Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any

proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have any opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it need not be considered.

ATTACHMENT TO PETITION FOR AMENDMENT
OF OFFICIAL TEXT

SECTION ZS1-208(c)(16) to be renumbered as (17), and a new SECTION ZS1-208(c)(16) be enacted, as follows:

Cottage Courts. Minimum lot requirements shall be: lot area, forty thousand square feet; lot area per unit, one thousand square feet; lot width, sixty feet; front yard setback, twenty-five feet; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of Section ZS1-325 hereof.

Add the following definition to SECTION ZS1-103(b):

COTTAGE COURT - - A grouping of small, separate units, intended for transients, clustered around a common area, and developed with a coherent plan for the entire site. Each cottage or unit may contain separate rooms, but shall not exceed eight hundred square feet. Each cottage or unit shall have complete sanitary facilities and separate entrances. Cottage Courts are typically considered infill development, within Existing Developed Areas.

REASONS IN SUPPORT OF TEXT AMENDMENT

For many years, cottage courts were prevalent throughout West Ocean City, and most of Worcester County. For example, for many years cottages and cottage courts lined both sides of Golf Course Road, south of its intersection with U.S. Route 50. Maryland Route 707 (Old Bridge Road) was the site of several cottage courts. Some of those cottage courts still exist today, such as Timmons Cottages on Golf Course Road, Wyatt's Cottages, and Villa Nova. Unfortunately, most of these cottage courts are non-conformities, existing in residentially zoned areas.

Currently, cottage courts are only permitted in commercial zones. They have been pushed out by the high price of commercial real estate, particularly in West Ocean City.

Although cottage courts have been pushed out by the high cost of commercial real estate, there remains a strong public need. There is a tradition of cottage courts and cottages in this area. Visitors enjoy the atmosphere and lifestyle in a cottage court. They were able to park their small boats and other vehicles, grill in their small use areas, allow children to play and to recreate, etc. Although some of this strong public need has been absorbed by campgrounds, the applicant asserts that the strong public need still exists.

The proposed text amendment would allow cottage courts only (neither hotels nor motels), as a special exception in the R-4 General Residential District. Rental cottages are actually more consistent with the R-4, General Residential District than as is currently permitted in the C-2, General Commercial Zone.

The R-4, General Residential District already permits two-family and multi-family dwellings, townhouses, manufactured homes, manufactured home parks and cooperative manufactured home park subdivisions, assisted living facilities, group homes, among other uses. A cottage court would certainly be consistent with these permitted uses.

The R-4, General Residential District also permits boarding and lodging houses,

nursing facilities and assisted living facilities, and planned senior developments by special exception. Cottage courts as a special exception would certainly be consistent with these uses.

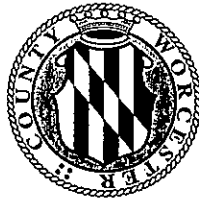
Cottage courts would be available to transients, so the length of stay would be limited to thirty days.

There is limited R-4 General Residential District zoning in Worcester County, so the impact of this text amendment would be very limited.

Respectfully Submitted,



Hugh Cropper IV, Attorney for
Mark R. Odachowski



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: July 19, 2017

RE: Text Amendment Application - Cottage
Courts in the R-4 General Residential District

The attached text amendment application has been submitted by Hugh Cropper, IV on behalf of Mark R. Odachowski and seeks to amend the Zoning and Subdivision Control Article to permit cottage courts in the R-4 General Residential District. Specifically, the text amendment as submitted by Mr. Cropper seeks add a definition of "cottage court" to § ZS 1-103 to read as follows:

COTTAGE COURT - A grouping of small, separate units, intended for transients, clustered around a common area, and developed with a coherent plan for the entire site. Each cottage or unit may contain separate rooms, but shall not exceed eight hundred square feet. Each cottage or unit shall have complete sanitary facilities and separate entrances. Cottage Courts are typical considered infill development, within Existing Developed Areas.

Furthermore, Mr. Cropper seeks to renumber existing § ZS 1-208(c)(16) as § ZS 1-208(c)(17) and create a new § ZS 1-208(c)(16) to read as follows:

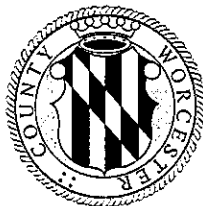
Cottage courts. Minimum lot requirements shall be: lot area, forty thousand square feet; lot area per unit, one thousand square feet; lot width, sixty feet; front yard setback, twenty-five feet; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-325 hereof.

In actuality, the above section would actually be a renumbering of existing § ZS 1-208(c)(17) as a new § ZS 1-208(c)(18) and the creation of a new § ZS 1-208(c)(17)

I anticipate scheduling this text amendment for consideration by the Planning Commission in the early fall. So that I may incorporate them into the staff report, please submit your comments to me no later than August 23, 2017.

Should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

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17

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

FAXED
3/22/18 @ 12:18 pm

March 22, 2018

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*

Please print the attached Notice of Introduction of Bill 18-3 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on March 29, 2018 and April 12, 2018. Thank you.

NOTICE OF INTRODUCTION OF BILL 18-3 WORCESTER COUNTY COMMISSIONERS

Take Notice that Bill 18-3 (County Government - County Ethics Law) was introduced by Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell on March 20, 2018.

A fair summary of the bill is as follows:

Title CG5 - Ethics, Subtitle I - County Ethics Law. (Repeals and reenacts the Worcester County Public Ethics Law to comply with revisions to the State Ethics Law adopted by the Maryland General Assembly in 2017 as referenced in State Government Article, Subtitle 8, Annotated Code of Maryland. Specific sections of the County Ethics Law to be amended are referenced below.)

§ CG 5-104. Conflicts of interest. (Adds a new subparagraph 4 to the "Participation prohibitions" subsection to provide that this subsection does not apply to an individual who is a public official only as a member of a board and who receives minimal compensation; provides that a former regulated lobbyist who becomes a public official or employee may not participate for one calendar year in a matter for which the lobbyist previously assisted or represented another party for compensation in the matter; adds new provisions to the "Use of prestige of office" subsection to specify that an official or employee may not use their position, except as part of their official duties, to influence the award of a County contract to a specific person, may not initiate a solicitation for a person to retain a particular lobbyist, may not use public resources or title to solicit a regulated political contribution, and may not assist a party for compensation in a matter that is the subject of legislative action for one calendar year from the date the Commissioner leaves office.)

§ CG 5-105. Financial disclosure - local elected officials and candidates to be local elected officials. (Adds a new subparagraph 5 to the “Public record” subsection to provide that for statements submitted on or after January 1, 2019, the Ethics Board may not provide public access to a portion of a statement that includes an individual's home address; and adds a new provision to the “Contents of statement” subsection regarding “sources of earned income” to provide that for a statement filed on or after January 1, 2019, if the individual's spouse is a regulated lobbyist, the individual must disclose the entity that has engaged the spouse for lobbying purposes.)

§ CG 5-106. Financial disclosure - employees and appointed officials. (Adds Deputy Department Heads, all Non-Classified employees that serve in a supervisory capacity and potentially other employees designated by resolution of the County Commissioners to the list of appointed officials and employees of Worcester County to which the financial disclosure rules and procedures of this section apply.)

A Public Hearing

will be held on **Bill 18-3** at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, **on Tuesday, April 17, 2018 at 11:00 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at www.co.worcester.md.us .

THE WORCESTER COUNTY COMMISSIONERS

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 18-3

BY: Commissioners Bertino, Bunting, Church, Elder, Lockfaw, Mitrecic and Purnell
INTRODUCED: March 20, 2018

A BILL ENTITLED

AN ACT Concerning

County Government - County Ethics Law

For the purpose of repealing and reenacting the Worcester County Ethics Law to conform to amendments to the State Ethics Law passed by the Maryland General Assembly in 2017 as referenced in General Provisions Article, Title 5 Maryland Public Ethics Law, of the Annotated Code of Maryland.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Title CG5 (Ethics) of the County Government Article of the Code of Public Local Laws of Worcester County, Maryland is hereby repealed and reenacted to read as follows:

**Title CG5
ETHICS**

**SUBTITLE I
County Ethics Law**

§ CG 5-101. **Short title.** This Subtitle may be cited as the Worcester County Public Ethics Law.

§ CG 5-102. **Applicability.** The provisions of this Subtitle apply to all Worcester County elected officials, employees, and appointees to boards and commissions of Worcester County.

§ CG 5-103. **Ethics Board.**

- (a) Appointment. There is a Worcester County Ethics Board that consists of seven members appointed by the County Commissioners.
- (b) Duties. The Ethics Board shall:
- (1) Devise, receive, and maintain all forms required by this Subtitle;
 - (2) Develop procedures and policies for advisory opinion requests and provide published advisory opinions to persons subject to this Subtitle regarding the applicability of the provisions of this Subtitle to them;
 - (3) Develop procedures and policies for the processing of complaints to make appropriate determinations regarding complaints filed by any person alleging violations of this Subtitle; and

- (4) Conduct a public information program regarding the purposes and application of this Subtitle.
- (c) Other duties and responsibilities. The Ethics Board shall have other duties and responsibilities as follows:
 - (1) The Ethics Board shall certify to the State Ethics Commission on or before October 1 of each year that the County is in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, as from time to time amended, for elected local officials.
 - (2) The Ethics Board shall determine if changes to this Subtitle are required to be in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, as from time to time amended, and shall forward any recommended changes and amendments to the Worcester County Commissioners for enactment.
 - (3) The Ethics Board may adopt other policies and procedures to assist in the implementation of the Ethics Board's programs established in this Subtitle.
- (d) Staff support. The Worcester County Attorney shall advise the Ethics Board.

§ CG 5-104. Conflicts of interest.

- (a) Qualified relative. In this section, "qualified relative" means a spouse, parent, child, or sibling.
- (b) Applicability. All Worcester County elected officials, officials appointed to Worcester County boards and commissions subject to this Subtitle, and employees are subject to this section.
- (c) Participation prohibitions. Except as permitted by Ethics Board regulation or opinion, an official or employee may not participate in:
 - (1) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter, any matter in which, to the knowledge of the official or employee, the official or employee, or a qualified relative of the official or employee has an interest.
 - (2) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision with respect to the matter, any matter in which any of the following is a party:
 - A. A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;
 - B. A business entity for which the official, employee, or a qualified relative of the official or employee is an officer, director, trustee, partner, or employee;
 - C. A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has any

arrangement concerning prospective employment.

- D. If the contract reasonably could be expected to result in a conflict between the private interests of the official or employee and the official duties of the official or employee, a business entity that is a party to an existing contract with the official or employee, or which, to the knowledge of the official or employee, is a party to a contract with a qualified relative;
 - E. An entity, doing business with Worcester County, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee may be reasonably expected to know of both direct financial interests; or
 - F. A business entity that:
 - 1. The official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value; and
 - 2. As a creditor or obligee, is in a position to directly and substantially affect the interest of the official or employee or a qualified relative of the official or employee.
- (3) A person who is disqualified from participating under paragraphs (1) or (2) of this subsection shall disclose the nature and circumstances of the conflict and may participate or act if:
- A. The disqualification leaves a body with less than a quorum capable of acting;
 - B. The disqualified official or employee is required by law to act; or
 - C. The disqualified official or employee is the only person authorized to act.

(4) This subsection does not apply to an individual who is a public official only as a member of a board and who receives annual compensation that is less than 25% of the lowest annual compensation at County Grade level 19. A former regulated lobbyist who is or becomes subject to regulation under this title as a public official or employee may not participate in a case, contract, or other specific matter as a public official or employee for one calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter. New

(5) The prohibitions of paragraph 1 and 2 of this subsection do not apply if participation is allowed by regulation or opinion of the Ethics Board.

(d) Employment and financial interest restrictions.

(1) Except as permitted by regulation of the Ethics Board when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:

- A. Be employed by or have a financial interest in any entity:
 - 1. Subject to the authority of the official or employee or the Worcester County agency, board, commission with which the official or employee is affiliated; or
 - 2. That is negotiating or has entered into a contract with the agency, board, or commission with which the official or employee is affiliated; or
 - B. Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.
- (2) This prohibition does not apply to:
- A. An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;
 - B. Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Ethics Board;
 - C. An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the Ethics Board; or
 - D. Employment or financial interests allowed by regulation of the Ethics Board if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.
- (e) Post-employment limitations and restrictions.
- (1) A former official or employee may not assist or represent any party other than Worcester County for compensation in a case, contract, or other specific matter involving Worcester County if that matter is one in which the former official or employee significantly participated as an official or employee.
 - (2) Until the conclusion of the next regular session that begins after the elected official leaves office, a former member of the Worcester County Commissioners may not assist or represent another party for compensation in a matter that is the subject of legislative action.
- (f) Contingent compensation. Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving Worcester County.

(g) Use of prestige of office.

(1) An official or employee may not intentionally use the prestige of office or public position:

A. For the private gain of that official or employee or the private gain of another.

B. To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a County contract to a specific person.

(2) An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

(3) A public official or employee may not use public resources or the title of the public official or employee to solicit a political contribution that is regulated in accordance with the State Election Law article.

(4) In this paragraph, "legislative action" does not include testimony or other advocacy in an official capacity as a member of the County Commissioners before a unit of State or local government.

A. A former member of the County Commissioners may not assist or represent another party for compensation in a matter that is the subject of legislative action for one calendar year from the date the Commissioner leaves office.

(5) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(h) Solicitation and acceptance of gifts.

(1) An official or employee may not solicit any gift.

(2) An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.

(3) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:

A. Is doing business with or seeking to do business with the Worcester County office, agency, board, or commission with which the official or employee is affiliated;

B. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;

C. Is engaged in an activity regulated or controlled by the official's or employee's governmental unit; or

New

- D. Is a lobbyist with respect to matters within the jurisdiction of the official or employee.
- (4) Paragraph (5) of this subsection does not apply to a gift:
- A. That would tend to impair the impartiality and the independence of judgment of the official or employee receiving the gift;
 - B. Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or
 - C. Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.
- (5) Notwithstanding paragraph (3) of this subsection, an official or employee may accept the following:
- A. Meals and beverages consumed in the presence of the donor or sponsoring entity;
 - B. Ceremonial gifts or awards that have insignificant monetary value;
 - C. Unsolicited gifts of nominal value that do not exceed \$20 in cost or trivial items of informational value;
 - D. Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee in a panel or speaking engagement at the meeting;
 - E. Gifts of tickets or free admission extended to an elected local official to attend a charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;
 - F. A specific gift or class of gifts that the Ethics Board exempts from the operation of this subsection upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of Worcester County and that the gift is purely personal and private in nature;
 - G. Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or
 - H. Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official's or employee's official position.
- (i) Disclosure of confidential information. Other than in the discharge of official duties, an official or employee may not disclose or use confidential information, that the official or employee

acquired by reason of the official's or employee's public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.

(j) Participation in procurement.

- (1) An individual or a person that employs an individual who assists a Worcester County agency in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who is submitting a bid or proposal for the procurement.
- (2) The Ethics Board may establish exemptions from the requirements of this section for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.

§ CG 5-105. Financial disclosure - local elected officials and candidates to be local elected officials.

(a) Financial disclosure statements.

- (1) This section applies to all local elected officials and candidates to be local elected officials.
- (2) Except as provided in subsection (b) of this section, a local elected official or a candidate to be a local elected official shall file the financial disclosure statement required under this section:
 - A. On a form provided by the Ethics Board;
 - B. Under oath or affirmation; and
 - C. With the Ethics Board.
- (3) Deadlines for filing statements.
 - A. An incumbent local elected official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.
 - B. An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.
 - C. An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within 60 days after leaving the office.
 1. The statement shall cover:
 - (i) The calendar year immediately preceding the year in which the

individual left office, unless a statement covering that year has already been filed by the individual; and

- (ii) The portion of the current calendar year during which the individual held the office.

(b) Candidates to be local elected officials.

- (1) Except for an official who has filed a financial disclosure statement under another provision of this section for the reporting period, a candidate to be an elected local official shall file under a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.
- (2) A candidate to be an elected local official shall file a statement required under this section:
 - A. In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;
 - B. In the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and
 - C. In all other years for which a statement is required, on or before April 30.
- (3) A candidate to be an elected official:
 - A. May file the statement required under §CG 5-105(b)(2)(A) hereof with the Worcester County Board of Election Supervisors with the certificate of candidacy or with the Ethics Board prior to filing the certificate of candidacy; and
 - B. Shall file the statements required under §CG 5-105(b)(2)(B) and (C) hereof with the Ethics Board.
- (4) If a candidate fails to file a statement required by this section after written notice is provided by the Ethics Board or Board of Election Supervisors at least 20 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.
- (5) The Ethics Board or Board of Election Supervisors may not accept any certificate of candidacy unless a statement has been filed in proper form.
- (6) Within 30 days of the receipt of a statement required under this section, the Board of Election Supervisors shall forward the statement to the Ethics Board or the office designated by the Ethics Board.

(c) Public record.

- (1) The Ethics Board or office designated by the Ethics Board shall maintain all financial disclosure statements filed under this section.

- (2) Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Ethics Board.
- (3) If an individual examines or copies a financial disclosure statement, the Ethics Board or the office designated by the Ethics Board shall record:
- A. The name and home address of the individual reviewing or copying the statement; and
 - B. The name of the person whose financial disclosure statement was examined or copied.
- (4) Upon request by the official or employee whose financial disclosure statement was examined or copied, the Ethics Board or the office designated by the Ethics Board shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.
- (5) For statements submitted on or after January 1, 2019, the Ethics Board may not provide public access to a portion of a statement that includes an individual's home address that the individual has identified as the individual's home address. *New*
- (d) Retention requirements. The Ethics Board or the office designated by the Ethics Board shall retain financial disclosure statements for four years from the date of receipt.
- (e) Contents of statement.
- (1) Interests in real property.
 - A. A statement filed under this section shall include a schedule of all interests in real property wherever located.
 - B. For each interest in real property, the schedule shall include:
 - 1. The nature of the property and the location by street address, mailing address, or legal description of the property;
 - 2. The nature and extent of the interest held, including any conditions and encumbrances on the interest;
 - 3. The date when, the manner in which, and the identity of the person from whom the interest was acquired;
 - 4. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
 - 5. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of

the person to whom the interest was transferred; and

6. The identity of any other person with an interest in the property.

(2) Interests in corporations and partnerships.

- A. A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with Worcester County.
- B. For each interest reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;
 2. The nature and amount of the interest held, including any conditions and encumbrances on the interest;
 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 4. With respect to any interest acquired during the reporting period:
 - (i) The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
 - (ii) The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
- C. An individual may satisfy the requirement to report the amount of the interest held under item (B)(2) of this paragraph by reporting, instead of a dollar amount:
1. For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or
 2. For an equity interest in a partnership, the percentage of equity interest held.

(3) Interests in business entities doing business with Worcester County.

- A. A statement filed under this section shall include a schedule of all interests in any business entity that does business with Worcester County, other than interests reported under paragraph (2) of this subsection.

- B. For each interest reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The nature and amount of the interest held, including any conditions to and encumbrances in the interest;
 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 4. With respect to any interest acquired during the reporting period:
 - (i) The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
 - (ii) The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(4) Gifts.

- A. A statement filed under this section shall include a schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with or is regulated by Worcester County.
- B. For each gift reported, the schedule shall include:
1. A description of the nature and value of the gift; and
 2. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.


(5) Employment with or interests in entities doing business with Worcester County.

- A. A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with Worcester County.
- B. For each position reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and

3. The name of each Worcester County agency with which the entity is involved.
- (6) Indebtedness to entities doing business with Worcester County.
- A. A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with Worcester County owed at any time during the reporting period:
 1. By the individual; or
 2. By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.
 - B. For each liability reported under this paragraph, the schedule shall include:
 1. The identity of the person to whom the liability was owed and the date the liability was incurred;
 2. The amount of the liability owed as of the end of the reporting period;
 3. The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 4. The security given, if any, for the liability.
- (7) A statement filed under this section shall include a schedule of the immediate family members of the individual employed by Worcester County in any capacity at any time during the reporting period.
- (8) Sources of earned income.
- A. A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.
 - B. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
 - C. For a statement filed on or after January 1, 2019, if the individual's spouse is a regulated lobbyist, the individual must disclose the entity that has engaged the spouse for lobbying purposes. *New*
- (9) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

- (f) Interests. For the purposes of §CG 5-105(e)(1), (2), and (3) hereof, the following interests are considered to be the interests of the individual making the statement:
- (1) An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
 - (2) An interest held by a business entity in which the individual held a 30% or greater interest at any time during the reporting period.
 - (3) An interest held by a trust or an estate in which, at any time during the reporting period:
 - A. The individual held a reversionary interest or was a beneficiary; or
 - B. If a revocable trust, the individual was a settlor.
- (g) Ethics board review.
- (1) The Ethics Board shall review the financial disclosure statements submitted under this section for compliance with the provisions of this section and shall notify an individual submitting the statement of any omissions or deficiencies.
 - (2) The Worcester County Ethics Board may take appropriate enforcement action to ensure compliance with this section.

§ CG 5-106. Financial disclosure - employees and appointed officials.

- (a) Applicability. This section only applies to the following appointed officials and employees: Chief Administrative Officer, Assistant Chief Administrative Officer, County Attorney, all Department Heads, all Deputy Department Heads, all Non-Classified employees that serve in a supervisory capacity, all members of the Planning Commission, Board of Zoning Appeals, Shoreline Commission, Board of Electrical Examiners and any other board, commission or agency or employee that the County Commissioners may designate by future resolution. 
- (b) Filing requirements. A statement filed under this section shall be filed with the Ethics Board under oath or affirmation.
- (c) Deadline for filing. On or before April 30 of each year during which an official or employee holds office, an official or employee shall file a statement disclosing gifts received during the preceding calendar year from any person that contracts with or is regulated by Worcester County, including the name of the donor of the gift and the approximate retail value at the time of receipt.
- (d) Disclosure of conflicts of interest. An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.
- (e) Maintenance of records. The Ethics Board shall maintain all disclosure statements filed under this section as public records available for public inspection and copying as provided in §CG 5-105(c) and (d) (Financial disclosure - local elected officials and candidates to be local elected officials) of this Subtitle, as from time to time amended.

§ CG 5-107. Lobbying.

- (a) Applicability. A person shall file a lobbying registration statement with the Ethics Board if the person:
 - (1) Personally appears before a Worcester County official or employee with the intent to influence that person in performance of the official duties of the official or employee; and
 - (2) In connection with the intent to influence, expends or reasonably expects to expend in a given calendar year in excess of \$350.00 on food, entertainment, or other gifts for officials or employees of Worcester County.
- (b) Deadline for filing. A person shall file a registration statement required under this section on or before the later of January 15 of the calendar year or within 5 days after first performing an act that requires registration in the calendar year.
- (c) Registration statement.
 - (1) The registration statement shall identify:
 - A. The registrant;
 - B. Any other person on whose behalf the registrant acts; and
 - C. The subject matter on which the registrant proposes to make appearances specified in subsection (a) of this section.
 - (2) The registration statement shall cover a defined registration period not to exceed one calendar year.
- (d) Annual report. Within 30 days after the end of any calendar year during which a person was registered under this section, the person shall file a report with the Ethics Board disclosing:
 - (1) The value, date, and nature of any food, entertainment, or other gift provided to a Worcester County official or employee; and
 - (2) If a gift or series of gifts to a single official or employee exceeds \$50.00 in value, the identity of the official or employee.
- (e) Maintenance of records. The Ethics Board shall maintain the registrations and reports filed under this section as public records available for public inspection and copying for four years after receipt by the Ethics Board.

§ CG 5-108. Exemptions and modifications.

- (a) Exemptions and modifications. The Ethics Board may grant exemptions and modifications to the provisions of §§CG 5-104 (Conflicts of interest) and CG 5-106 (Financial disclosure - employees and appointed officials) of this Subtitle, as from time to time amended, to employees and to

appointed members of Worcester County Boards and Commissions, when the Ethics Board finds that an exemption or modification would not be contrary to the purposes of this Subtitle, and the application of this Subtitle would:

- (1) Constitute an unreasonable invasion of privacy; and
- (2) Significantly reduce the availability of qualified persons for public service.

§ CG 5-109. Enforcement.

(a) Late fees; cease and desist orders. The Ethics Board may:

- (1) Assess a late fee of \$2 per day up to a maximum of \$250 for a failure to timely file a financial disclosure statement required under §CG 5-105 (Financial disclosure - local elected officials and candidates to be local elected officials) or CG 5-106 (Financial disclosure - employees and appointed officials) of this Subtitle, as from time to time amended;
- (2) Assess a late fee of \$10 per day up to a maximum of \$250 for a failure to file a timely lobbyist registration or lobbyist report required under §CG 5-107 (Lobbying) of this Subtitle, as from time to time amended; and
- (3) Issue a cease and desist order against any person found to be in violation of this Subtitle.

(b) Actions on violations.

- (1) Upon a finding of a violation of any provision of this Subtitle, the Ethics Board may:
 - A. Issue an order of compliance directing the respondent to cease and desist from the violation;
 - B. Issue a reprimand; or
 - C. Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.
- (2) If the Ethics Board finds that a respondent has violated §CG 5-107 (Lobbying) of this Subtitle, as from time to time amended, the Ethics Board may:
 - A. Require a respondent who is a registered lobbyist to file any additional reports or information that reasonably related to the information that is required under §CG 5-107 (Lobbying) of this Subtitle, as from time to time amended;
 - B. Impose a fine not exceeding \$5,000 for each violation; and
 - C. Suspend the registration of an individual registered lobbyist if the Ethics Board finds that the lobbyist has knowingly and willfully violated §CG 5-107 (Lobbying) of this Subtitle, as from time to time amended, or has been convicted of a criminal offense arising from lobbying activities.

(c) Judicial actions.

(1) Upon request by the Ethics Board, the Worcester County Attorney may file a petition for injunctive or other relief in the circuit court of Worcester County, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this Subtitle.

(2) Actions by the court.

A. The court may:

1. Issue an order to cease and desist from the violation;
2. Except as provided in subparagraph (B) of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this Subtitle when the action arises from or concerns the subject matter of the conflict and if the legal action is brought within 90 days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public; or
3. Impose a fine of up to \$5,000 for any violation of the provisions of this Subtitle, with each day upon which the violation occurs constituting a separate offense.

B. A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.

(d) Other enforcement actions. In addition to any other enforcement provisions in this Subtitle, a person who the Ethics Board or a court finds has violated this Subtitle:

- (1) Is subject to termination or other disciplinary action; and
- (2) May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the Ethics Board or a court.

(e) Disciplinary action. A Worcester County official or employee found to have violated this Subtitle is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.

(f) Lobbying violations. Violation of §CG 5-107 (Lobbying) of this Subtitle, as from time to time amended, shall be a misdemeanor subject to a fine of up to \$10,000 and/or imprisonment of up to one year.

(g) Public information. A finding of a violation of this Subtitle by the Ethics Board is public information.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2018.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

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



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

Introduced as
Bill 18-3 - Public
Hearing on April 17, 2018

To: County Commissioners
From: Maureen Howarth **MH**
Date: February 28, 2018
Re: Amendments to the Ethics Code

I received a letter from the State Ethics Commission requiring the County to amend our Ethics Code based on 2017 changes to the State Ethics Code. The needed changes are incorporated into the attached legislative bill. P.18

Additionally, I amended the applicability of Section 5-106 "Financial disclosure of employees and appointed officials" to require the reporting of gifts and conflicts of interest by deputy directors and all employees holding a supervisory position.

I request that the legislative bill be introduced and set for public hearing.

APPROVED
Worcester County Commissioners
Date HH 3/20/18



COMMISSION MEMBERS:
JANET E. McHUGH, *Chair*
JAMES R. BENJAMIN, JR.
KIM L. COBLE
JACOB YOSEF MILIMAN
CRAIG D. ROSWELL

STATE ETHICS COMMISSION

45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MARYLAND 21401
410-260-7770
Toll Free 1-877-669-6085
FAX: 410-260-7746

MICHAEL W. LORD
Executive Director
JENNIFER K. ALLGAIR
General Counsel
WILLIAM J. COLQUHOUN
Staff Counsel
KATHERINE P. THOMPSON
Assistant General Counsel

October 3, 2017

Maureen F.L. Howarth
County Attorney
Worcester County
One West Market Street, Room 1103
Snow Hill, MD 21863

Re: Local Government Ethics Update

Dear Mr. Howarth:

As you are aware, there were significant changes mandated to county and municipal ethics laws and county boards of education ethics regulations by legislation (SB315 – Chapter 277 of the Acts of 2010) enacted during the 2010 General Assembly session. The law became effective October 1, 2010. Counties and municipalities required to adopt a local ethics law must include conflict of interest and financial disclosure provisions for local elected officials that are at least equivalent to the State's provisions; financial disclosure provisions for candidates for local elected office that are at least equivalent to State provisions; conflict of interest and financial disclosure provisions for local employees and appointed officials that are similar to State provisions; and local lobbying provisions that are substantially similar to State provisions. The State Ethics Commission previously approved the Worcester County local Ethics Law as being in compliance with Subtitle 8 of the Maryland Public Ethics Law (Md. Code Ann., Gen. Prov., Title 5 (Supp. 2016)).

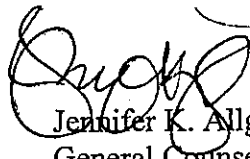
We are writing to notify the Worcester County that the requirements under the State Ethics Law are changing. House Bill 879, enacted during the 2017 Legislative session, made multiple modifications to the State Ethics Law, some of which will change the requirements for local government ethics laws. Those changes include additional disclosures for State elected officials that local governments must incorporate into their Ethics Ordinances for their elected officials. However, a number of changes relax certain of the financial disclosure requirements, particularly for debt and stock holding disclosures, and make home addresses confidential from public disclosure. We have included an attachment describing the changes that need to be included in the new drafts of Ethics Law, highlighting the additional provisions that must be included in a law to be compliant with State law, and the changes that relax some requirements and may be adopted if desired by the City. In addition, we have also included our new model laws with the changes

highlighted on our website. Most of the changes take effect October 1, 2017 and our regulations implementing these changes are in the approval process.

Commission staff is available to provide guidance and assistance to the Worcester County as you work through updating your law to incorporate the new changes. Please do not hesitate to contact us should you have any questions regarding the new local government ethics law requirements. As a reminder, any and all future changes to the ethics ordinance must be submitted to the Commission for review and approval in compliance with Subtitle 8 of the Maryland Public Ethics Law and COMAR 19A.04.

Finally, Section §5-807(b) of the Public Ethics Law requires each local jurisdiction to file the Local Government Ethics Law Annual Certification by October 1 of each year. Given the timing of these legislative changes, we do not anticipate 2017 certifications will include any of the changes discussed above. Our office has already received the Worcester County's certification for 2017. Please contact our office if you have any questions regarding this matter.

Sincerely,



Jennifer K. Allgair
General Counsel

Enclosures

Changes that **must** be adopted for local government compliance with the requirements of Subtitle 8 of the Public Ethics Law or COMAR 19A.04.:

1. 5-504(d)(2). Precludes Governor, Lieutenant Governor, AG, Comptroller, Treasurer or a Member of the General Assembly from lobbying (legislative matters) for one calendar year after leaving office. *Needs to be added to the conflict of interest section covering local elected officials.*
2. 5-606(a)(3). Effective January 1, 2019, Commission may not provide public access to the portion of a financial disclosure statement that includes an individual's home address as identified by the individual (i.e. the Commission must redact the information before making it publicly available). Applies to all statements, whether posted on the Internet or viewable only in the Office. *Home addresses should be redacted from public disclosure. Local employees and elected officials don't have to worry about the public being able to see their home address on their filings submitted after January 1, 2019.*

Changes that **must** be adopted for local government compliance with the requirements of Subtitle 8 of the Public Ethics Law or COMAR 19A.04. for those local governments with **lobbying provisions**:

1. 5-501(a-1). Adds new subsection prohibiting former lobbyists who become a public official or State employee (i.e. take job with the State) from participating in a case, contract or other specific matter for 1 calendar year after terminating their registrations if they previously assisted or represented another party in the matter (a "reverse" post-employment restriction for lobbyists). Does not apply to uncompensated or minimally compensated (less than 25% of grade 16) board/commission members or elected officials. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Needs to be added the conflict of interest provisions to cover employees compensated over a certain amount.*
2. 5-607(i). Adds another category to Schedule H – for a statement filed on or after January 1, 2019, if the filer's spouse is a regulated lobbyist, must disclose the entity that has engaged the spouse to lobby. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Requires spouses of lobbyists to disclose the entities that engage the lobbyist spouse on their annual disclosure filings.*

Changes that **may** be adopted if the local government chooses:

1. 5-101(t). Removes "exchange-traded funds" from the definition of "interest". An ETF is a diversified collection of assets (like a mutual fund) that trades on an exchange (like a stock). *Now, as is the case with mutual funds, financial disclosure filers will no longer have to disclose interests they hold in ETFs.*
2. 5-506. Adds three specific circumstances that constitute violation of the prestige of office provision (influencing the award of a State or local contract to a specific person; initiating a solicitation for a person to retain the compensated services of a particular lobbyist or firm; using public resources or title to solicit a political contribution regulated in accordance with the Election Law Article). In the last situation, employees and public officials may not use title or public resources, State officials may not use public

resources. *The State Ethics Commission has already interpreted these kinds of actions to be in violation of the prestige of office provision. Local governments are able to include these specific circumstances in their law if they would like or any other for clarifying purposes.*

3. 5-607(g). Changes the Schedule F disclosure (indebtedness to entities doing business with the State) to indebtedness to entities doing business with or regulated by the individual's governmental unit. *Instead of disclosing all indebtedness to entities doing business with the local government, only debts with entities doing business with the specific governmental unit must be disclosed by filers.*
4. 5-606(a)(2). Effective January 1, 2019, Ethics Commission must provide Internet access, through an online registration program, to financial disclosure statements submitted by State officials, candidates for office as State officials, and Secretaries of a principal department of the Executive Branch. *Local governments can now decide to put the local disclosure forms online for public viewing.*
5. 5-704. Codifies disclosure requirements for lobbyists who serve on State boards and commissions. Also codifies a requirement for such a lobbyist who is disqualified from participating in a specific matter to file a statement of recusal with the board or commission. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Requires lobbyists who serve on local boards to submit disclosure forms that mirror the forms for local elected officials.*

Kelly Shannahan

From: Maureen L. Howarth
Sent: Wednesday, March 28, 2018 8:32 PM
To: Kelly Shannahan
Cc: Faith Coleman
Subject: Fwd: Worcester County Ethics Code Amendment

FYI.

Maureen F.L. Howarth
County Attorney for Worcester County, MD
Worcester County Government Center
One West Market Street, Room 1103
Snow Hill, MD 21863
#410-632-1194

Confidential Attorney Client Privileged Information- This email message from the Office of the County Attorney for Worcester County, MD is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Begin forwarded message:

From: Jennifer Allgair -Ethics- <jennifer.allgair@maryland.gov>
Date: March 28, 2018 at 12:12:40 PM EDT
To: "Maureen L. Howarth" <mhowarth@co.worcester.md.us>
Subject: Re: Worcester County Ethics Code Amendment

Maureen,

My sincere apologies on this. I thought I had followed up with you after the Commission's December meeting and I now see that I did not.

The State Ethics Commission approved the revisions to the Worcester County Ethics Law at its December 21, 2017 meeting. The Commission determined that the changes met the requirements of Subtitle 8 of the Public Ethics Law and COMAR 19A.04. The approval is reflected in the Commission's meeting minutes for the 12/21/18 meeting. The minutes are posted on the Commission's website. Please continue to forward any additional revisions or changes for review and approval by the State Ethics Commission. *

Thank you for following up on this matter. Again, I am sorry that I missed this correspondence.

Jennifer Allgair
General Counsel
Maryland State Ethics Commission
410-260-7770

18

**NOTICE
OF
PROPOSED CHANGE
IN ZONING**
**WEST SIDE OF GOLF COURSE ROAD
SOUTH OF TOWNSEND ROAD**

TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 416 has been filed by Hugh Cropper, IV, attorney, on behalf of MEJ Investments, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 0.372 acres of land located on the west side of Golf Course Road and southerly side of Townsend Road, in the Tenth Tax District of Worcester County, Maryland, from R-3 Multi-Family Residential District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING
on
TUESDAY, APRIL 17, 2018
at 11:10 A.M.

in the
COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101, WORCESTER COUNTY GOVERNMENT CENTER
ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863-1072

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 416 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 416 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available for inspection at the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863, Monday through Friday from 8:00 am until 4:30 pm (except holidays).

Diana Purnell, President

1a

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 416

APPLICANT:

**MEJ Investments LLC
Giovanni Tomasello, Managing Member
10423 Golf Course Road
Ocean City, Maryland 21842**

ATTORNEY FOR THE APPLICANT:

**Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842**

February 1, 2018

WORCESTER COUNTY PLANNING COMMISSION

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I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 416, originally filed on September 29, 2017.

B. APPLICANT: MEJ Investments, LLC
Giovanni Tomasello, Managing Member
10423 Golf Course Road
Ocean City, Maryland 21842

APPLICANT'S ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

C. TAX MAP/PARCEL: Tax Map 27 - Parcels 309 and 485 - Lots 13, 14 and 15 - Tax District 10

D. SIZE: The petitioned area is approximately 0.372 acres in size. It is comprised of two parcels, each totaling 8,100 square feet in area, for a total size of 16,200 square feet (0.372 acres).

E. LOCATION: The petitioned area is located on the westerly side of Golf Course Road at the southerly side of the intersection with Townsend Road, north of the intersection with Sunset Avenue in West Ocean City.

F. CURRENT USE OF PETITIONED AREA: The petitioned area is presently developed with two residences, one on each of the two parcels.

G. CURRENT ZONING CLASSIFICATION: R-3 Multi-Family Residential District.

H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District.

I. ZONING HISTORY: The petitioned area was given a R-3 Multi-Family Residential District zoning classification at the time zoning was first established in the 1960s. That classification was retained during the 1992 comprehensive rezoning and again as part of the 2009 comprehensive rezoning.

J. SURROUNDING ZONING: All adjoining and nearby properties, with one exception, are zoned R-3 Multi-Family Residential District. The property on the easterly side of Golf Course Road, directly opposite the petitioned area, is zoned C-2 General Commercial District.

- K. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Existing Developed Area Land Use Category.
- L. WATER AND WASTEWATER: As it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached) that the two properties which comprise the petitioned area have existing individual dwellings served by sewer from the West Ocean City Sanitary District and private wells. He further stated that additional sanitary capacity along with public water from the Mystic Harbour Sanitary District will need to be acquired for intensive redevelopment of these properties.
- M. ROAD ACCESS: The petitioned area fronts on and currently has access to Golf Course Road. Parcel 485 also fronts on Townsend Road, a County road. This segment of Golf Course Road is county-owned and -maintained and connects to US Rt. 50. It also intersects with Sunset Avenue and MD Route 707 (Old Bridge Road) and thus leads to MD Route 611. The Comprehensive Plan classifies Golf Course Road as a two-lane highway/undesignated highway while Townsend Road is considered a minor local road.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Pino Tomasello, property owner/applicant, Hugh Cropper, IV, applicant's attorney, R. D. Hand, landscape architect, and Greg Wilkins, surveyor, were present for the review. Mr. Cropper stated that Mr. Tomasello owns Sello's Restaurant, located across Golf Course Road from the petitioned area. He provided a color photograph of the two existing dwellings on the petitioned area as Applicant's Exhibit No. 1. Mr. Cropper stated that the two lots that comprise the petitioned area were part of the original Ocean City Heights subdivision done by Bert Cropper in the 1930s. Subsequent property owners further subdivided the lots in half, though not by plat, and sold them separately around 1939. The two small dwellings were built in the 1940s. Mr. Cropper stated that the two lots and dwellings are nonconforming in that Golf Course Road is a collector highway and requires an increased front yard setback and Parcel 485 must also provide a front yard setback from Townsend Road. Both dwellings are located within the required front yard setbacks. Mr. Cropper asserted that the previous property owner sold the land because he felt the neighborhood was not a suitable place to live any longer due to the truck traffic, cars, etc.. He stated that the basis for the rezoning request from R-3 Multi-Family Residential District to C-2 General Commercial District was a change in the character of the neighborhood since the comprehensive rezoning of 2009. He alleged that commercial use of the West Ocean City 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 lots are so small.

Mr. Cropper noted that the County Commissioners approved Rezoning Case No. 397 in 2016, reclassifying a 3.45 acre property located on the westerly side of Golf Course Road to the south of this petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District based upon an argument of mistake in existing zoning. He introduced the Formal Notice of Zoning Action with attached County Commissioners' Findings of Fact and Resolution with regard to Rezoning Case No. 397 as Applicant's Exhibit No. 2. Mr. Cropper stated that the current case uses the same definition of the neighborhood as that used in Rezoning Case No. 397 and noted that this definition was accepted by both the Planning Commission and the County Commissioners. Mr. Cropper called R. D. Hand, landscape architect with R. D. Hand and Associates, Inc., as a witness. A large scale, full color zoning map of the West Ocean City area highlighting the petitioned area and showing the boundaries of the applicant's defined neighborhood was entered as Applicant's Exhibit No. 3. Mr. Hand defined the neighborhood as being bound on the north by US Route 50, on the east by the Isle of Wight and Sinepuxent Bays, on the south by a line between Mystic Harbor and West Ocean City, and on the west by MD Route 611. He asserted that there have been 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. Particularly notable changes include an intensification of the West Ocean City Harbor area and an increase in the marine activity it has generated, increased popularity of the Sunset Marina, an expansion of the Sunset Grille Restaurant, and the addition of a small restaurant with a liquor license at the Martin's Fish Company. Mr. Cropper noted that the Public Service Commission recently issued licenses for off-shore wind energy systems near Ocean City. Mr. Hand agreed with Mr. Cropper that the approval of Rezoning Case No. 397 constituted an unplanned change to the character of the neighborhood. He stated that, in his opinion, another unplanned change was the upgrade of power service in the vicinity by Delmarva Power with very large, tall poles. A color photograph looking north from the Sello's Restaurant parking lot and showing these new poles and transmission lines was introduced as Applicant's Exhibit No. 4. Mr. Cropper noted that since the 2009 comprehensive rezoning the Worcester County Commissioners have upgraded the Mystic Harbour wastewater treatment plant which resulted in an additional 200,000 gallons per day (666 Equivalent Dwelling Units) of capacity and established a policy regarding the allocation of these EDUs within the service area. This allocation policy was set forth by the County Commissioners in Resolution No. 17-19 which was entered as Applicant's Exhibit No. 5. Mr. Cropper asserted that

this wastewater capacity was not available for purchase at the time the comprehensive rezoning and thus is a change in the character of the neighborhood. Mr. Hand stated that the Water and Sewerage Plan identifies the petitioned area as S-1, meaning that sewer service is available for immediate service. He stated that recent developments within the defined neighborhood that could not have occurred without this upgrade of the Mystic Harbor wastewater system include the Park Place Plaza and the Hampton Inn Hotel. Mr. Cropper stated that there are not enough EDUs available within the West Ocean City Service Area to provide for uses such as these and therefore they could not have been built without the expansion of the Mystic Harbour system. Mr. Hand noted that the petitioned area is shown by the Comprehensive Plan's Land Use Map as being within the Existing Developed Area which calls for infill type of development. Mr. Cropper asserted that the County Commissioners should therefore adopt zoning that is consistent with the uses available in this land use classification. He contended that a commercial zoning category is more consistent than residential and is more desirable with respect to the Comprehensive Plan.

Mr. Cropper called Greg Wilkins, surveyor, as his next witness. Mr. Wilkins stated that he had done a survey of the parcel and house comprising the southerly portion of the petitioned area. This survey plat was introduced as Applicant's Exhibit No. 6. Mr. Wilkins stated that the required front yard setback is 75 feet from the center line of Golf Course Road and stated that the house on this parcel is almost completely within this required setback. It was noted that the house on the northerly parcel within the petitioned area also reflects the same front yard setback on Golf Course Road but is also subject to a front yard setback from Townsend Road, as it is a corner lot. Mr. Wilkins 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. Mr. Cropper maintained that if the petitioned area were zoned commercial, Mr. Tomasello could put limited uses such as overflow parking on the site, acknowledging that those spaces would not count toward the required parking for the restaurant. Mr. Wilkins also agreed that there has been a substantial change in the character of the neighborhood per Mr. Cropper's previous statements and that the neighborhood has become more intensely commercial, with the associated impacts such as traffic. He concurred that the petitioned area would be a difficult place to live. 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.

Mr. Cropper called Mr. Tomasello as a witness. Mr. Tomasello stated that he is not seeking to expand his restaurant business and that, rather, his concern is the number of staff he has and the need for parking, as he does not have enough on

site.

Mr. Cropper then went through the matters which the Planning Commission must consider with regard to rezonings. They were as follows:

1. Regarding the definition of the neighborhood: Mr. Cropper referred back to Exhibit No. 3, a tax map of the West Ocean City area which outlined the defined neighborhood as being bound on the north by US Route 50, on the east by the Isle of Wight and Sinepuxent Bays, on the south by a line between Mystic Harbor and West Ocean City, and on the west by MD Route 611. Mr. Cropper contended that while he argued for a mistake in zoning with respect to Rezoning Case No. 397, he had provided the Planning Commission with the same exhibit showing the same neighborhood and they had accepted his definition of the neighborhood at that time.
2. Regarding population change in the neighborhood: Mr. Cropper maintained that there had been moderate growth in the population of the neighborhood, though primarily commercial in nature. He stated that growth in the residential population had been minimal.
3. Regarding availability of public facilities: Mr. Cropper reiterated his comments regarding the expansion of the Mystic Harbour wastewater treatment system and the subsequent availability of an additional 666 EDUs of sewer service and the lack of availability of EDUs through the West Ocean City service area.
4. Regarding present and future transportation patterns: Mr. Cropper maintained that there would be no significant change in the transportation patterns as a result of the requested rezoning to C-2 General Commercial District, as the small size and required setbacks limit potential use of the property and thus will limit additional traffic impacts.
5. Regarding compatibility with existing and proposed development and environmental conditions in the area: Mr. Cropper stated that the area is completely developed and mostly commercial and that there are no environmental conditions that would be impacted as a result of the requested rezoning. He contended that the upgraded power lines have changed the look of the neighborhood, making it less attractive for residential use and more commercial in nature.
6. Regarding compatibility with the Comprehensive Plan: Mr. Cropper noted that the petitioned area is within the Comprehensive Plan's Existing

Developed Area land use category and asserted that the Golf Course Road area has become more of a commercial corridor rather than a residential one. He maintained that the zoning should reflect this commercial nature of the neighborhood. He again noted that the upgraded power lines are not conducive to a residential neighborhood but are more commercial in appearance.

7. Regarding whether there has been a substantial change in the character of the neighborhood since the last comprehensive rezoning: Mr. Cropper argued that there has been a change as a result of Rezoning Case No. 397, the additional and expanded restaurants and other commercial facilities in the harbor area, the expansion of the Mystic Harbor wastewater facilities and availability of additional EDUs, and the Delmarva Power transmission line upgrades.
8. Regarding whether the change in zoning would be more desirable in terms of the Comprehensive Plan: Mr. Cropper asserted that the change in zoning from R-3 Multi-Family Residential District to C-2 General Commercial District would be more desirable in that the petitioned area is within the Existing Developed Area land use category of the Comprehensive Plan and therefore the zoning would reflect the commercial nature of the area.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The neighborhood was defined by the applicant as being bound on the north by US Route 50, on the east by the Isle of Wight and Sinepuxent Bays, on the south by a line between Mystic Harbor and West Ocean City, and on the west by MD Route 611. The Planning Commission concurred with the applicant's definition of the neighborhood, as they did in 2016 relative to Rezoning Case No. 397.
- B. Regarding population change: The Planning Commission concluded that there has been very little change to the residential population of the neighborhood since the comprehensive rezoning of 2009, although the number of persons patronizing commercial businesses has moderately increased due to new or improved commercial uses in the neighborhood.
- C. Regarding availability of public facilities: The Planning Commission found that as it pertains to wastewater disposal and the provision of potable water, the petitioned area is located within the sewer planning area of the West Ocean City Sanitary District and the water and sewer planning area of the Mystic Harbour Sanitary District. The latter district overlays the former district in those areas to

the south of US Route 50. According to the response memo (copy attached) from Robert J. Mitchell, Director of the Department of Environmental Programs, the two properties which comprise the petitioned area have existing individual dwellings served by sewer from the West Ocean City Sanitary District and private wells. He further stated that additional sanitary capacity along with public water from the Mystic Harbour Sanitary District will need to be acquired for intensive redevelopment of these properties. Based upon the testimony of the applicant's representatives, the Planning Commission found that the Mystic Harbour wastewater treatment plant has capacity due to the expansion of that system and that the applicant will have to follow the proper procedures to seek said service. The West Ocean City wastewater system lacks available EDUs. Furthermore, potable water is also available from the Mystic Harbour facilities. The Planning Commission concluded that the applicant will again have to follow the proper procedures to receive potable water service if capacity is available. With regard to other public facilities and services the Planning Commission determined that fire and ambulance service will be available from the Ocean City Volunteer Fire Department. The OCVFD station is located approximately five minutes away on Keyser Point Road. No comments were received from the OCVFD. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks nor from the Worcester County Sheriff's Office. The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning, that the property owner will have to acquire sufficient sewer EDUs from the Mystic Harbor Sanitary District to serve any proposed use on the petitioned area, and that sewer EDUs are available.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has access to Golf Course Road. This segment of the roadway is county-owned and -maintained and connects to US Rt. 50 and intersects with Sunset Avenue and MD Route 707 (Old Bridge Road) and thus leads to MD Route 611. Additionally, one of the two parcels which comprises the petitioned area, Parcel 485, also fronts on Townsend Road, a County road, which terminates in a dead end to the west of Parcel 485. The Comprehensive Plan classifies Golf Course Road as a two-lane highway/undesignated highway and states that this road serves northern West Ocean City, that traffic volume has increased to the point that widening and shoulders with striping for bike lanes and sidewalks should be added, that, like all

of West Ocean City, drainage improvements are needed, and that the county road designation should be upgraded to "minor collector highway." The Comprehensive Plan does not make any specific remarks with regard to Townsend Road and it is therefore considered to be a minor local road. Frank J. Adkins, County Roads Superintendent, noted in his response memo (copy attached) that Townsend Road is narrow and not built for heavy commercial vehicles and has a narrow 40' right-of-way. He states that Golf Course Road has a 40' right-of-way which may not be enough to support more heavy commercial vehicles and that the property owner/developer shall be responsible for roadway improvements relative to any future project. James W. Meredith, District Engineer, for State Highway Administration District 1, stated in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network, and that future development may also require an access permit to be issued from his office. Mr. Meredith further states that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Based upon its review, the Planning Commission concluded that the small size of the petitioned area and the required yard setbacks would limit the type and size of any future development and thus the potential traffic impacts. The Planning Commission found that consequently there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area, though they expressed concern about the capability of Townsend Road to handle additional traffic. The Planning Commission concluded that the property owner will be responsible for any necessary upgrades to either roadway at the time of redevelopment of the petitioned area.

- E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission concluded that the neighborhood displays a mixture of commercial and residential land uses and is basically completely developed. The commercial nature of the neighborhood has intensified, particularly in the vicinity of the West Ocean City Harbor, as new or expanded restaurants and other commercial facilities have opened. The Planning Commission agreed with Mr. Cropper's statement that Golf Course Road is essentially a commercial corridor. Mr. Cropper also asserted that the upgraded power transmission lines in the area have changed the look of the neighborhood, making it less attractive for residential use and more commercial in nature. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District is compatible with existing and proposed development and

existing environmental conditions in the area.

- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area Land Use Category. With regard to the Existing Developed Area (EDA) category, the Comprehensive Plan states that this category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. Having concluded that the neighborhood displays a mixed use nature, the Planning Commission determined that the requested rezoning to a commercial classification is consistent with the EDA land use category and that the petitioned area's zoning should reflect the intensified commercial nature of the neighborhood. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there has been a change in the character of the neighborhood since the comprehensive rezoning of 2009. The Planning Commission found that commercial use of the West Ocean City Harbor area has intensified, as have the associated impacts such as traffic. Additionally, the County Commissioners approved Rezoning Case No. 397 in 2016, reclassifying a 3.45 acre property located on the westerly side of Golf Course Road to the south of this petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District. The Planning Commission concluded that this was an unplanned change to the character of the neighborhood. Other notable changes include an intensification of the West Ocean City Harbor and an increase in the marine activity it has generated, increased popularity of the Sunset Marina, an expansion of the Sunset Grille Restaurant, and the addition of a small restaurant with a liquor license at the Martin's Fish Company. The Planning Commission concurred with Mr. Cropper's assertion that another change is 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. Furthermore, the Planning Commission found that since the 2009 comprehensive rezoning the Worcester County Commissioners have upgraded the Mystic Harbour wastewater treatment plant which resulted in an additional 200,000 gallons per day (666 Equivalent Dwelling Units) of capacity and established a policy regarding the allocation of these EDUs within the service area. This wastewater capacity was not available for purchase at the time the comprehensive rezoning. The Planning Commission agreed with Mr. Cropper's claim that certain developments within the defined neighborhood, including Park Place Plaza and the Hampton Inn Hotel, could not have occurred without this upgrade of the Mystic Harbor wastewater system because there are not enough EDUs available within the West Ocean City Service Area to provide for uses such as those and therefore they could not have been built without the expansion of the Mystic Harbour system. The Planning Commission agreed with Mr. Cropper's statement because the petitioned area is shown by the Comprehensive Plan's Land Use Map as being within the Existing Developed Area which calls for infill type of development, the County should therefore adopt zoning that is consistent with the uses available in this land use classification. The Board also concurred with his contention that a commercial zoning category is more consistent than residential and is more desirable with respect to the Comprehensive Plan. Based upon its 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. 416, seeking a rezoning of the petitioned area from R-3 Multi-Family Residential District to C-2 General Commercial District.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 416

PROPERTY OWNER: MEJ Investments, LLC
Giovanni Tomasello, Managing Member
10423 Golf Course Road
Ocean City, Maryland 21842

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 27 - Parcels 309 and 485 - Lots 13, 14, and 15 - Tax District 10

SIZE: The petitioned area is 0.372 acres in size. It is comprised of two lots, each totaling 8,100 square feet in area, for a total size of 16,200 square feet (0.372 acres).

LOCATION: The petitioned area is located on the westerly side of Golf Course Road, at the southerly side of the intersection with Townsend Road, and to the north of the intersection with Sunset Avenue in West Ocean City.

CURRENT USE OF PETITIONED AREA: The petitioned area is developed with two residences, one on each of the two parcels.

CURRENT ZONING CLASSIFICATION: R-3 Multi-Family Residential District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: According to the application, the request for rezoning is based on a mistake in the existing zoning classification and a substantial change in the character of the neighborhood since the last comprehensive rezoning (November 3, 2009).

ZONING HISTORY: The petitioned area was given a R-3 Multi-Family Residential District classification at the time zoning was first established in Worcester County in the mid-1960s. That classification was retained during the 1992 comprehensive rezoning and again as part of the 2009 comprehensive rezoning.

SURROUNDING ZONING: All adjoining and nearby properties, with one exception, are zoned R-3 Multi-Family Residential District. The property on the easterly side of Golf Course Road, directly opposite the petitioned area, is zoned C-2 General Commercial District.

COMPREHENSIVE PLAN:

According to Chapter 2 - Land Use of the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area Land Use Category. With regard to the Existing Developed Area category, the Comprehensive Plan states the following:

"This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted.

Surrounding areas have been mapped with one of the other land use designations as appropriate and should not be considered for rezonings by virtue of their proximity to an EDA. Further, the EDAs are anticipated to remain as mapped at least until the next plan review period. This will provide for orderly infill development within EDAs and new community-scale growth in the growth areas.

Not designated as growth areas, these areas should be limited to infill development. Density, height, bulk and site design standards should also be consistent with the EDA's existing character." (Pages 13, 14)

Pertinent objectives cited in Chapter 2 - Land Use state the following:

-
- 3. Maintain the character of the county's existing population centers.
- 4. Provide for appropriate residential, commercial, institutional, and industrial uses.
- 5. Locate new development in or near existing population centers and within planned growth centers.
- 6. Infill existing population centers without overwhelming their existing character.
-
- 8. Regulate development to minimize consumption of land, while continuing the county's rural and coastal character.
-
- 10. Locate employment centers close to the potential labor force.
-
- 15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
- 16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads.
- 17. Discourage highway strip development to maintain roadway capacity, safety, and character.
-
- 21. Promote mixed use development.
-

(Pages 12, 13)

Also in Chapter 2 - Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

“Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the County’s peak seasonal population is less than 25 percent of this number.” (Page 24)

In Chapter 4 - Economy, the Comprehensive Plan provides a number of general objectives, including the following:

- “1. Raise the county’s median income to the state’s level by increasing higher paying year-round employment; low-wage jobs are not considered appropriate economic development.
2. Diversify the economic base by extending the tourist season and by encouraging growth of existing and new employers.
- (Page 58)

This chapter also includes objectives related to Commercial Services. Certain of these state the following:

- “1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of the population centers.
-
4. Bring into balance the amount of zoned commercial locations with the anticipated need with sufficient surplus to prevent undue land price escalation.
5. Locate commercial uses so they have arterial road access and are designed to be visually and functionally integrated into the community.
-” (Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

“Retailing is one of the largest employers in the County and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result.” (Page 62)

In Chapter Six - Public Infrastructure, the Comprehensive Plan includes several objectives, including the following:

- “1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence.
 2. Permit development to occur only as rapidly as services can be provided.
 3. Ensure adequate public facilities are available to new development.
 4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demand it creates.
-” (Page70)

Chapter Seven - Transportation of the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic.Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

This chapter also states that “(C)ommercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. The current amount and location of commercial zoned land poses problems for the road system, particularly for US 50.” (Page 82)

With regard to Golf Course Road specifically (the statement also refers to Keyser Point Road), this chapter notes that this roadway is classified as a two-lane highway/undesignated highway and states that these roads serve northern West Ocean City, that traffic volume has increased to the point that widening and shoulders with striping for bike lanes and sidewalks should be added, that, like all of West Ocean City, drainage improvements are needed, and that the county road designation should be upgraded to “minor collector highway.” (Page 86)

In this same chapter, under the heading General Recommendations - Roadways, it states the following:

- “1. Acceptable Levels of Service -- It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
-
3. Traffic studies -- Developers should provide traffic studies to assess the effect of each major development on the LOS of nearby roadways.
 4. Impacted Roads -- Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
 5. Impacted Intersections -- Upgrade intersections that have fallen below a LOS C.

..... (Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the two properties which comprise the petitioned area have existing individual dwellings served by sewer from the West Ocean City Sanitary District and private wells. He further states that additional sanitary capacity, along with public water from the Mystic Harbour Sanitary District will need to be acquired for intensive redevelopment of these properties. No comments were received from John H. Tustin, P. E., Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

RoB - Rosedale loamy sand - severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Ocean City Volunteer Fire Department. The OCVFD facilities station is located approximately five minutes away on Keyser Point Road. No comments were received from the OCVFD. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks nor from the Worcester County Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on and currently has access to Golf Course Road. Parcel 485 also fronts on Townsend Road, a County road. This segment of Golf Course Road is county-owned and -maintained and connects to US Rt. 50 and intersects with Sunset Avenue and MD Route 707 (Old Bridge Road) and thus leads to MD Route 611. The Comprehensive Plan classifies Golf Course Road as a two-lane highway/undesignated highway and states that this road serves northern West Ocean City, that traffic volume has increased to the point that widening and shoulders with striping for bike lanes and sidewalks should be added, that, like all of West Ocean City, drainage improvements are needed, and that the county road designation should be upgraded to "minor collector highway." This segment of Townsend Road dead ends to the west of the subject property. Frank J. Adkins, County Roads Superintendent, notes in his response memo (copy attached) that Townsend Road is narrow and not built for heavy commercial vehicles and has a narrow 40' right-of-way. He states that Golf Course Road has a 40' right-of-way which may not be enough to support more heavy commercial vehicles and that the property owner/developer shall be responsible for roadway improvements relative to any future project. James W. Meredith, District Engineer for State Highway Administration District 1, states in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network, and that future development may also require an access permit to be issued from his office. Mr. Meredith further states that with the exception of his aforementioned

comments, SHA has no objection to a rezoning determination by Worcester County

SCHOOLS: The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education.

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: According to the response memo of Mr. Mitchell, Environmental Programs Director, the petitioned area is within the Atlantic Coastal Bays Critical Area (ACBCA) and is designated as an Intensely Developed Area (IDA). He further states that all properties included in the rezoning area are non-waterfront and that, therefore, Critical Area buffers are not present. He also remarks that proposed future development will need to meet the requirements of the ACBCA that are in place at the time of development.

FLOOD ZONE: The FIRM map indicates that the majority of the petitioned area is within an area of minimal flooding, although the southeasterly portion is within Zone AE (100 year with Base Flood Elevation).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: The petitioned area is within approximately one mile of the incorporated limits of Ocean City.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Edward Potetz, Director, Environmental Health, Health Department: No objection to the proposed rezoning.

SPECIAL NOTE FROM THE STAFF: The property on the easterly side of Golf Course Road, opposite the petitioned area, is owned by the same party, MEJ Investments LLC, and is developed with a restaurant. This restaurant has a shortage of parking. Please note that, according to § ZS 1-320(h)(2), *the petitioned area cannot be used for parking associated with this restaurant because it is separated by a minor collector highway.*

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! **IMPORTANT**!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

- 1) What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
- 2) Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
- 3) Relating to population change.
- 4) Relating to availability of public facilities.
- 5) Relating to present and future transportation patterns.
- 6) Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
- 7) Relating to compatibility with the Comprehensive Plan.
- 8) Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
- 9) Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 4110

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/29/17 (received)
10/4/17 (opened envelope)

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
B. XXX Property Owner
C. _____ Contract Purchaser
D. _____ Option Holder
E. _____ Leasee
F. XXX Attorney for B (Insert A, B, C, D, or E)
G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 27
B. Parcel Number(s): 309 & 485
C. Lot Number(s), if applicable: 13, 14, & 15
D. Tax District Number: 10

III. Physical Description of Property

- A. Located on the _____ side of West Side of Golf Course Road approximately _____ to the _____ of _____.
- B. Consisting of a total of _____ acres of land.

C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

A. Existing zoning classification(s): 3 Multi-Family
R-2, Residential District
(Name and Zoning District)

B. Acreage of zoning classification(s) in "A" above: P 309 8,100 #
P 485 8,100 # 16,200
tot.

C. Requested zoning classification(s): C-2, General Commercial
District
(Name and Zoning District)

D. Acreage of zoning classification(s) in "C" above: 16,200 # / ~~0.37~~ 0.37
aco.

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:


The basis of this rezoning application is a mistake in the original Comprehensive Rezoning, and a substantial change in the character of the neighborhood.

IV. Filing Information and Required Signatures


A. Every application shall contain the following information:

1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.
2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
 Printed Name of Applicant: Hugh Cropper, IV, Attorney for MEJ Investments, LLC
 Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842 Phone Number: 410-213-2681
 E-Mail: hcropper@bbcmlaw.com
 Date: September 27, 2017

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 
 Printed Name of Owner: M E J Investments LLC, Giovanni Tomasello, Managing Member
 Mailing Address: 10423 Golf Course Road, Ocean City, MD 21842
 Phone Number: 443-614-3937
 E-Mail: pinotomasello@gmail.com
 Date: September 27, 2017

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

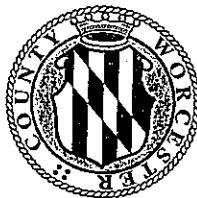
- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there a substantial change in the

character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
 Fred Webster, Director, Worcester County Emergency Services
 Reggie Mason, Sheriff, Worcester County Sheriff's Office
 John H. Tustin, P.E., Director, Worcester County Public Works Department
 John Ross, P.E., Deputy Director, Worcester County Public Works Department
 Frank Adkins, Roads Superintendent, Worcester County Public Works Department
 Jeff McMahan, Fire Marshal, Worcester County Fire Marshal's Office
 Merry Mears, Director, Economic Development
 Louis H. Taylor, Superintendent, Worcester County Board of Education
 James Meredith, District Engineer, Maryland State Highway Administration
 Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police
 Rebecca L. Jones, Health Officer, Worcester County Health Department
 Rob Clarke, State Forester, Maryland Forest Services
 Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
 Jim Corron, Fire Chief, Berlin Volunteer Fire Department
 David Cropper, Fire Chief, Ocean City Volunteer Fire Department

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: October 18, 2017

RE: Rezoning Case No. 416- MEJ Investments, LLC/ Hugh Cropper, IV- Approximately 0.372 acres located on the westerly side of Golf Course Road to the south of Townsend Lane

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 0.372 acres of land from R-3 Multi- Family Residential District to C-2 General Commercial District. Uses allowed in the district include, but are not limited to, retail businesses, hotels and motels, restaurants, offices, etc..

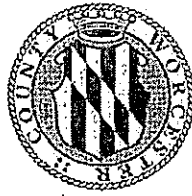
Citizens and Government Working Together

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which your agency is responsible. *If no response is received by DECEMBER 1, 2017, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.*

If you have any questions or require further information, please do not hesitate to call this office or email me at pwimbrow@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

From: Robert J. Mitchell, LEHS
Director, Environmental Programs

Subject: Comments on Rezoning Case No. 416
Worcester County Tax Map 27, Parcel 309 & 485, Lots 13, 14, 15.
R-3 Multi-Family Residential District to C-2 General Commercial District

Date: 11/30/17

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009 and argues a substantial change in the character of the neighborhood has occurred as well. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

Referring to the *Comprehensive Plan*, the site is located in the Existing Developed land use district. This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained and developed. The areas adjacent to this property are all in the Existing Developed or Commercial Center land use district on both sides of Golf Course Road.

The property is surrounded by properties carrying either an R-3 Multi Family Residential or C-2 General Commercial zoning designation. The surrounding zoning and uses for the most part are compatible with their corresponding land use designations in the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. These properties have existing individual dwellings served by sewer from the West Ocean City Sanitary District and private well. Additional sanitary capacity, along with

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

2. public water from the Mystic Harbour Sanitary District will need to be acquired for intensive redevelopment of these properties.
3. This proposed rezoning is located within the Atlantic Coastal Bays Critical Area (ACBCA) and designated as an Intensely Developed Area (IDA). All properties included in the rezoning area are non-waterfront; therefore, Critical Area buffers are not present. Proposed future development will need to meet the requirements of the ACBCA that are in place at the time of development.

If you have any questions on these comments, please do not hesitate to contact me.

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

October 31, 2017

Ms. Phyllis H. Wimbrow
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

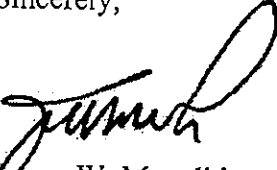
Dear Ms. Wimbrow:

Thank you for the opportunity to review the rezoning application from Hugh Cropper, IV for MEJ Investments LLC, for case no: 416, in Worcester County. The property is described as Tax Map 27, Parcels 309 & 485, being located on the westerly side of Golf Course Road, south of Townsend Lane. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents and we are pleased to respond.

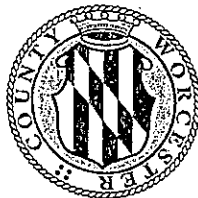
Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, the MDOT SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network. Future development may also require an access permit to be issued from this office. With the exception of our aforementioned comments, MDOT SHA has no objection to a rezoning determination by Worcester County.

Thank you again for the opportunity to provide a response. If you have any questions regarding our reply, please contact Mr. Dan Wilson, Access Management Consultant, via email at dwilson12@sha.state.md.us, or by calling him directly at 410-677-4048. He will be happy to assist you.

Sincerely,


James W. Meredith
District Engineer

cc: Mr. Hicham Baassiri, Assistant District Engineer, Project Development, MDOT SHA
Mr. Dan Wilson, Access Management Consultant, MDOT SHA



Worcester County
 DEPARTMENT OF PUBLIC WORKS
 6113 TIMMONS ROAD
 SNOW HILL, MARYLAND 21863

MEMORANDUM

JOHN H. TUSTIN, P.E.
 DIRECTOR

JOHN S. ROSS, P.E.
 DEPUTY DIRECTOR

TEL: 410-632-5623
 FAX: 410-632-1753

TO: Phyllis H. Wimbrow, Deputy Director
 FROM: Frank J. Adkins, Roads Superintendent (FA)
 DATE: October 25, 2017
 RE: Rezoning Case No. 399-402 and 414-417

DIVISIONS

MAINTENANCE
 TEL: 410-632-3766
 FAX: 410-632-1753

ROADS
 TEL: 410-632-2244
 FAX: 410-632-0020

SOLID WASTE
 TEL: 410-632-3177
 FAX: 410-632-3000

FLEET
 MANAGEMENT
 TEL: 410-632-5675
 FAX: 410-632-1753

WATER AND
 WASTEWATER
 TEL: 410-641-5251
 FAX: 410-641-5185

Upon review of the above referenced rezoning cases, I offer the following comments:

Rezoning Case 399: Griffin Road and McAllister Road are narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. Both roads have a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 400: McAllister Road is narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. McAllister Road has a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 401: McAllister Road is narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. McAllister Road has a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 402: No comments. Project borders State Highway.

Rezoning Case 414: No comments. Project borders State Highway.

Rezoning Case 415: No comments. Project borders State Highway.

Rezoning Case 416: Townsend Road is narrow and not built for heavy commercial vehicles. It has a narrow 40' right-of-way. Golf Course Road, which has a 40' right-of-way, may not be enough to support more heavy commercial vehicles. Property owner/developer shall be responsible for roadway improvements relative to any future project.

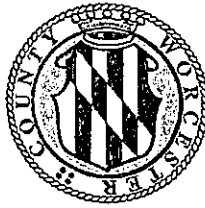
X

Rezoning Case 417: No comments. Project borders State Highway.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/II
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Snow Hill (Main Office)
410-632-1100
Fax 410-632-0906

Worcester County

HEALTH DEPARTMENT

P.O. Box 249 • Snow Hill, Maryland 21863-0249
www.worcesterhealth.org

Rebecca L. Jones, RN, BSN, MS
Health Officer

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director

FROM: Edward Potetz, Director ✓
Environmental Health

DATE: October 31, 2017

RE: Rezoning Case No. 399-402 and 414-417

This Office has no objection to the proposed above-referenced rezoning cases.

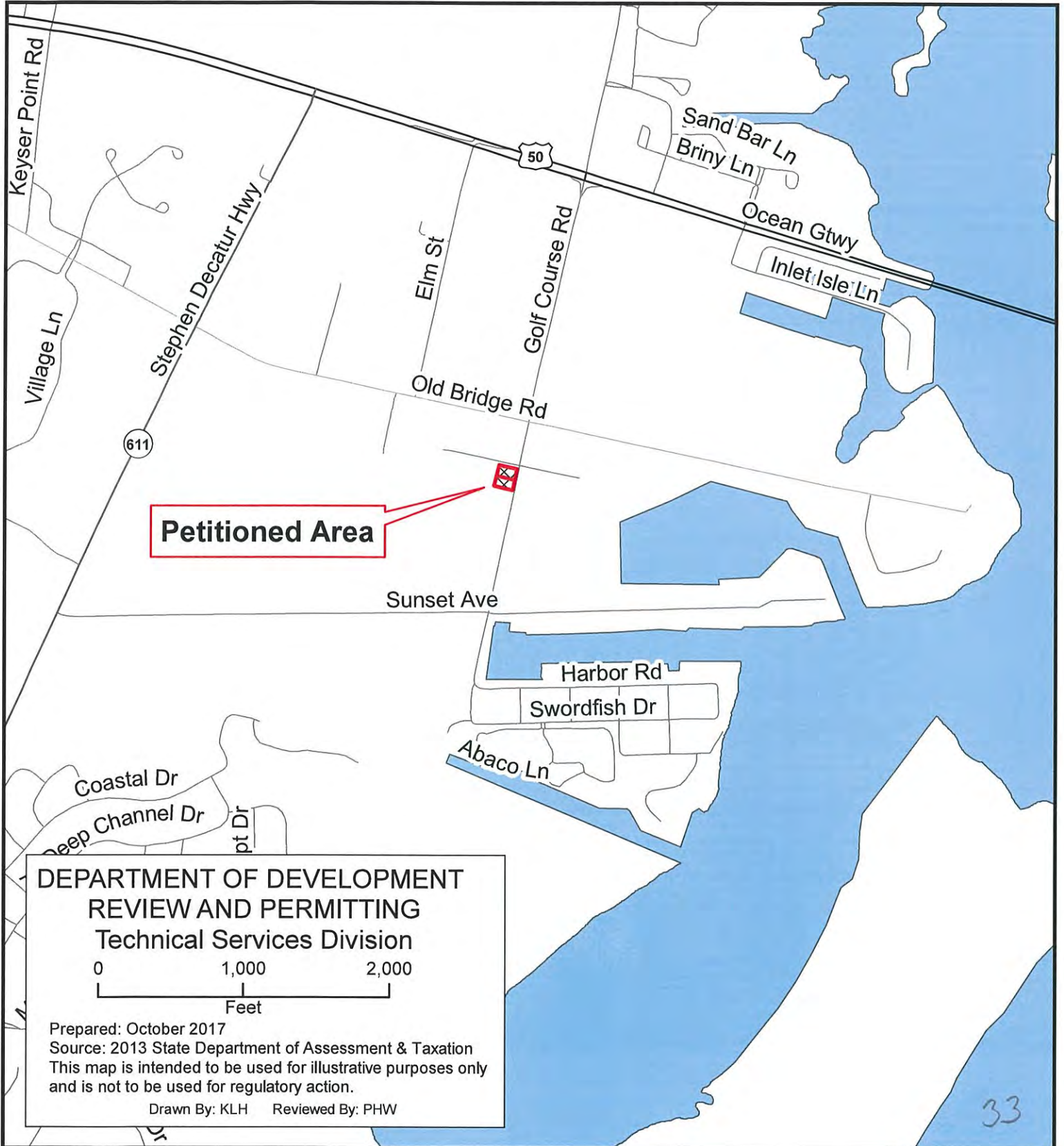


WORCESTER COUNTY, MARYLAND

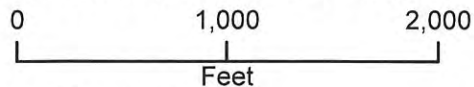


REZONING CASE NO. 416
R-3 Multi-family District to C-2 General Commercial District
Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

LOCATION MAP



**DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division**



Prepared: October 2017
 Source: 2013 State Department of Assessment & Taxation
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

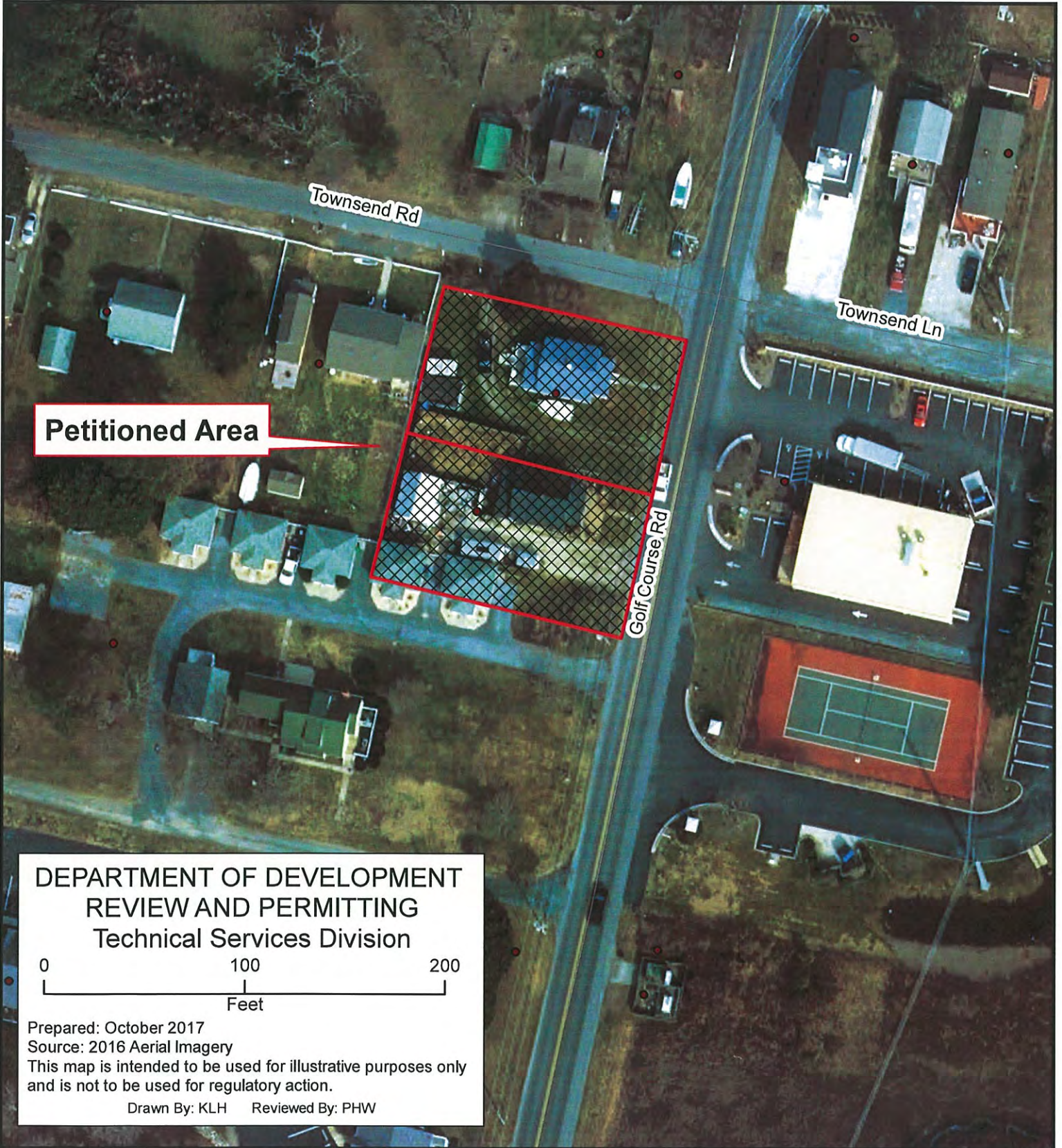


WORCESTER COUNTY, MARYLAND



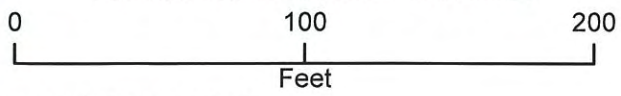
REZONING CASE NO. 416
R-3 Multi-family District to C-2 General Commercial District
Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

AERIAL MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
REVIEW AND PERMITTING
Technical Services Division



Prepared: October 2017
 Source: 2016 Aerial Imagery
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

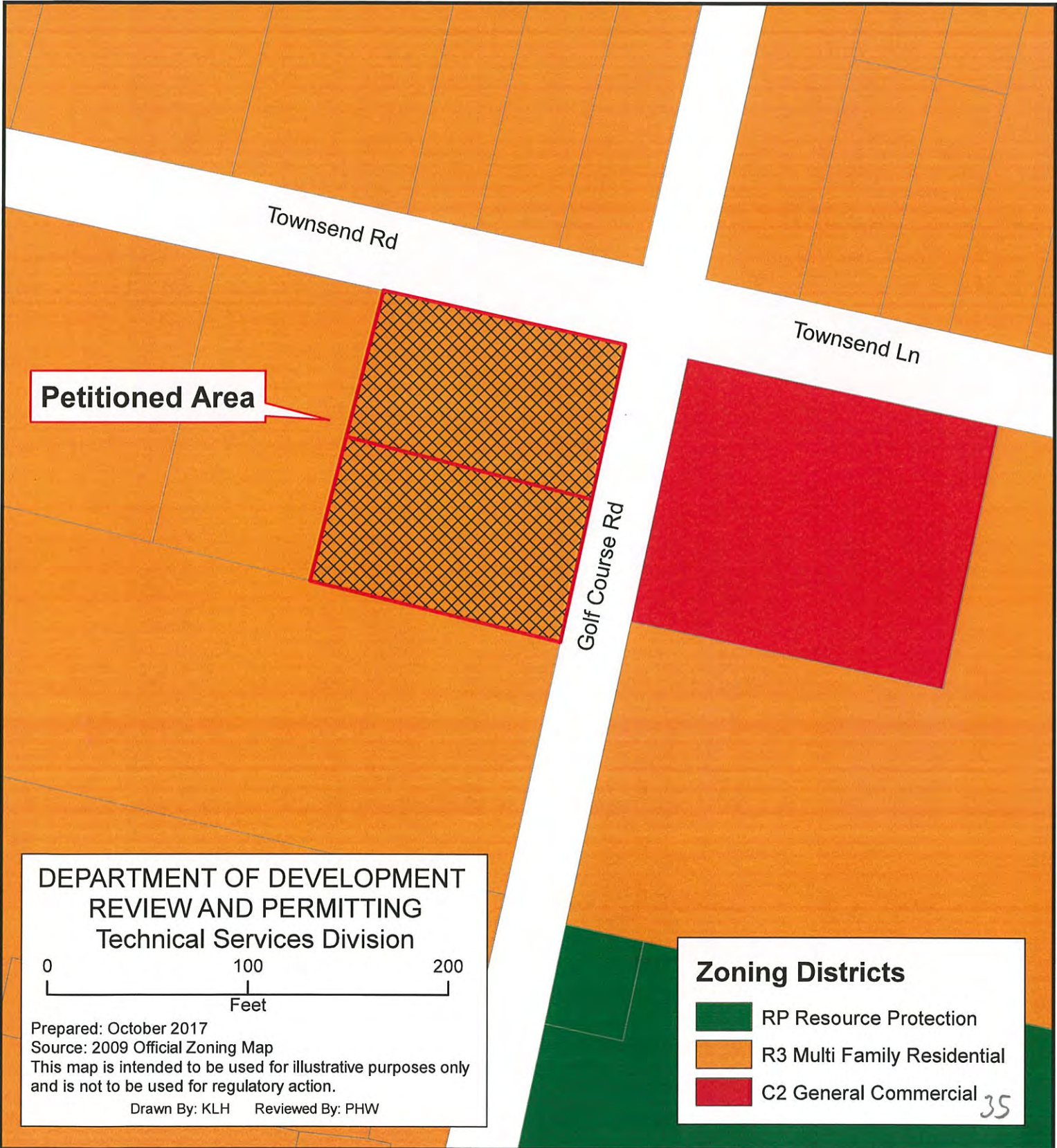


WORCESTER COUNTY, MARYLAND



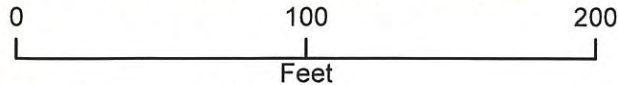
REZONING CASE NO. 416
R-3 Multi-family District to C-2 General Commercial District
Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

ZONING MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division



Prepared: October 2017
 Source: 2009 Official Zoning Map
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

Zoning Districts

- RP Resource Protection
- R3 Multi Family Residential
- C2 General Commercial

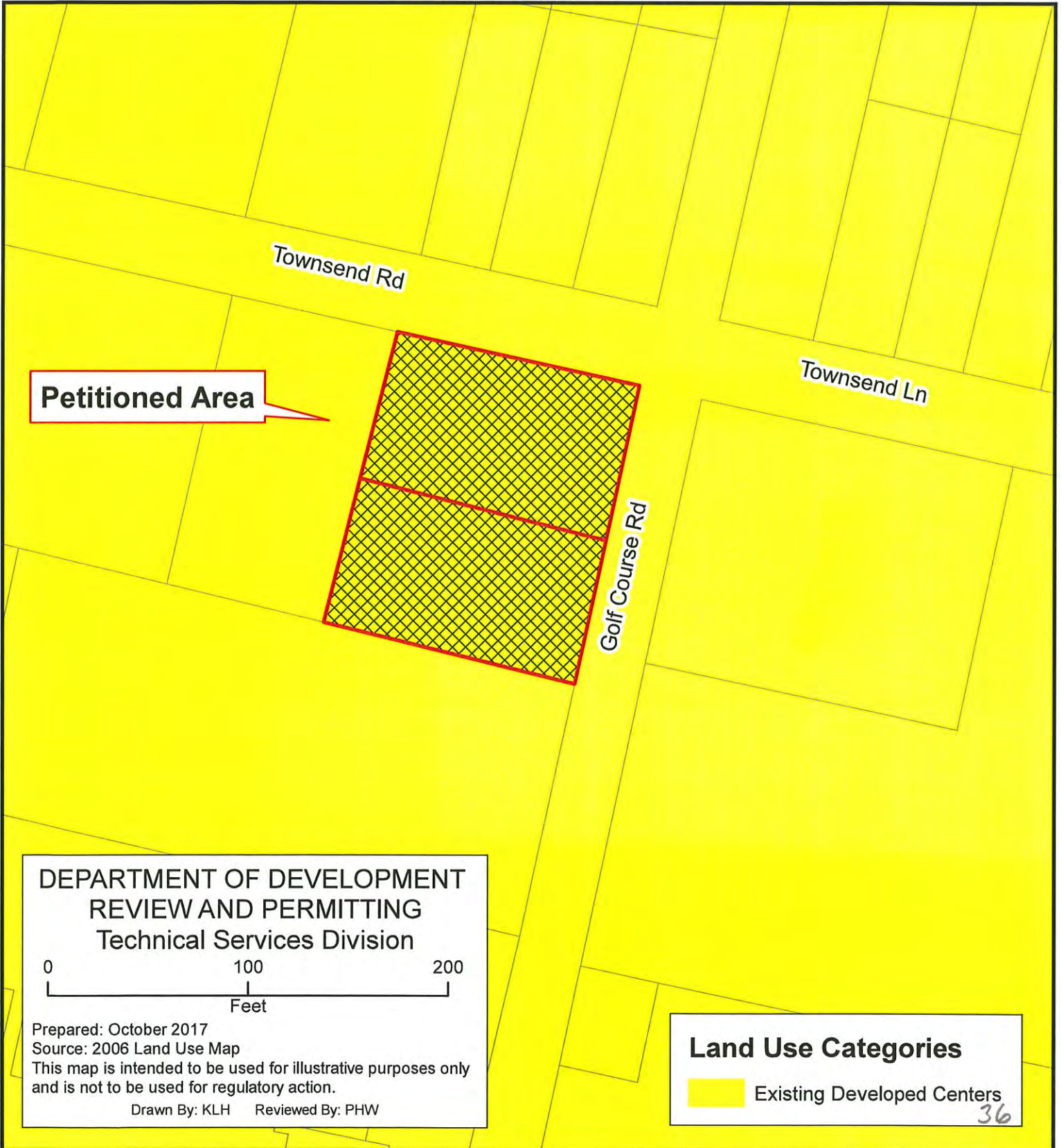


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 416
 R-3 Multi-family District to C-2 General Commercial District
 Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

LAND USE MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division

0 100 200
 Feet

Prepared: October 2017
 Source: 2006 Land Use Map
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

Land Use Categories

Existing Developed Centers

36

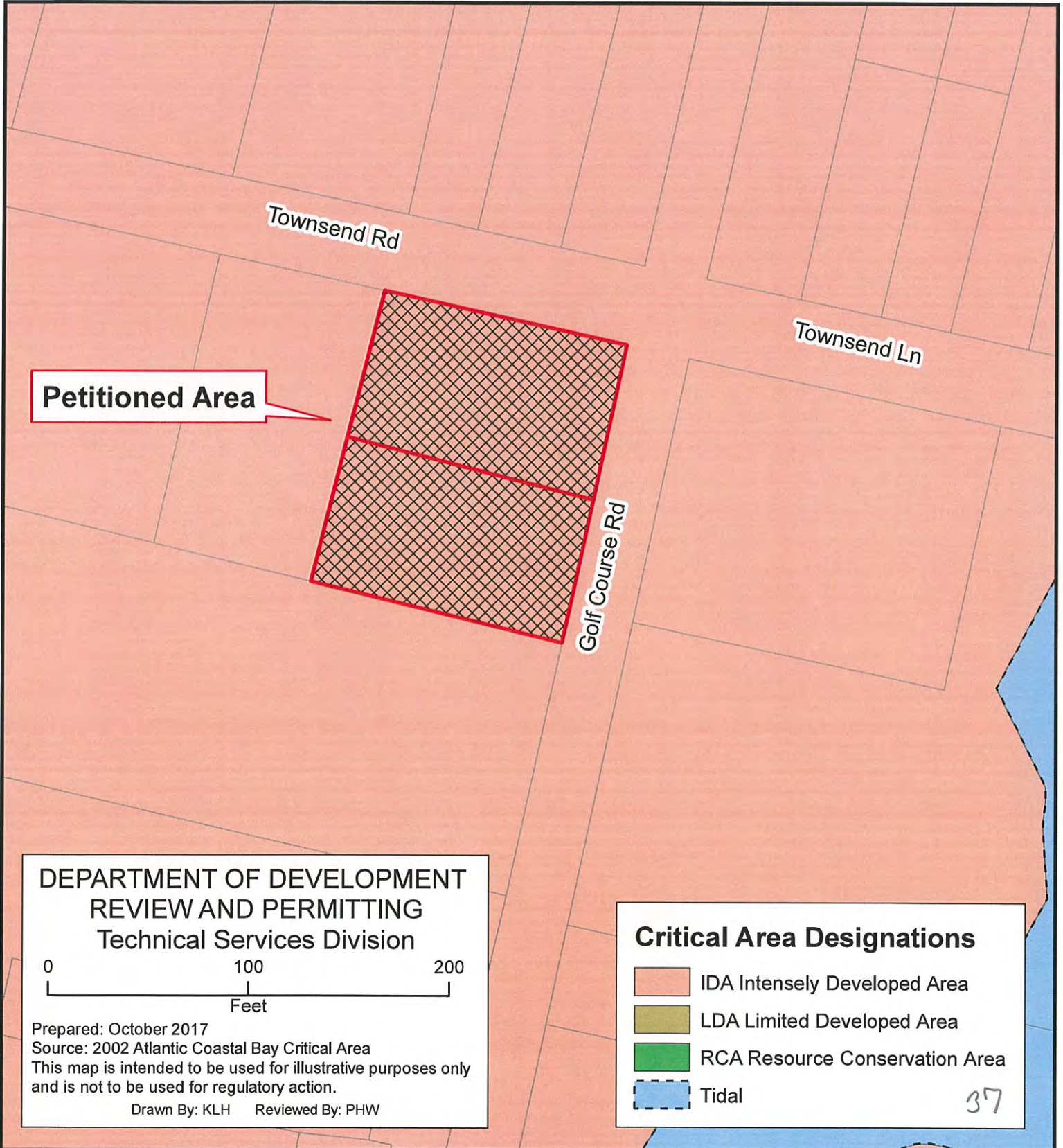


WORCESTER COUNTY, MARYLAND



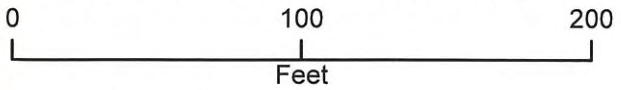
REZONING CASE NO. 416
R-3 Multi-family District to C-2 General Commercial District
Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

ATLANTIC COASTAL BAY CRITICAL AREA MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division



Prepared: October 2017
 Source: 2002 Atlantic Coastal Bay Critical Area
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

Critical Area Designations

- IDA Intensely Developed Area
- LDA Limited Developed Area
- RCA Resource Conservation Area
- Tidal

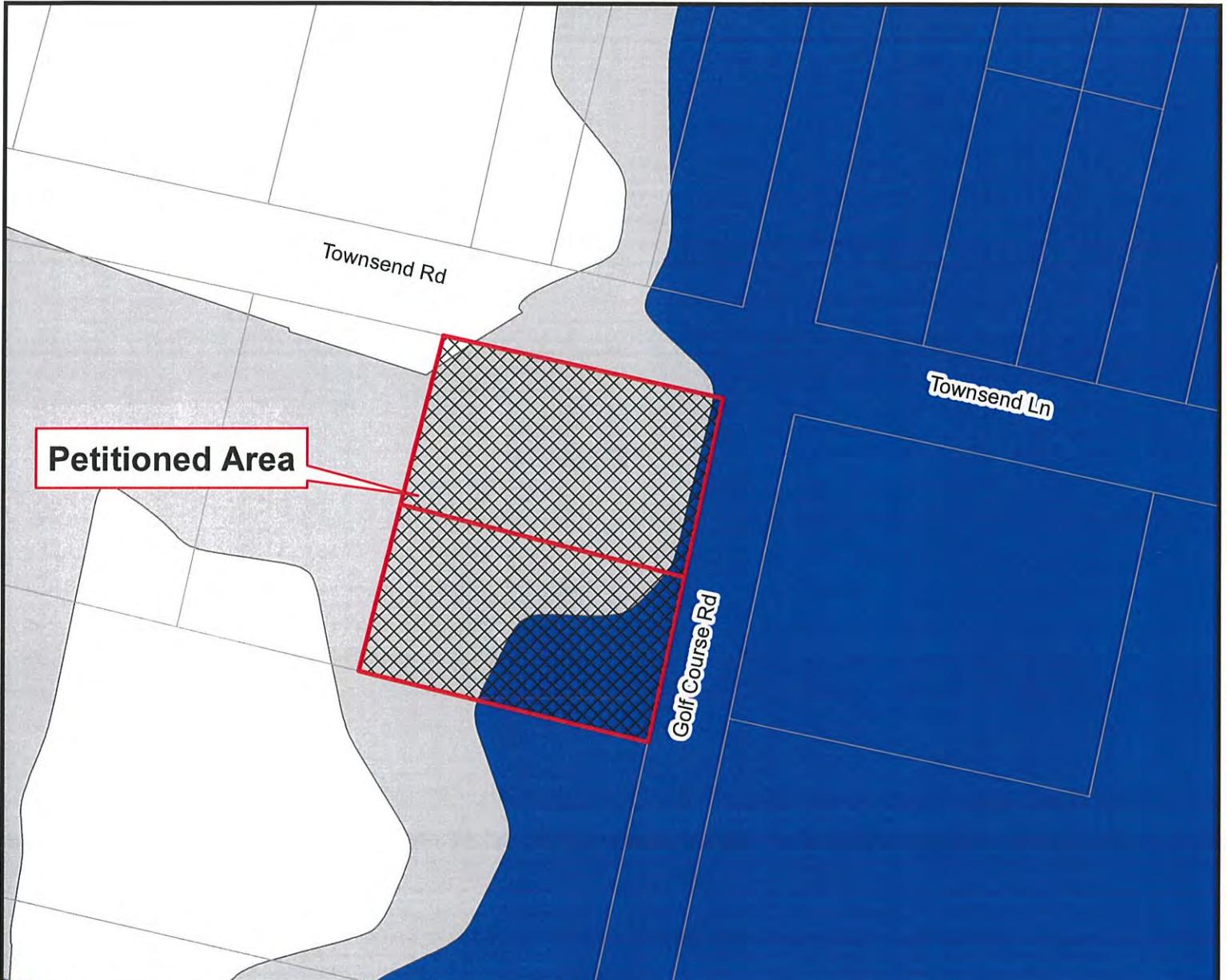


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 416
R-3 Multi-family District to C-2 General Commercial District
Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

FLOODPLAIN MAP



Petitioned Area

**DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division**

0 100 200
 Feet

Prepared: October 2017
 Source: 2015 FEMA Flood Insurance Rate Map
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

Floodplain Designations

- AE - 100 Year w/ Base Flood Elevation
- A - 100 Year w/o Base Flood Elevation
- VE - 100 Year w/ Coastal Wave Velocity
- X - 0.2% Annual Chance Flood
- X - Area of Minimal Flooding

38

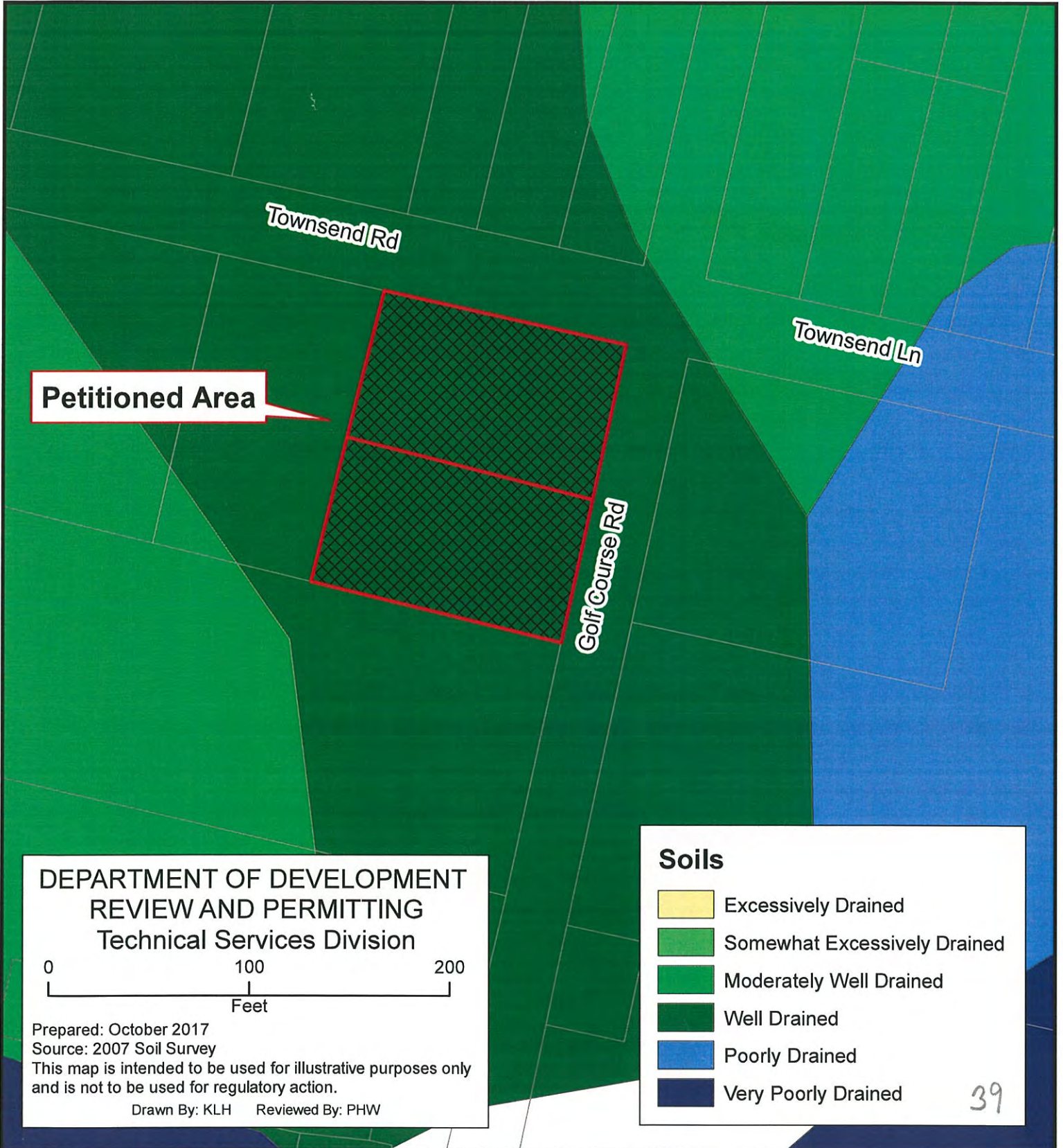


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 416
 R-3 Multi-family District to C-2 General Commercial District
 Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

SOILS MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division

0 100 200
 Feet

Prepared: October 2017
 Source: 2007 Soil Survey
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

Soils

- Excessively Drained
- Somewhat Excessively Drained
- Moderately Well Drained
- Well Drained
- Poorly Drained
- Very Poorly Drained

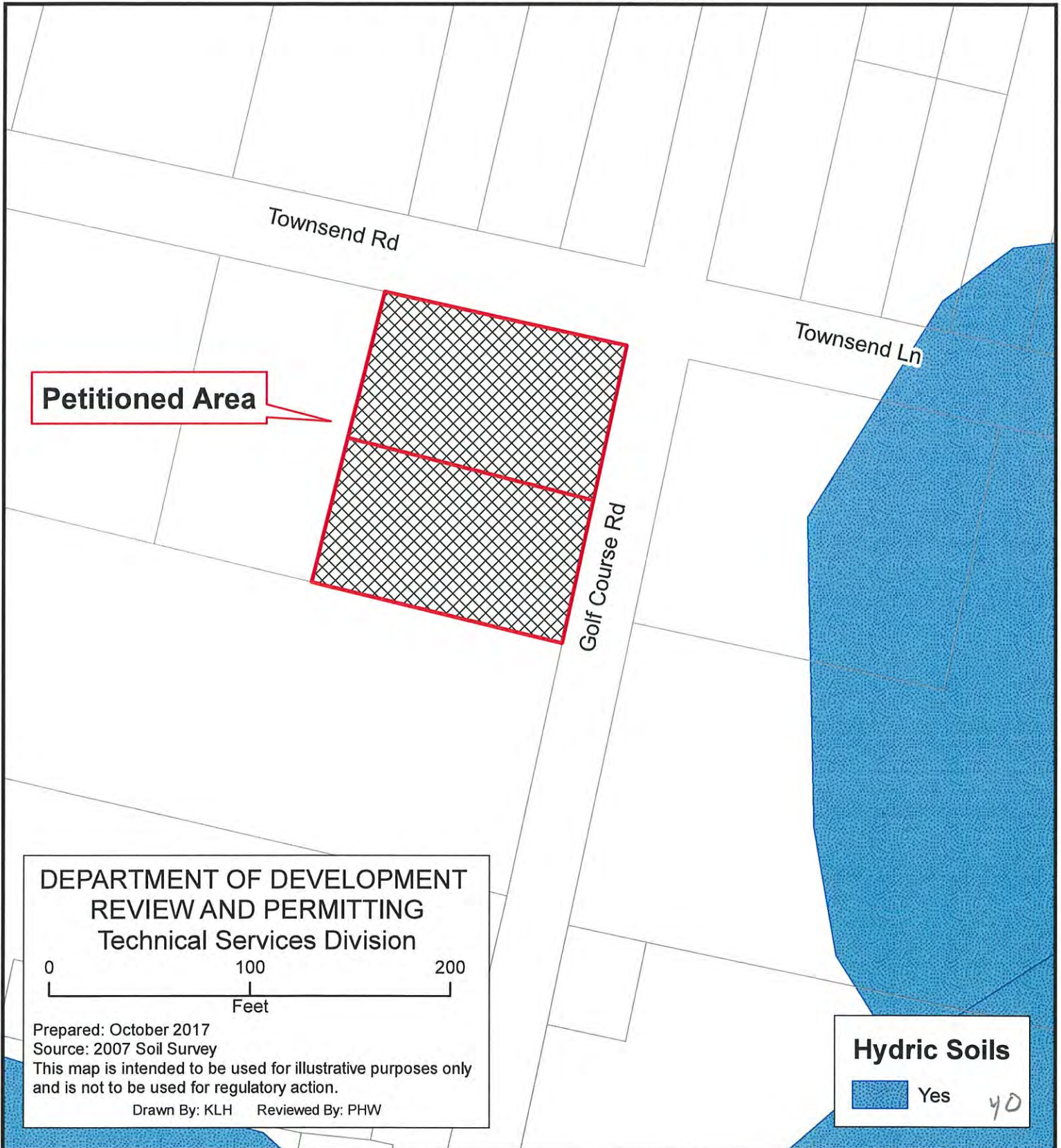


WORCESTER COUNTY, MARYLAND



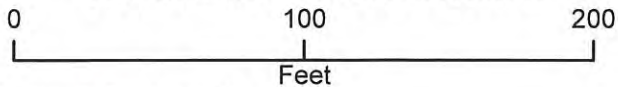
REZONING CASE NO. 416
 R-3 Multi-family District to C-2 General Commercial District
 Tax Map: 27, Parcel 309 & 485, Lots 13, 14 & 15

HYDRIC SOILS MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division



Prepared: October 2017
 Source: 2007 Soil Survey
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

Hydric Soils

 Yes 40

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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

Proposed Public Hearing
on April 17, 2018

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: March 5, 2018
RE: Planning Commission Findings of Fact and Recommendation
Rezoning Case No. 416
(MEJ Investments, LLC, Applicant, and Hugh Cropper, IV,
Attorney for the Applicant)



Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 416, seeking to rezone approximately 0.372 acres of land located on the westerly side of Golf Course Road and southerly side of Townsend Road in West Ocean City from R-3 Multi-Family Residential District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on February 1, 2018 and given a favorable recommendation.

Also attached for your use is a draft public notice for the required public hearing that must be held by the County Commissioners. An electronic copy has already been forwarded to Kelly Shannahan. Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

Thank you for your attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

EAT/phw

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**NOTICE
OF
PROPOSED CHANGE
IN ZONING**

**WEST SIDE OF STEPHEN DECATUR HIGHWAY (MD ROUTE 611)
NORTH OF SINEPUXENT ROAD**

TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 417 has been filed by Hugh Cropper, IV, attorney, on behalf of L & B Ocean City LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 7.517 acres of land located on the west side of Stephen Decatur Highway (MD Route 611) to the north of Sinepuxent Road in the Tenth Tax District of Worcester County, Maryland, from C-1 Neighborhood Commercial District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING
on
TUESDAY, APRIL 17, 2018
at 11:30 A.M.

in the
COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101, WORCESTER COUNTY GOVERNMENT CENTER
ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863-1072

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 417 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 417 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available for inspection at the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863, Monday through Friday from 8:00 am until 4:30 pm (except holidays).

Diana Purnell, President

1a

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 417

APPLICANT:

**L & B Ocean City LLC
Lewis Bush, Managing Member
6502 Southpoint Road
Berlin, Maryland 21811**

ATTORNEY FOR THE APPLICANT:

**Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842**

February 1, 2018

WORCESTER COUNTY PLANNING COMMISSION

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I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 417, filed on September 29, 2017.
- B. APPLICANT: L & B Ocean City LLC
Lewis Bush, Managing Member
6502 Southpoint Road
Berlin, Maryland 21811
- APPLICANT'S ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 26 - Part of Parcel 274 - Lots 1A and 1B - Tax District 10
- D. SIZE: The petitioned area is comprised of two lots. Lot 1A is 5.66 acres in size while Lot 1B is 1.857 acres, for a total size of approximately 7.517 acres.
- E. LOCATION: The petitioned area is located on the westerly side of MD Route 611, to the north of Sinepuxent Road and south of Sunset Avenue.
- F. CURRENT USE OF PETITIONED AREA: Lot 1A has an abandoned tennis court and a shed. Lot 1B is developed with a warehouse/office structure which totals approximately 14,200 square feet in size.
- G. CURRENT ZONING CLASSIFICATION: C-1 Neighborhood Commercial District.
- H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District.
- I. ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was given an A-1 Agricultural District classification. It was rezoned to B-1 Neighborhood Business District to a depth of 500 feet from the MD Route 611 right-of-way by Rezoning Case No. 191 approved on October 16, 1984. That classification and depth was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning the petitioned area was placed in the C-1 Neighborhood Commercial District, the equivalent of the B-1 Neighborhood Business District, and extended to follow the property line at the west rear.
- J. SURROUNDING ZONING: The properties directly to the south of the petitioned area are also zoned C-1 Neighborhood Commercial District while those to the

west rear are zoned R-3 Multi-Family Residential District. The properties to the north are zoned C-2 General Commercial District and R-2 Suburban Residential District. Properties on the easterly side of MD Route 611 are zoned R-4 General Residential District and C-2 General Commercial District.

- K. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Existing Developed Area Land Use Category.
- L. **WATER AND WASTEWATER:** According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), Parcel 1A has five water equivalent dwelling units (EDUs) assigned from the Mystic Harbor Sanitary Area and is served by existing onsite sewage. (He further states that this is the former tennis facility which is currently being used as a storage building and that Parcel 1B has a seasonal snowball and fruit and vegetable stand. However, the maps prepared by DRP's GIS division as well as an exhibit submitted by the applicant indicate that the storage building is located on Parcel 1B and that the abandoned tennis court is located on Parcel 1A.) Mr. Mitchell states that the subject property has a designation of Sewer Service Category S-1/W-1 (existing to two years) in the Mystic Sewer and Water Planning Areas and that additional sanitary capacity from the Mystic Harbor Sanitary District will need to be allocated and acquired for this property to intensify current uses if this rezoning is successful.
- M. **ROAD ACCESS:** The petitioned area fronts on and currently has access to MD Route 611, a State-owned and -maintained roadway. The Comprehensive Plan classifies MD Route 611 as a two-lane secondary highway/major collector highway.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Gregory Wilkins, surveyor, and Lewis Bush, owner/applicant, were present for the review. Mr. Cropper began his presentation by stating that he was requesting the change in zoning based on a mistake in existing zoning and that he was not asserting that there has been a change in the character of the neighborhood. He stated that the petitioned area, comprised of two lots, was originally developed with a large structure which functioned as an indoor tennis facility and that outdoor tennis courts were constructed as well. It was zoned B-1 Neighborhood Business District at the time. He explained that in 1999 the property owner wished to convert the enclosed structure into a warehouse facility, a use not permitted by the B-1 Neighborhood Business District zoning. Therefore a text amendment was sought by the owner and approved by the County Commissioners to allow by special exception the

conversion of structures existing prior to 1992 in that zoning district to wholesale businesses, including warehousing. A copy of the B-1 Neighborhood Business District regulations showing this approved text amendment as an addition to the 1992 Zoning Code was submitted by Mr. Cropper as Applicant's Exhibit No. 1. The necessary special exception to permit the conversion to warehouses was subsequently obtained in 2000. A copy of the Board of Zoning Appeals opinion on that case was submitted as Applicant's Exhibit No. 2. Mr. Cropper stated that during the 2009 comprehensive rezoning the site was given a C-1 Neighborhood Commercial District zoning classification, the B-1's successor. However, the use of structures of this size for wholesaling or warehousing was removed from the C-1 Neighborhood Business District regulations in the updated Zoning Code and instead placed in the C-2 General Commercial District. Consequently, the current use is legally existing but nonconforming. Mr. Cropper noted that the Zoning and Subdivision Control Article states that nonconformities are allowed to continue but their conformance with current regulations is encouraged whenever possible. He asserted that there is a mistake in existing zoning of the petitioned because of the moving of the uses previously approved on the petitioned area in the B-1 Neighborhood Business District to the C-2 General Commercial District yet retaining the site in the C-1 Neighborhood Commercial District, thus making those uses non-conforming on the petitioned area under its existing zoning. Mr. Cropper asserted that the petitioned area should have been given a C-2 General Commercial District classification during the 2009 comprehensive rezoning in order to prevent the use from becoming non-conforming. Mr. Cropper stated that the petitioned area is shown on the Comprehensive Plan's Land Use Map as being within the Existing Developed Area land use classification. He stated that this land use classification calls for zoning to be in accordance with existing uses and that the petitioned area therefore needs to be rezoned to C-2 General Commercial District so that the use becomes conforming. He noted that the existing structure has three times as much square footage as is allowed by the C-1 Neighborhood Commercial District regulations. Mr. Cropper called Mr. Wilkins to testify. Mr. Wilkins 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 floor area. He noted that MD Route 611 is a collector highway and that the property immediately to the north of the petitioned area is zoned C-2 General Commercial District, as are most of the properties along the MD Route 611 corridor extending north to the junction with US Route 50.

Mr. Cropper then went through the matters which the Planning Commission must consider with regard to rezonings. They were as follows:

1. Regarding the definition of the neighborhood: Mr. Cropper asserted that because his argument for rezoning is based solely on mistake in existing zoning, a definition of the neighborhood is not required.

2. Regarding population change in the neighborhood: Mr. Cropper maintained that there has been no significant change in the area's population.
3. Regarding availability of public facilities: Mr. Cropper stated that the petitioned area is connected to the Mystic Harbour water and sewer facilities. However, the comments submitted by Robert Mitchell, Director of Environmental Programs, and attached to the staff report state that while sewer is available, the petitioned area is not connected at this time. Mr. Cropper stated that despite the confusion, he believed that sewer EDUs are available for purchase from the Mystic Harbour system and the interconnection point exists on the petitioned area.
4. Regarding present and future transportation patterns: Mr. Cropper maintained that there would be no significant change in the transportation patterns as a result of the requested rezoning to C-2 General Commercial District. He stated that the two existing points of access to MD Route 611 are sufficient for current needs and that the Maryland State Highway Administration will have to approve any modifications or future development.
5. Regarding compatibility with existing and proposed development and environmental conditions in the area: Mr. Cropper stated C-2 General Commercial District zoning is currently in place along almost the entire length of the MD Route 611 corridor extending north to US Route 50 from the petitioned area. Given the 7.5 acre size of the petitioned area, Mr. Cropper contended that the C-2 General Commercial District zoning is much more appropriate for the property than is the C-1 Neighborhood Commercial District, which provides for limited types of uses and restrictions on structure sizes. Mr. Cropper stated that the proposed rezoning will not have any adverse impacts on environmental concerns.
6. Regarding compatibility with the Comprehensive Plan: Mr. Cropper noted that the petitioned area is within the Comprehensive Plan's Existing Developed Area land use category and that the Comprehensive Plan calls for zoning on properties within EDAs to be consistent with the existing uses on the sites. Mr. Cropper asserted that the proposed rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District is compatible with the Comprehensive Plan because it will make an existing warehouse a conforming use as called for in the Zoning Code.
7. Regarding whether there has been a substantial change in the character of

the neighborhood since the last comprehensive rezoning: Mr. Cropper stated that this is not applicable in the extant case because the argument for rezoning is based solely on a mistake in existing zoning.

8. Regarding whether the change in zoning would be more desirable in terms of the Comprehensive Plan: Mr. Cropper asserted that the change in zoning from C-1 Neighborhood Commercial District to C-2 General Commercial District would be more desirable in that the petitioned area is within the Existing Developed Area land use category of the Comprehensive Plan and the proposed rezoning would bring a nonconforming use into conformity with the Zoning Code. Mr. Cropper maintained that the existing C-1 Neighborhood Commercial District zoning to the immediate south of the petitioned area would act as a transition zone between the C-2 General Commercial District zoning to the north and the agricultural zoning further south. Mr. Cropper maintained that the proposed C-2 General Commercial District zoning to accommodate an existing use is consistent with the Existing Developed Area land use category and thus with the Comprehensive Plan. He contended that there is a mistake in the existing zoning because the existing use on the petitioned area does not comply with the current zoning. He asserted that the petitioned area should have been given a C-2 General Commercial District classification in 2009 so as not to make the existing use non-conforming.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The Planning Commission found that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.
- B. Regarding population change: The Planning Commission concluded that there has been no significant change to the population of the vicinity surrounding the petitioned area since the comprehensive rezoning of 2009.
- C. Regarding availability of public facilities: The Planning Commission found that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached) that Parcel 1A has five water equivalent dwelling units (EDUs) assigned from the Mystic Harbor Sanitary Area and is served by existing onsite sewage. (He further stated in his memo that this is the former tennis facility which is currently being used as a storage building and that Parcel 1B has a seasonal snowball and fruit and vegetable stand. However, the survey

plat submitted as Applicant's Exhibit No. 3 as well as the maps prepared by DRP's GIS division indicate that the warehouse is located on Parcel 1B and that an abandoned tennis court is located on Parcel 1A.) Mr. Mitchell states that the subject property has a designation of Sewer Service Category S-1/W-1 (existing to two years) in the Mystic Sewer and Water Planning Areas and that additional sanitary capacity from the Mystic Harbor Sanitary District will need to be allocated and acquired for this property to intensify current uses if this rezoning is successful. No comments were received from John H. Tustin, P. E., Director of Public Works, or John Ross, P. E., Deputy Director of Public Works. According to the Worcester County Soil Survey the primary soil types on the petitioned area have severe limitations to on-site wastewater disposal. Fire and ambulance service will be available from the Ocean City Volunteer Fire Company's substation on Keyser Point Road, approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or from the Worcester County Sheriff's Office. The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has direct access to MD Route 611. This roadway is owned and maintained by the State. The Comprehensive Plan classifies MD Route 611 as a two-lane secondary highway/major collector highway. With regard to MD Route 611 the Comprehensive Plan recommends that scenic and transportation corridor planning be conducted to continue this road's rural and coastal character, particularly from MD Route 376 to Assateague Island, that capacity improvements from MD Route 376 to US Route 50 need to be studied and implemented, that interparcel connectors, service roads and other access controls need to be provided, that growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system, and that widening and intersection improvements of the corridor's northern end needs to be planned. James W. Meredith, District Engineer for State Highway Administration District 1, states in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, that if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts

to the surrounding State roadway network, and that future development may also require an access permit to be issued from his office. Mr. Meredith further states that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment, in that MD Route 611 is a state highway. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

E. Regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that C-2 General Commercial District zoning is currently in place along almost the entire length of the MD Route 611 corridor extending north to US Route 50 from the petitioned area. The Planning Commission agreed with Mr. Cropper's assertion that because of the petitioned area's 7.5 acre size, the C-2 General Commercial District zoning is much more appropriate for the property than is the C-1 Neighborhood Commercial District, which provides for limited types of uses and restrictions on structure sizes and thus do not require large parcels. The Planning Commission found that the existing warehouse use on the petitioned area was a conforming special exception under the previous B-1 Neighborhood Business District regulations but was made nonconforming when the 2009 update of the zoning maps left the property in the C-1 Neighborhood Commercial District but removed the warehousing use for structures of this size from those district regulations and moved it to the C-2 General Commercial District regulations. The Planning Commission concluded that the C-2 General Commercial District zoning classification would therefore be more in keeping with the actual use located on the petitioned area. The Planning Commission found that the proposed rezoning will not have any adverse impacts on environmental concerns. The Planning Commission concluded that the proposed rezoning of the petitioned area is compatible with the vicinity surrounding the petitioned area and is in fact necessary to bring the existing warehouse facility of approximately 14,000 square feet in gross floor area into conformance with the zoning regulations. The Planning Commission notes that Mr. Cropper stated that the existing warehouse facility is three times the size of that permitted by the C-1 Neighborhood Commercial District regulations. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

F. Regarding compatibility with the Comprehensive Plan: The Planning

Commission found that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area Land Use Category. With regard to this category the Comprehensive Plan states that it identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. Having found that the MD Route 611 corridor extending from the petitioned area north to US Route 50 is primarily zoned C-2 General Commercial District and that such a zoning classification is in fact necessary to bring the existing structure on the petitioned area into conformance with the zoning regulations, the Planning Commission determined that the requested rezoning to a general commercial classification is consistent with the EDA land use category and that the petitioned area's zoning should reflect the existing uses on the site. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. Given the existing warehouse of approximately 14,000 square feet in gross floor area on the site, the Planning Commission found that it was a mistake to have placed the petitioned area in a C-1 Neighborhood Commercial District designation during the comprehensive rezoning of 2009 because that structure, due to its size, was made non-conforming by its removal from the C-1 Neighborhood Commercial District regulations and placement in the C-2 General Commercial District instead. In that 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 General Commercial District zoning classification so as to prevent the warehouse structure from being made nonconforming through no action of the property owner. Based upon its 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 Neighborhood Business District to C-2 General Commercial District.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 417

PROPERTY OWNER: L & B Ocean City LLC
Lewis Bush, Managing Member
6502 Southpoint Road
Berlin, Maryland 21811

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 26 - Part of Parcel 274 - Lots 1A and 1B - Tax District 10

SIZE: The petitioned area is comprised of two lots. Lot 1A is 5.66 acres in size while Lot 1B is 1.857 acres, for a total size of approximately 7.517 acres in size.

LOCATION: The petitioned area is located on the westerly side of MD Route 611 to the north of Sinepuxent Road and south of Sunset Avenue.

CURRENT USE OF PETITIONED AREA: Lot 1A is developed with a tennis court. Lot 1B is developed with a warehouse/office structure which totals approximately 14,200 square feet in size.

CURRENT ZONING CLASSIFICATION: C-1 Neighborhood Commercial District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: According to the application, the request for rezoning is based on a mistake in existing zoning and a change in the character of the neighborhood.

ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was given an A-1 Agricultural District classification. It was rezoned to B-1 Neighborhood Business District to a depth of 500 feet from the MD Route 611 right-of-way by Rezoning Case No. 191 approved on October 16, 1984. That classification and depth was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning the petitioned area was placed in the C-1 Neighborhood Commercial District, the equivalent of the B-1 Neighborhood Business District and extended to follow the property line at the west rear.

SURROUNDING ZONING: The properties directly to the south of the petitioned area are also zoned C-1 Neighborhood Commercial District while those to the west rear are zoned R-3 Multi-Family Residential District. The properties to the north are zoned C-2 General Commercial District and R-2 Suburban Residential District. Properties on the easterly side of MD Route 611

COMPREHENSIVE PLAN:

According to Chapter 2 - Land Use of the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area Land Use Category. With regard to the Existing Developed Area category, the Comprehensive Plan states the following:

“This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted.

Surrounding areas have been mapped with one of the other land use designations as appropriate and should not be considered for rezonings by virtue of their proximity to an EDA. Further, the EDAs are anticipated to remain as mapped at least until the next plan review period. This will provide for orderly infill development within EDAs and new community-scale growth in the growth areas.

Not designated as growth areas, these areas should be limited to infill development. Density, height, bulk and site design standards should also be consistent with the EDA’s existing character.” (Pages 13, 14)

The properties to the west rear are within the Green Infrastructure Land Use Category. With regard to the Green Infrastructure Land Use Category, the Comprehensive Plan states that this category addresses state and locally designated natural and open spaces and that these areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the County’s landscape. It states that greenways improve water quality, provide flood control and maintain the County’s rural and coastal character.

Pertinent objectives cited in Chapter 2 - Land Use state the following:

-
- 2. Continue the dominance of agriculture and forestry uses through the county’s less developed regions.
- 3. Maintain the character of the county’s existing population centers.
- 4. Locate new development in or near existing population centers and within planned growth centers.
-
- 6. Infill existing population centers without overwhelming their existing character.
-
- 8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character.
-

15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
 16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads.
.....
 19. Limit rural development to uses compatible with agriculture and forestry.
.....
- (Pages 12, 13)

Also in Chapter 2 - Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

"Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the County's peak seasonal population is less than 25 percent of this number." (Page 24)

This chapter also includes objectives related to Commercial Services. Certain of these state the following:

- "1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
 2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of the population centers.
.....
 4. Bring into balance the amount of zoned commercial locations with the anticipated need with sufficient surplus to prevent undue land price escalation.
 5. Locate commercial uses so they have arterial road access and are designed to be visually and functionally integrated into the community.
....."
- (Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

"Retailing is one of the largest employers in the County and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result." (Page 62)

In Chapter Six - Public Infrastructure, the Comprehensive Plan includes several objectives, including the following:

- “1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence.
 2. Permit development to occur only as rapidly as services can be provided.
 3. Ensure adequate public facilities are available to new development.
 4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demand it creates.
-” (Page70)

Chapter Seven - Transportation of the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic.Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

This chapter also states that “c(C)ommercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. The current amount and location of commercial zoned land poses problems for the road system, particularly for US 50.” (Page 82)

In this same chapter, under the heading General Recommendations - Roadways, it states the following:

- “1. Acceptable Levels of Service -- It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
-
3. Traffic studies -- Developers should provide traffic studies to assess the effect of each major development on the LOS of nearby roadways.
 4. Impacted Roads -- Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
 5. Impacted Intersections -- Upgrade intersections that have fallen below a LOS C.
- (Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), Parcel 1A has five water equivalent dwelling units (EDUs) assigned from the Mystic Harbor Sanitary Area and is served by existing onsite sewage. (He further states that this is the former tennis facility which is currently being used as a storage building and that Parcel 1B has a seasonal snowball and fruit and vegetable stand. However, the maps prepared by DRP’s GIS division indicate that the storage building and seasonal stand are both located on Parcel 1B and that an abandoned tennis court is located on Parcel 1A.) Mr. Mitchell states that the subject property has a designation of Sewer Service Category S-1/W-1 (existing to two years) in the Mystic Sewer and

Water Planning Areas and that additional sanitary capacity from the Mystic Harbor Sanitary District will need to be allocated and acquired for this property to intensify current uses if this rezoning is successful. No comments were received from John H. Tustin, P. E., Director of Public Works, or John Ross, P. E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

CeA - Cedartown-Rosedale complex - - severe limitations to on-site wastewater disposal
WdB - Woodstown sandy loam - severe limitations to on-site wastewater disposal
Mu - Mullica-Berryland complex - severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Ocean City Volunteer Fire Company's substation on Keyser Point Road, approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Department.

ROADWAYS AND TRANSPORTATION: The subject property of which the petitioned area is a part fronts on and currently has access to MD Route 611. MD Route 611 is state-owned and -maintained. The Comprehensive Plan classifies MD Route 611 as a two-lane secondary highway/major collector highway and recommends that scenic and transportation corridor planning be conducted to continue this road's rural and coastal character, particularly from MD Route 376 to Assateague Island, that capacity improvements from MD Route 376 to US Route 50 need to be studied and implemented, that interparcel connectors, service roads and other access controls need to be provided, that growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system, and that widening and intersection improvements of the corridor's northern end needs to be planned. James W. Meredith, District Engineer for State Highway Administration District 1, states in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration, if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network, and that future development may also require an access permit to be issued from his office. Mr. Meredith further states that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment, in that MD Route 611 is a state highway.

SCHOOLS: The petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of

Education (WCBOE).

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: According to Mr. Mitchell's memo (copy attached), the petitioned area is partially located within the Atlantic Coastal Bays Critical Area (ACBCA). He notes that areas within the ACBCA are designated Intensely Developed Area (IDA) and are non-waterfront. Therefore, ACBCA buffers are not present. He further notes that proposed future development will need to meet the requirements of the ACBCA and the Forest Conservation Act (FCA) that are in place at the time of development and that FCA requirements for the commercial zoning will be an afforestation threshold of 15 percent and reforestation threshold of 15 percent.

FLOOD ZONE: The FIRM map indicates that the petitioned area is primarily within Zone X (area of minimal flooding).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: The site is not within one mile of the corporate limits of any town.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Edward Potetz, Director, Environmental Health, Health Department: No objection to the proposed rezoning.

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! **IMPORTANT** !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

- 1) What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
- 2) Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
- 3) Relating to population change.
- 4) Relating to availability of public facilities.
- 5) Relating to present and future transportation patterns.

- 6) Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
- 7) Relating to compatibility with the Comprehensive Plan.
- 8) Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
- 9) Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 417

Date Received by Office of County Commissioners: 9/29/17 (received)

Date Received by Development, Review and Permitting: 10/4/17 (opened)

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
- B. _____ Property Owner
- C. _____ Contract Purchaser
- D. _____ Option Holder
- E. _____ Leasee
- F. XXX Attorney for B (Insert A, B, C, D, or E)
- G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
- B. Parcel Number(s): P/O 274
- C. Lot Number(s), if applicable: Parcels 1A and 1B
- D. Tax District Number: 10

III. Physical Description of Property

- A. Located on the west side of Stephen Decatur Highway approximately _____ to the _____ of _____.
- B. Consisting of a total of 7.517 acres of land.

- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:
-

- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): C-1, Neighborhood Commercial District

(Name and Zoning District)

- B. Acreage of zoning classification(s) in "A" above: 7.517 acres

- C. Requested zoning classification(s): C-2, General Commercial District

(Name and Zoning District)

- D. Acreage of zoning classification(s) in "C" above: 7.517 acres

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

Please see attached

IV. Filing Information and Required Signatures


- A. Every application shall contain the following information:

1. If the application is made by a person other than the property

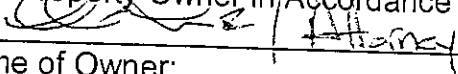
owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
Printed Name of Applicant: **Hugh Cropper, IV, Attorney for L & B Ocean City, LLC**
Mailing Address: **9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842** Phone Number: **410-213-2681**
E-Mail: **hcropper@bbcmlaw.com**
Date: **September 29, 2017**

C. Signature of Property Owner in Accordance with VI.A. above

Signature:  Attorney
Printed Name of Owner: **L & B Ocean City LLC, Lewis Bush, Managing Member**
Mailing Address: **6502 Southpoint Road, Berlin, MD 21811**
Phone Number: **443-523-7156**
E-Mail: **jhud33@comcast.net**
Date: **September 29, 2017**

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since

the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

ATTACHMENT IN SUPPORT OF REZONING APPLICATION

V. Reasons for Requested Change The primary basis for this Map Amendment is a mistake in the original Comprehensive Rezoning. As of November 3, 2009, the date of the original Comprehensive Rezoning, the property was improved with a warehouse. According to the State Department of Assessments and Taxation records, the warehouse is approximately 14,100 square feet. According to a recent survey, the warehouse is approximately 12,700 square feet, with an adjacent office of approximately 1,500 square feet. There are other appurtenances and uses such as asphalt parking and driveway, loading area, pads, dumpsters, sheds, etc. There is also a tennis court facility with other amenities.

The C-1, Neighborhood Commercial Zoning District, permits warehousing complexes, not to exceed 5,000 square feet in gross floor area, as a special exception. See, ZS1-209(c)(2). Inasmuch as the warehouse is 12,700 square feet with a 1,500 square foot office, or 14,100 square feet, it is almost two and one half times the allowable size in a C-1, Neighborhood Commercial District.

As such, the November 3, 2009 Comprehensive Rezoning created a non-conformity at its inception.

The property should have been zoned, C-2, General Business District.

The property is adjacent to C-2, General Business District to the north, and C-1, Neighborhood Business District to the south. Given the total size of the property, 7.517 acres, it is better-suited for the C-2, General Business District. In conclusion, the basis of the Map Amendment is a mistake, albeit a good faith mistake, in the original Comprehensive Rezoning. The Worcester County Commissioners did not have an opportunity to examine the size of uses on every single parcel of property during the Comprehensive Rezoning. Since the Comprehensive Rezoning, the properties to the north are being developed in accordance with their C-2, General Business District Zoning (for example, Diakonia), so the mistake will become more apparent. A couple hundred feet to the south, the property is being developed with the Sea Oaks Village, RPC, with 24,000 square feet of commercial space proposed. Although not the primary basis for this rezoning (at this time), this will definitely be a change in the character of the neighborhood. The 24,000 square feet is certainly more consistent with the C-2, General Business District.

Respectfully submitted.



Hugh Cropper IV

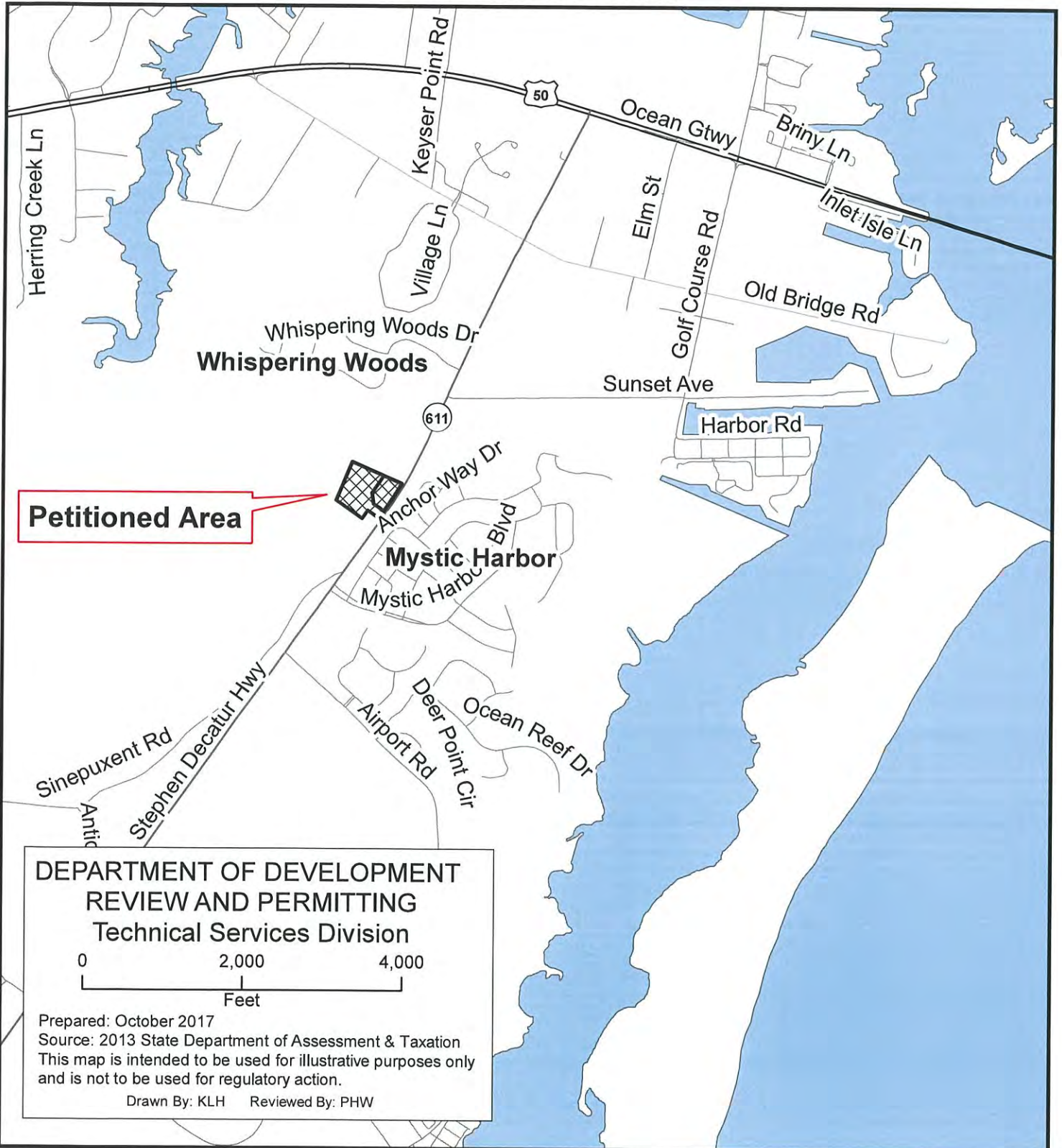


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 417
C-1 Neighborhood Commercial District to C-2 General Commercial District
Tax Map: 26, Parcel 274, Parcels 1A and 1B

LOCATION MAP



**DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division**

0 2,000 4,000
 Feet

Prepared: October 2017
 Source: 2013 State Department of Assessment & Taxation
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

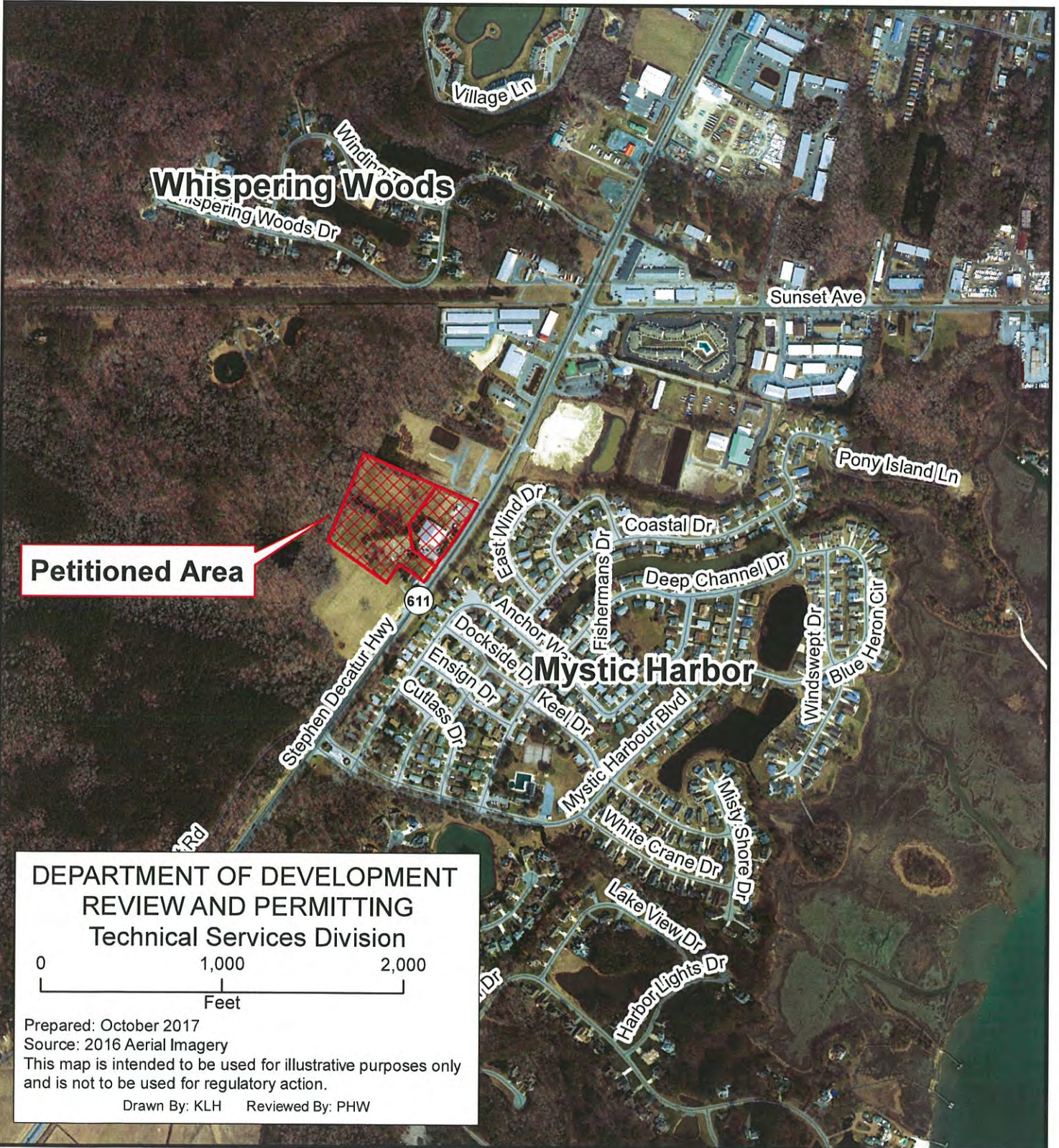


WORCESTER COUNTY, MARYLAND



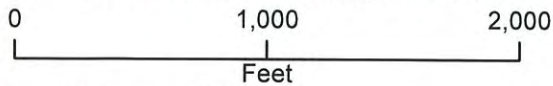
REZONING CASE NO. 417
 C-1 Neighborhood Commercial District to C-2 General Commercial District
 Tax Map: 26, Parcel 274, Parcels 1A and 1B

AERIAL MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division



Prepared: October 2017
 Source: 2016 Aerial Imagery
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

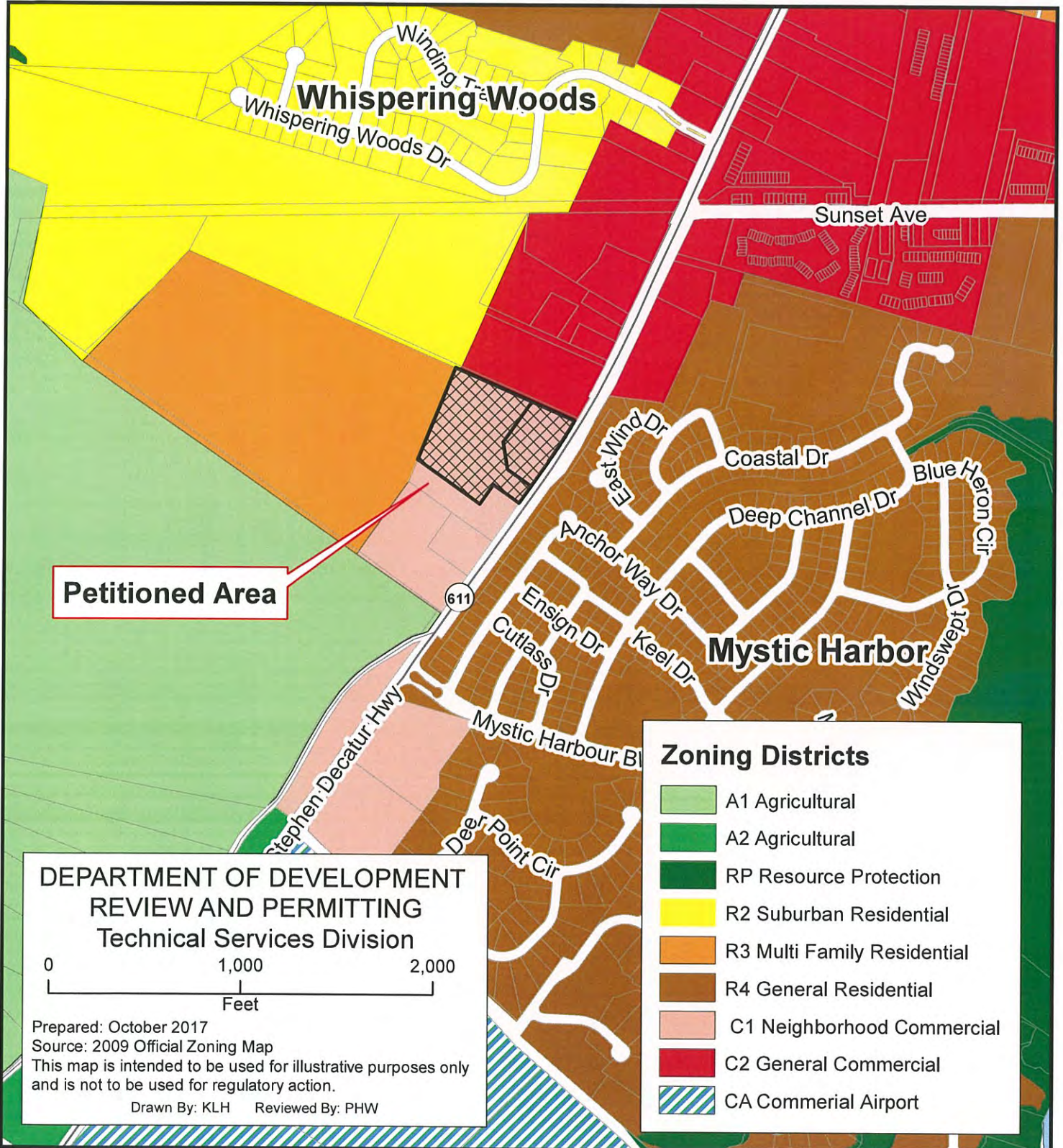


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 417
C-1 Neighborhood Commercial District to C-2 General Commercial District
Tax Map: 26, Parcel 274, Parcels 1A and 1B

ZONING MAP



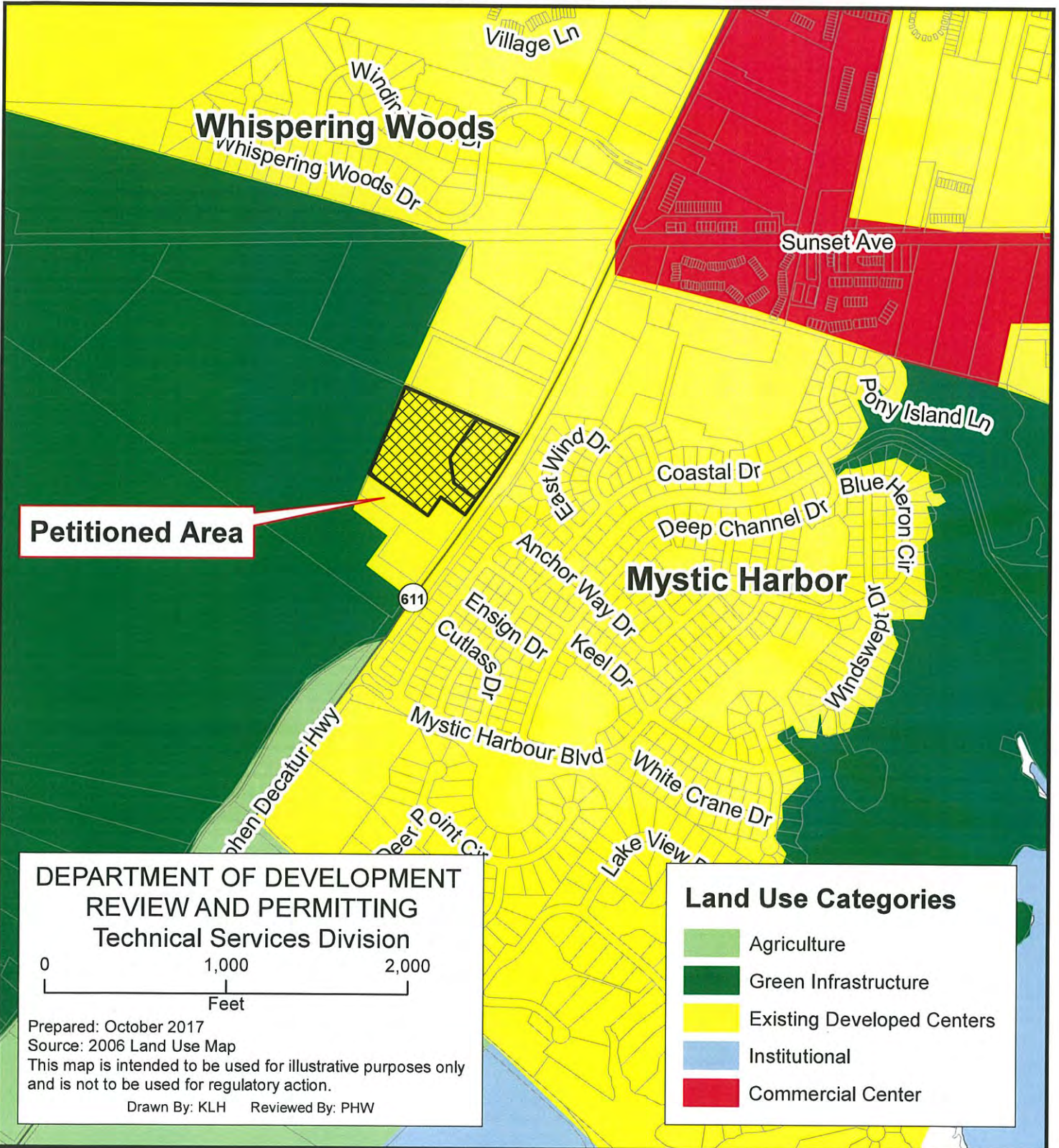


WORCESTER COUNTY, MARYLAND



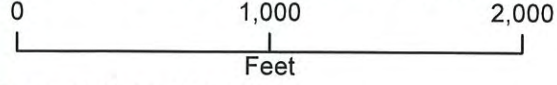
REZONING CASE NO. 417
 C-1 Neighborhood Commercial District to C-2 General Commercial District
 Tax Map: 26, Parcel 274, Parcels 1A and 1B

LAND USE MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division



Prepared: October 2017
 Source: 2006 Land Use Map
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

Land Use Categories

- Agriculture
- Green Infrastructure
- Existing Developed Centers
- Institutional
- Commercial Center

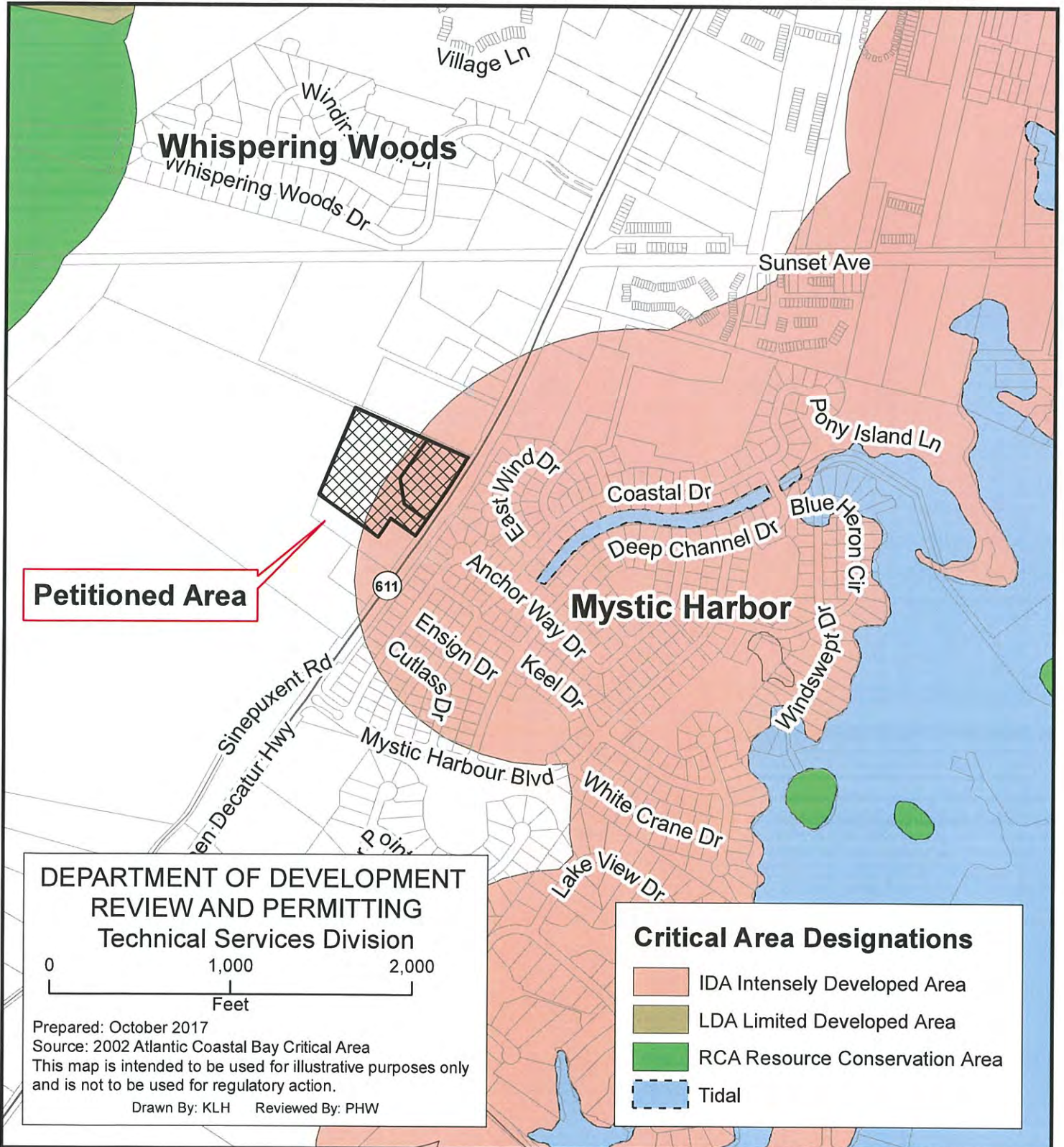


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 417
C-1 Neighborhood Commercial District to C-2 General Commercial District
Tax Map: 26, Parcel 274, Parcels 1A and 1B

ATLANTIC COASTAL BAY CRITICAL AREA MAP



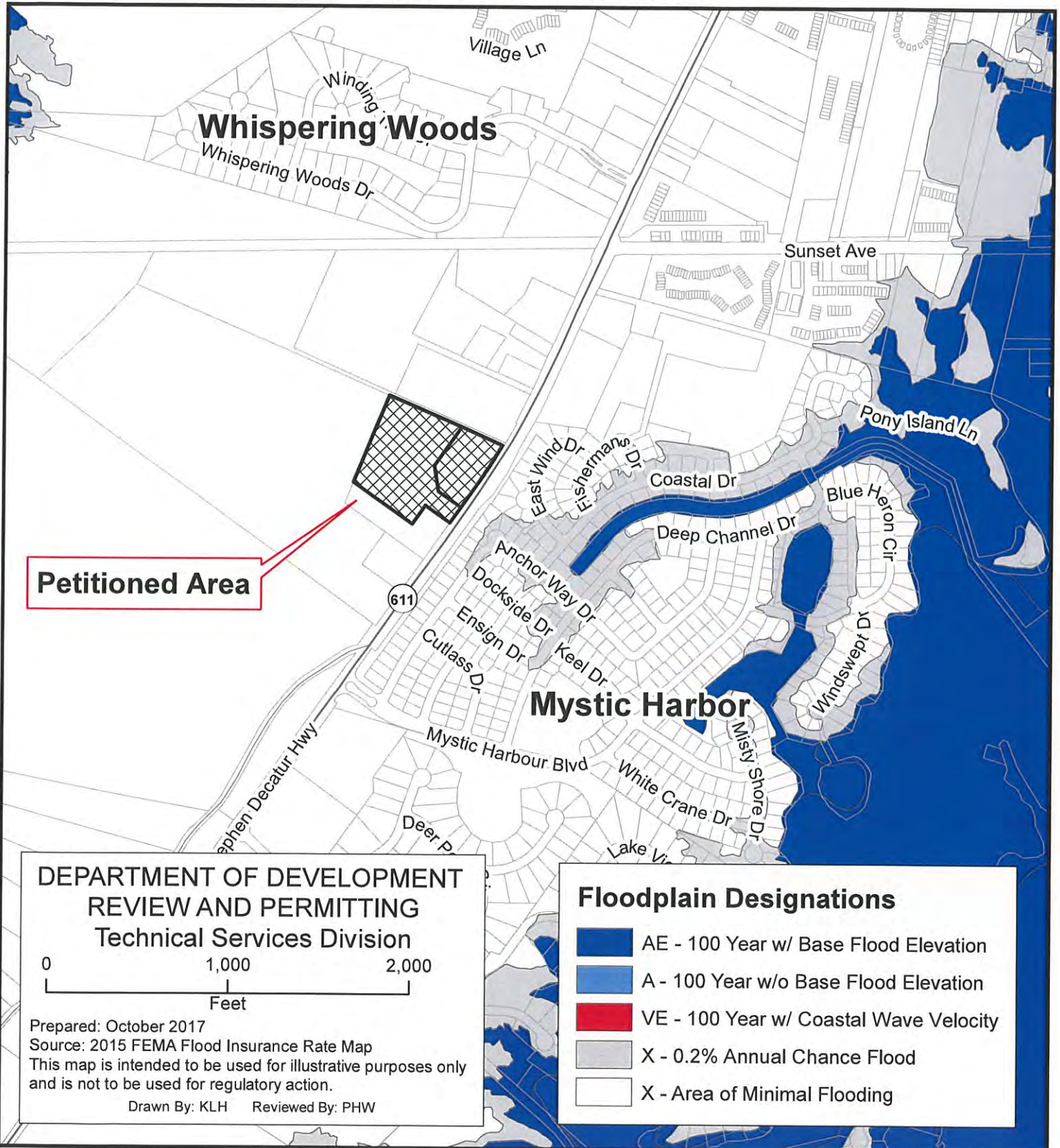


WORCESTER COUNTY, MARYLAND

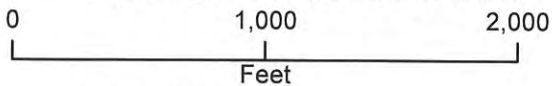


REZONING CASE NO. 417
C-1 Neighborhood Commercial District to C-2 General Commercial District
Tax Map: 26, Parcel 274, Parcels 1A and 1B

FLOODPLAIN MAP



**DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division**



Prepared: October 2017
 Source: 2015 FEMA Flood Insurance Rate Map
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

Floodplain Designations

- AE - 100 Year w/ Base Flood Elevation
- A - 100 Year w/o Base Flood Elevation
- VE - 100 Year w/ Coastal Wave Velocity
- X - 0.2% Annual Chance Flood
- X - Area of Minimal Flooding

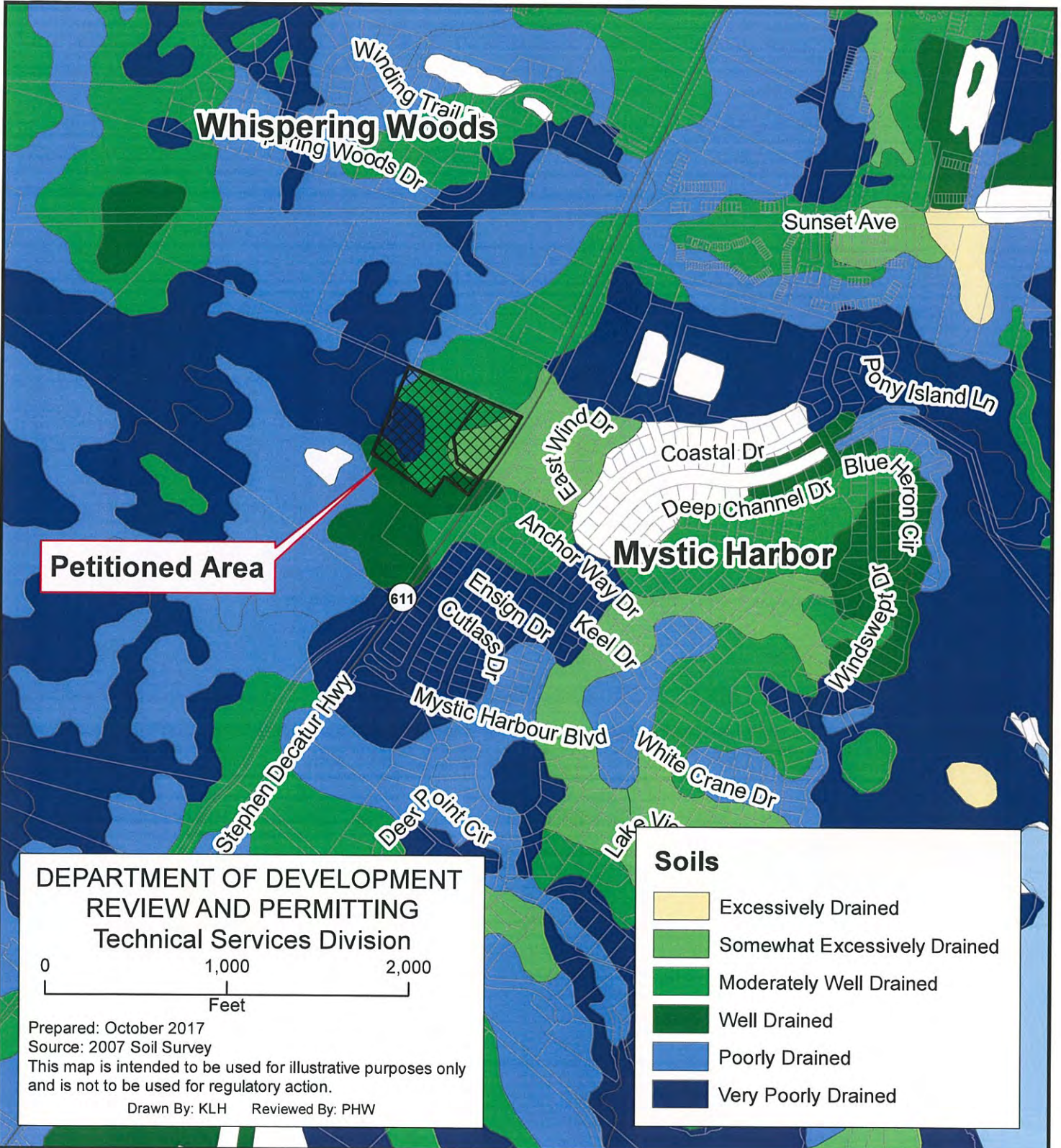


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 417
 C-1 Neighborhood Commercial District to C-2 General Commercial District
 Tax Map: 26, Parcel 274, Parcels 1A and 1B

SOILS MAP



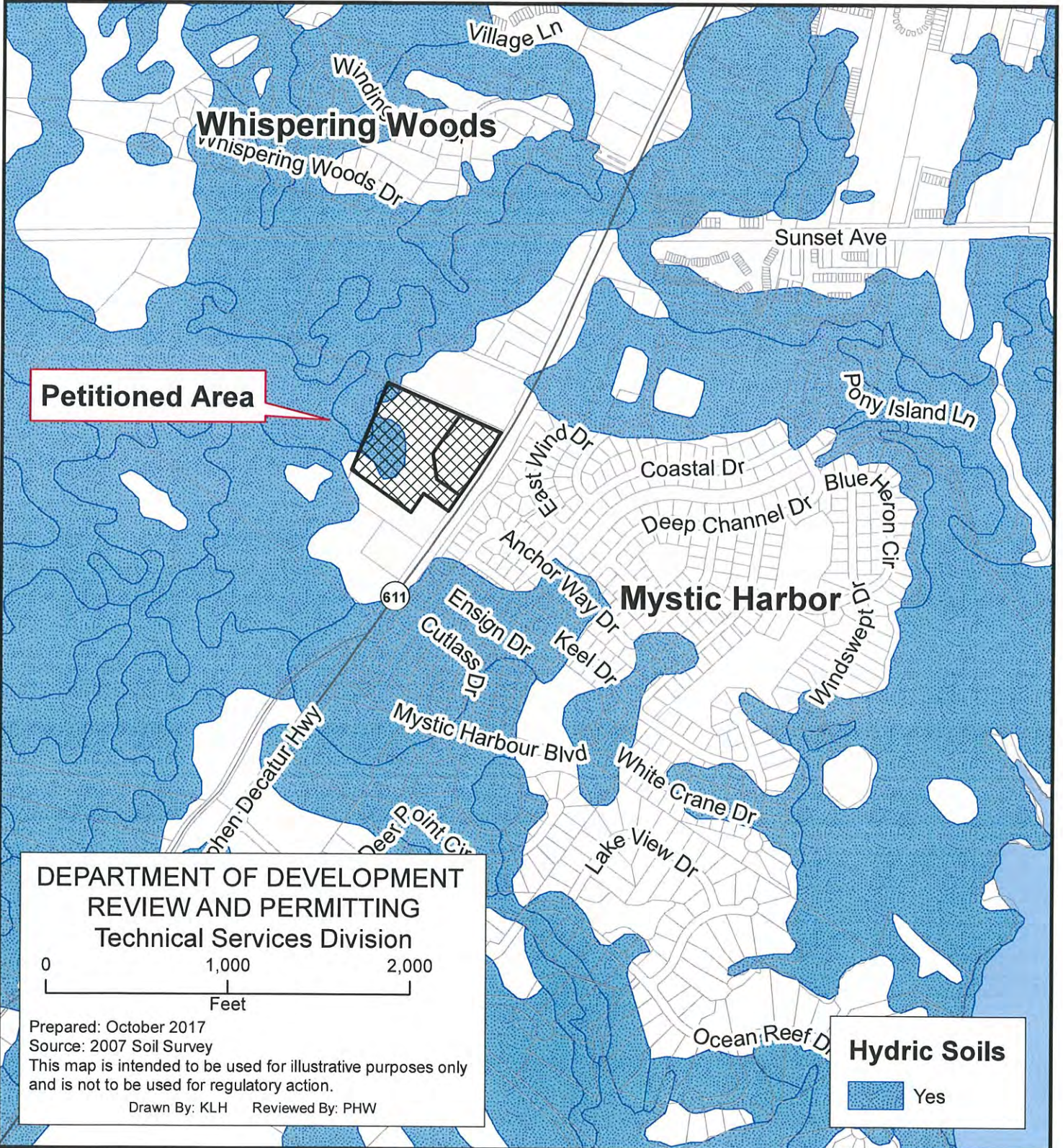


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 417
 C-1 Neighborhood Commercial District to C-2 General Commercial District
 Tax Map: 26, Parcel 274, Parcels 1A and 1B

HYDRIC SOILS MAP



**DEPARTMENT OF DEVELOPMENT
 REVIEW AND PERMITTING
 Technical Services Division**

0 1,000 2,000
 Feet

Prepared: October 2017
 Source: 2007 Soil Survey
 This map is intended to be used for illustrative purposes only
 and is not to be used for regulatory action.
 Drawn By: KLH Reviewed By: PHW

Hydric Soils

Yes



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

From: Robert J. Mitchell, LEHS
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 417
Worcester County Tax Map 26, Parcel 274, Lots 1A & 1B.
C-1 Neighborhood Commercial District to C-2 General Commercial District

Date: 11/30/17

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009 and argues a substantial change in the character of the neighborhood has occurred as well. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

Referring to the *Comprehensive Plan*, the properties are both located in the Existing Developed land use district. This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained and developed. The areas adjacent to this property are all in the Existing Developed or Green Infrastructure land use district with a Commercial Center designation at the intersection of Sunset Avenue and Stephen Decatur Road, just north of these properties.

The property is surrounded by properties carrying either a C-1 Neighborhood Commercial, R-4 General Residential, R-3 Multi-Family Residential or a C-2 General Commercial zoning designation. The surrounding zoning and uses for the most part are compatible with their corresponding land use designations in the *Comprehensive Plan*.

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

The Department of Environmental Programs has the following comments:

1. Parcel 1A has five (5) water EDUs assigned from the Mystic Harbour Sanitary Area and is served by existing onsite sewage. This is the former tennis facility which is currently being used as a storage building. Parcel 1B has a seasonal snowball and fruit and vegetable stand.
2. The subject properties have a designation of Sewer Service Category S-1/W-1 (*Existing to 2 years*) in the Mystic Harbour Water and Sewer Planning Area. Additional sanitary capacity from the Mystic Sanitary District will need to be allocated and acquired for this property to intensify current uses if this rezoning is successful.
3. This proposed rezoning is located partially within the Atlantic Coastal Bays Critical Area (ACBCA) and partially outside of the ACBCA; therefore, also requiring compliance with the Forest Conservation Act (FCA) at time of development. Areas within the ACBCA are designated Intensely Developed Area (IDA) and non-waterfront; therefore, Critical Area buffers are not present. Proposed future development will need to meet the requirements of the ACBCA and FCA that are in place at the time of development. FCA requirements are based upon applicable zoning; however any level of commercial zoning has the same requirements, so this conversion will not result in a different requirement when compared to the present zoning. A commercial zoning designation requires an afforestation threshold of 15 percent and reforestation threshold of 15 percent.

If you have any questions on these comments, please do not hesitate to contact me.

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

October 31, 2017

Ms. Phyllis H. Wimbrow
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

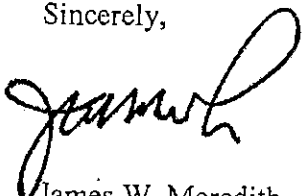
Dear Ms. Wimbrow:

Thank you for the opportunity to review the rezoning application from Hugh Cropper, IV for L&B Ocean City, LLC, for case no: 417, in Worcester County. The property is described as Tax Map 26, Parcel 274, being located on the westerly side of MD 611, north of Sinepuxent Road. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents and we are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, the MDOT SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network. Future development may also require an access permit to be issued from this office. With the exception of our aforementioned comments, MDOT SHA has no objection to a rezoning determination by Worcester County.

Thank you again for the opportunity to provide a response. If you have any questions regarding our reply, please contact Mr. Dan Wilson, Access Management Consultant, via email at dwilson12@sha.state.md.us, or by calling him directly at 410-677-4048. He will be happy to assist you.

Sincerely,



James W. Meredith
District Engineer

cc: Mr. Hicham Baassiri, Assistant District Engineer, Project Development, MDOT SHA
Mr. Dan Wilson, Access Management Consultant, MDOT SHA



Worcester County
 DEPARTMENT OF PUBLIC WORKS
 6113 TIMMONS ROAD
 SNOW HILL, MARYLAND 21863

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
 FROM: Frank J. Adkins, Roads Superintendent (FA)
 DATE: October 25, 2017
 RE: Rezoning Case No. 399-402 and 414-417

.....
 Upon review of the above referenced rezoning cases, I offer the following comments:

Rezoning Case 399: Griffin Road and McAllister Road are narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. Both roads have a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 400: McAllister Road is narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. McAllister Road has a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 401: McAllister Road is narrow and not built for heavy commercial traffic. Access to and from Route 589 is limited. McAllister Road has a narrow right-of-way of 30'. Property owner/developer shall be responsible for roadway improvements relative to any future project.

Rezoning Case 402: No comments. Project borders State Highway.

Rezoning Case 414: No comments. Project borders State Highway.

Rezoning Case 415: No comments. Project borders State Highway.

Rezoning Case 416: Townsend Road is narrow and not built for heavy commercial vehicles. It has a narrow 40' right-of-way. Golf Course Road, which has a 40' right-of-way, may not be enough to support more heavy commercial vehicles. Property owner/developer shall be responsible for roadway improvements relative to any future project.

N.H. TUSTIN, P.E.
 DIRECTOR

N.S. ROSS, P.E.
 DEPUTY DIRECTOR

410-632-5623
 410-632-1753

MAINTENANCE

410-632-3766
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DESIGN

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SOLID WASTE

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PLUMBING

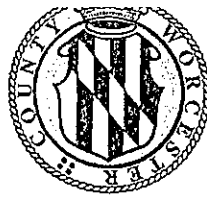
410-641-5251
 410-641-5185

* Rezoning Case 417: No comments. Project borders State Highway.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/l
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Worcester County

HEALTH DEPARTMENT

P.O. Box 249 • Snow Hill, Maryland 21863-0249
www.worcesterhealth.org

Rebecca L. Jones, RN, BSN, MSN
Health Officer

Snow Hill (Main Office)
410-632-1100
Fax 410-632-0906

MEMORANDUM

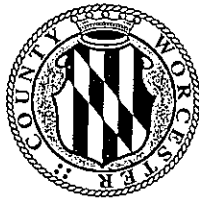
TO: Phyllis H. Wimbrow, Deputy Director

FROM: Edward Potetz, Director *Y*
Environmental Health

DATE: October 31, 2017

RE: Rezoning Case No. 399-402 and 414-417

This Office has no objection to the proposed above-referenced rezoning cases.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
 Fred Webster, Director, Worcester County Emergency Services
 Reggie Mason, Sheriff, Worcester County Sheriff's Office
 John H. Tustin, P.E., Director, Worcester County Public Works Department
 John Ross, P.E., Deputy Director, Worcester County Public Works Department
 Frank Adkins, Roads Superintendent, Worcester County Public Works Department
 Jeff McMahan, Fire Marshal, Worcester County Fire Marshal's Office
 Merry Mears, Director, Economic Development
 Louis H. Taylor, Superintendent, Worcester County Board of Education
 James Meredith, District Engineer, Maryland State Highway Administration
 Lt. Earl W. Starnier, Commander, Barracks V, Maryland State Police
 Rebecca L. Jones, Health Officer, Worcester County Health Department
 Rob Clarke, State Forester, Maryland Forest Services
 Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
 Jim Corron, Fire Chief, Berlin Volunteer Fire Department
 David Cropper, Fire Chief, Ocean City Volunteer Fire Department

FROM: Phyllis H. Wimbrow, Deputy Director *Pxw*

DATE: October 18, 2017

RE: Rezoning Case No. 417- L & B Ocean City, LLC/ Hugh Cropper, IV- Approximately 7.517 acres located on the westerly side of MD Rt. 611, north of Sinepuxent Road

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 7.517 acres of land from C-1 Neighborhood Commercial District to C-2 General Commercial District. Uses allowed in the district include, but are not limited to, retail businesses, hotels and motels, restaurants, offices, etc..

Citizens and Government Working Together

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which your agency is responsible. ***If no response is received by DECEMBER 1, 2017, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at pwimbrow@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

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WOR CO ADMIN
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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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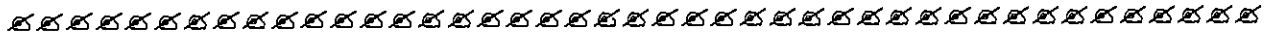
ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

Proposed Public Hearing
on April 17, 2018

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: March 13, 2018
RE: Planning Commission Findings of Fact and Recommendation
Rezoning Case No. 417
(L & B Ocean City, LLC, Applicant, and Hugh Cropper, IV,
Attorney for the Applicant)



Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 417, seeking to rezone approximately 7.517 acres of land located on the westerly side of MD Route 611 to the north of Sinepuxent Road in West Ocean City from C-1 Neighborhood Commercial District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on February 1, 2018 and given a favorable recommendation.

Also attached for your use is a draft public notice for the required public hearing that must be held by the County Commissioners. An electronic copy has already been forwarded to Kelly Shannahan. Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

Thank you for your attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

EAT/phw