

# AGENDA

## WORCESTER COUNTY COMMISSIONERS

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

**September 4, 2018**

- 9:00 AM - Meet in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland - Vote to Meet In Closed Session
- 9:01 - Closed Session: Discussion regarding posting to fill vacancies for a Maintenance Worker II for the Recreation and Parks Department and a Landfill Operator I for the Solid Waste Division of Public Works; discussing pending litigation and 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
- 10:10 - Public Hearing - Community Development Block Grant Application  
- Diakonia Emergency Housing Renovation Project
- 10:20 - Chief Administrative Officer: Administrative Matters
- 10:30 -
- 10:40 -
- 10:50 -
- 11:00 - Public Hearing - Rezoning Case No. 419 - north side of Market Street (US 113 - Business) west of US 113 and east of Snow Hill from A-1 Agricultural District to C-2 General Commercial District
- 11:10 -
- 11:20 -
- 11:30 - Chief Administrative Officer: Administrative Matters
- 11:40 -
- 11:50 -
- 12:00 - Questions from the Press

Lunch

**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

August 21, 2018

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

Following a motion by Commissioner Bertino, seconded by Commissioner Mitrecic, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7), and (8) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Stacey Norton, Human Resources Director. Topics discussed and actions taken included: hiring Sierra Bloom as a part-time Document Imager II for the Treasurer's Office, Comaneisha Jones McCaskill and Dennis Dimaio as Correctional Officer Trainees for the Jail, promoting Pete Bo Webb from Roads Worker V to Roads Foreman and agreeing to post for a Roads Worker II for the Roads Division of Public Works; discussing pending litigation; receiving legal advice from counsel; and performing administrative functions.

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

The Commissioners reviewed and approved the open session minutes of their July 31, 2018 work session and the open and closed session minutes of their August 7, 2018 meeting as presented.

Pursuant to the recommendation of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Bunting, the Commissioners unanimously awarded the low bid for the general housing rehabilitation and lead risk reduction project located in the Town of Snow Hill to J & G Maintenance & Repair of Berlin, Maryland at a cost of \$21,950.

The Commissioners met with Budget Accountant Kim Reynolds to review 12 bids received for the eight available West Ocean City Commercial Harbor boat slips. Pursuant to the recommendation of Ms. Reynolds and upon a motion by Commissioner Mitrecic, the Commissioners voted unanimously to accept the high bids and award the eight lease agreements for two-year leases of the commercial boat slips at the West Ocean City Harbor, subject to proof

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of liability insurance, as follows: award of the three 100-foot slips to H. Drexel Harrington for 'Tiki XIV, Inc.' at \$11,220, Jeffrey Eutsler for 'Tony & Jan' for \$10,001.99, and Kerry Harrington for 'Integrity/Delphinus' for \$8,401.00; and award of the five 75-foot slips to Sam Martin of Martin Fish Co., LLC, FV for 'Second Wind' at \$8,700.00, Sam A. Martin of Martin Fish Co., LLC, FV for 'Atlantic Girl' at \$8,600, David Trader for 'Valerie Marie' for \$8,000, Earl R. "Sonny" Gwin for "Skilligalee, Inc.' at \$6,500, and James Hahn, Stormy Seas, LLC for 'Allison' at \$6,201, for a total two-year rent of \$67,623.99.

Pursuant to the request of Warden Donna Bounds and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell and Warden Bounds to sign the Worcester County Local Behavioral Health Authority Agreement for Maryland Community Criminal Justice Treatment Program Services between the Worcester County Health Department (the Local Behavioral Health Authority) and the County Commissioners for grant funds not to exceed \$20,000 annually for behavioral health programs for the County Jail inmate population.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Church, the Commissioners voted 6-1, with Commissioner Elder voting in opposition, to authorize Commission President Purnell to sign the Agreements of Sale for the purchase of two Rural Legacy Area (RLA) easements between Regina D. and Jeffrey A. Royer (Seller) and the County Commissioners of Worcester County, Maryland (Buyer), with FY18 Dividing Creek RLA funds to cover the cost of both easements. The first easement is located on approximately 64.64 acres on the southwest side of Creek Road west of Nassawango Road in Snow Hill and identified on Tax Map 62, Grid 5, Parcel 4. This property is to be purchased at a cost of \$3,357.06 per acre for a total purchase cost of approximately \$216,999, based on total surveyed acreage. Mr. Mitchell stated that, while this property was not listed and mapped as a priority for conservation in the Dividing Creek RLA grant application, it is located adjacent to protected lands and is a waterfront parcel, which contains prime agricultural soils. The second Rural Legacy easement is located on approximately 122.25 acres on the south-west side of Nassawango Road, west of Snow Hill and identified on Tax Map 67 as Parcel 167, Lot 3. This property is to be purchased at a cost of \$1,746.42 per acre for a total purchase cost of \$213,500 based on total surveyed acreage. Mr. Mitchell stated that this property, which is located adjacent to protected lands, contains prime agricultural soils and is listed as a top-five priority for conservation in the Dividing Creek RLA grant application.

Pursuant to the request of Mr. Mitchell and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Request for Proposals (RFP) for a consultant to update and combine the Worcester County Chesapeake Bay Critical Area Ordinance and Atlantic Coastal Bays Critical Area Law, with encumbered funds of \$20,000 from RLA matching funds available to cover this expense. Mr. Mitchell stated that the existing code has not been updated since 2002 and combining the two codes into a single ordinance will increase the public's ease of use.

Emergency Services Director Fred Webster updated the Commissioners on the status of

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the P25 Radio System Project, noting that the microwave radio equipment for the Mystic Harbour site arrived and will be installed between August 21-23, 2018, with site testing to be completed thereafter by Harris officials. He also reviewed three recently-reported minor transmission issues with field radios, one involving a distorted transmission and the remaining two involving users having to press the *Push to Talk* button twice, which were likely caused by roaming issues. He also confirmed that County staff is scheduling a kick-off meeting with Federal Engineering (FE) staff who are to provide engineering consulting services to Worcester County to assist with final implementation of the Harris P25 Radio System Project.

In response to questions by Commissioner Bertino, Emergency Services Assistant Director James Hamilton stated that Harris officials are working to resolve these latest interference issues. In response to a question by Commissioner Bunting, Mr. Webster confirmed that each of the Commissioners received a slightly less expensive, lower-tier version of the same radios that were issued to the volunteer fire companies located within Worcester County. Commissioner Bunting stated that the quality of the radio issued to him has been very good and suggested that perhaps users need to be trained on proper use of the radios to resolve some of the concerns.

Pursuant to the request of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved bid specifications for the purchase and installation of playground equipment to replace aged equipment at the Stockton Park. Mr. Perlozzo stated that the County was awarded FY19 Maryland Department of Natural Resources (DNR) Program Open Space (POS) funds of \$60,000 to complete this project.

Pursuant to the request of Mr. Perlozzo and the Worcester County Recreation and Parks (WCRP) Advisory Board and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the formation of the WCRP Boosters, a 501(c)(3) organization, to help finance, publicize, promote, evaluate, and recommend relevant programs, maintenance and facilities within WCRP. The boosters will seek sponsorships and non-profit grants and raise funds to help cover registration fees for County residents who may not otherwise be able to afford to participate in County recreation programs.

In response to concerns raised by Commissioner Church, the Commissioners met with Public Works Director John Tustin, Mr. Perlozzo, and Sheriff's Office Sergeant Robert Trautman to discuss options to address uncontrolled parking along Old Bridge Road, including the cul-de-sac, and excessive noise, bonfires, and parties during late night hours from patrons at Homer Gudelsky Park in West Ocean City (WOC). Mr. Tustin advised that there is space for seven to 10 cars within the cul-de-sac, and County staff recently refreshed the "No Parking" signs in other areas; however, visitors continue to ignore the signs and double park. Sergeant Trautman advised that the Sheriff's Office has been actively patrolling and enforcing parking violations, though such violations are not towable offenses. He supported Mr. Tustin's recommendation to post "No Double Parking, Towing Enforced" signs.

Mr. Perlozzo stated that bonfires are typically prohibited in the park, without a special permit, and signs are clearly posted at the park entrance that the park closes from dusk or one hour after the last activity until 6:00 a.m. He suggested asking the Sheriff's Office to increase

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enforcement of park operating hours.

Commissioner Church thanked his fellow Commissioners and staff for working to address this issue, noting that cars are double and triple parking in the cul-de-sac, and in many cases blocking residents' driveways, and in the event of an emergency would impede public safety officials from accessing the area.

Fritz Pielert of Old Bridge Road stated that limited parking and public facilities has resulted in unsafe and unsanitary conditions, with visitors parking two and three cars deep, blocking driveways, leaving trash behind, and urinating in public. He stated that some visitors have even become belligerent when asked to move vehicles that were blocking residents' driveways, and he asked the Commissioners to adopt enforceable nuisance regulations that have some teeth.

In response to a question by Commissioner Elder, Sergeant Trautman advised that the existing Code of Maryland Uniform Traffic Control Devices only permits the towing of vehicles impeding public safety.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously directed staff to install "No Double Parking" signs and "No Parking, Towing Enforced" signs, to paint no parking areas in front of fire hydrants, and they further directed staff to stripe and paint the available parking spots, with the Sheriff's Office to enforce violations of the parking restriction and complaints regarding after-hours use of the park and disturbing the peace.

Mr. Tustin informed the Commissioners that the next Household Hazardous Waste Collection Day will take place Saturday, September 22, 2018, from 10:00 a.m. to 2:00 p.m. at the Showell Elementary School on MD Rt. 589. Mr. Tustin advised that the towns of Ocean City, Berlin, Snow Hill, and Pocomoke will be notified and invited to participate in this event.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously approved bid specifications for the purchase of one off-road dump truck for use within the Solid Waste Division of Public Works.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Lockfaw, the Commissioners unanimously accepted the proposal from EA Engineering in the amount of \$3,132.35 to perform engineering services for the preparation of a Surface Mining Permit County Exemption Application associated with the County-owned Langmaid Road Borrow Pit. Mr. Tustin advised that the County has been operating the borrow pit since the early 1970s, and recently Maryland Department of the Environment (MDE) officials requested the County to make said application for a County exemption to the Surface Mining Law of 1977, a law that does not apply to activities for the State Highway Administration (SHA) or the Roads Division of Public Works. In response to a question by Commissioner Lockfaw regarding what prompted this action by MDE, Mr. Tustin advised that Roads Division personnel periodically utilize the borrow pit to retrieve materials for related construction activities in the County, and such activities recently occurred at times when MDE officials were visiting the site, which created the false impression by State officials that the site was being utilized regularly rather than infrequently. He stated that the County was operating under the assumption that the exemption

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had been granted many years ago, but MDE officials were not able to substantiate that claim. Mr. Tustin concluded that funds are available within the FY19 budget to cover this expense.

Pursuant to the recommendation of Mr. Tustin in response to a request from Berlin Public Works Director Jane Kreiter, made on behalf of the Town of Berlin, and upon a motion by Commissioner Church, the Commissioners unanimously approved the town's request to place a six-cubic-yard dumpster in place of the County's two-cubic-yard dumpster at the County-owned property in Berlin where the Worcester County Dental Clinic is located. Mr. Tustin stated that the dumpster will serve several residents and businesses in the area, including the dental clinic. In response to a question by Commissioner Lockfaw, Mr. Tustin explained that the town will pay for all expenses associated with trash collection for the new container.

Commissioner Mitrecic requested to present an issue to the County Commissioners. Commissioner Purnell reminded Commissioner Mitrecic that all issues need to be presented prior to the meeting to allow staff time to provide background information and for other Commissioners to be aware of the issue in advance.

Following a motion by Commissioner Elder, seconded by Commissioner Bertino, the Commissioners unanimously voted to meet in closed session at 10:43 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7) and (8) of the General Provisions Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Harold L. Higgins, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Maureen Howarth, County Attorney; Kim Moses, Public Information Officer; and Stacey Norton, Human Resources Director. Topics discussed and actions taken included receiving legal advice from counsel and conducting interviews with candidates for the position of Emergency Services Director. The Commissioners hired John "Billy" Birch as Emergency Services Director to succeed Fred Webster upon his retirement.

After the closed session, the Commissioners adjourned to meet again on September 4, 2018.

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**NOTICE OF PUBLIC HEARING  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
WORCESTER COUNTY, MARYLAND**

The Worcester County Commissioners will conduct a public hearing to obtain the views of citizens on community, economic development, and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant (CDBG) Program. Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held on:

**TUESDAY, SEPTEMBER 4, 2018  
AT 10:10 A.M. in the**

**COUNTY COMMISSIONERS MEETING ROOM  
Room 1101- Government Center  
One West Market Street, Snow Hill, MD 21863**

Citizens will be furnished with information including but not limited to:

- The amount of CDBG funds available for State Fiscal Year 2019;
- The range of activities that may be undertaken with CDBG funds; and
- The proposed projects under consideration by Worcester County

The Maryland CDBG Program is a federally funded program designed to assist governments with activities directed toward neighborhood and housing revitalization, economic development, and improved community facilities and services. It is administered by the Maryland Department of Housing and Community Development.

The Maryland CDBG Program reflects the State's economic and community development priorities and provides public funds for activities which meet one of the following national objectives, in accordance with the Housing and Community Development Act of 1974, as amended, that:

1. Benefit low and moderate income persons and households;
2. Aid in the prevention or elimination of slums or blight;
3. Meet other community development needs of an urgent nature, or that are an immediate threat to community health and welfare.

Efforts will be made to accommodate the disabled and non-English speaking residents with 5 days' advanced notice to Kelly Shannahan at 410-632-1194. Questions may be directed to Kimberly Reynolds, Budget Accountant, at 410-632-1194.

Diana Purnell, President  
Worcester County Commissioners

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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

**August 30, 2018**

To: Harold Higgins, Chief Administrative Officer  
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant *Kim Reynolds*

Subject: CDBG Homeless Initiative Grant

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Attached please find the CDBG Homeless Initiative Grant Application and Letter of Support for the Grant Program. The Diakonia Emergency Housing Renovation Project would allow repairs and renovation to be completed through the use of CDBG funding. The total request breakdown is:

CDBG	\$282,225 Federal Funding Contribution
Diakonia, Inc.	\$ 94,000 Cash & In Kind Contribution
Worcester County	\$ 13,000 In Kind Contribution

Contingent upon favorable comments at the public hearing, staff recommends that the Commissioners approve the grant application as requested by Diakonia, Inc as the sub-recipient, adopt the draft resolution and approve the letter of support for the project.

↑  
p. 22

↑  
p. 27





12747 Old Bridge Road  
Ocean City, MD 21842-9243  
Phone: 410-213-0923  
Fax: 410-213-2499  
diakoniaoc.org

August 29, 2018

Worcester County Commissioners  
Government Center  
1 W. Market St. Room 1103  
Snow Hill, MD 21863

Dear Commissioners:

Please except the enclosed Community Development Block Grant application on our behalf. The proposal reflects essential renovations and repairs that ensure the preservation of our Emergency Housing Facilities.

We are grateful for your willingness to sponsor this application to Department of Housing and Community Development. Diakonia is a part of the *fabric of the Worcester County* community and this funding will help to ensure that we are able to offer the essential services for individuals and families in need.

Diakonia's success is measured by the achievement of our guests and the ability of others that we serve to improve their lives. Participation in our programs helps people regain the focus of their lives, address areas of difficulty, gain employment, gain or maintain secure housing and become stronger and more productive members of our community. Thank you for your time and consideration.

Sincerely,

Claudia Nagle  
Executive Director

*"Diakonia: Giving Help for Today and Hope for Tomorrow"*

# **STATE OF MARYLAND CDBG PROGRAM**

## **SFY 19 APPLICATION**

### **Homeless Initiative**

**Lawrence J. Hogan, Governor  
Boyd K. Rutherford, Lt. Governor**



*Kenneth C. Holt, Secretary  
Anthony Reed, Deputy Secretary*

*DHCD  
Division of Neighborhood Revitalization  
7800 Harkins Road  
Lanham, MD 20706  
301/429-7525  
TTY/RELAY 711 or 1/800-735-2258*



## PART A

**PROJECT DESCRIPTION: Describe the proposed project in detail. Include location and specific activities to be undertaken. If for services and operating costs, provide details as to how funds will be used.**

This project involves improvements and critically-needed repairs to the emergency housing facility operated by Diakonia Inc. at 12747 Old Bridge Road, Ocean City MD 21842.

Diakonia has operated this facility for more than 45 years. Currently there are two buildings, the main building built in 1932 and the new building completed in 2001. Together they provide housing for up to 40 men, women and children as well as associated offices, dining and food preparation facilities, training space and a heavily-used food pantry with freezer and refrigerated storage capacity in addition to dry storage.

Diakonia is the largest provider of housing and services to the homeless in Worcester County and also services homeless populations in Wicomico and Somerset counties.

Diakonia has, for the past two years, been making major efforts to upgrade its' facilities and address critical issues. Available resources have been exhausted. The project includes both critical repairs to address the physical deterioration of the facilities and changes to make the building and property safer and healthier.

The project includes both critical repairs to address the physical deterioration of the facilities and changes to make the buildings safer and healthier for the occupants.

### **A. Repairs:**

1. Identify and replace rotting wood and deteriorating structural elements throughout the main building. Shore up chimney and replace flooring in the upstairs of the main building that houses male residents. The flooring and bathroom facilities have deteriorated due to heavy use.
2. Repair roof and install gutters on the main building to help guard against further deterioration through water infiltration. Upgrade insulation at the main building to help guard against further deterioration from water and reduce operating costs.
3. Replace the roof on the new building to remedy recurrent leaking and replace deteriorated and unsafe decking and stairs.
4. Install new siding and upgrade insulation in the main building to reduce operating costs and eliminate water infiltration.
5. Address deferred maintenance issues in the new building including drywall and floor repair in the family units and replacement of deteriorated kitchen cabinets and plumbing in the family units.

### **B. Health and Safety**

1. Install new exit lights throughout and upgrade exterior lighting and security lights.
2. Install sprinklers throughout the main building, new fire alarms, upgrade IT security and replace HVAC in both buildings.
3. Improve handicapped access and safety by replacing ramps and installing new handrails.
4. Pave the current gravel parking lot to reduce tripping hazard and improve handicapped access and address drainage issues that allow standing water after heavy rains.
5. Replace kitchenettes and upgrade kitchen areas in family units.
6. Upgrade laundry facilities to better serve residents.

**PART B**

**PROJECT NEED/IMPACT:** Describe the need for the proposed project. Include statistics and other documentation supporting the described need. For projects seeking funds for existing services and/or operating costs, please describe and explain how there is a quantifiable increase in demand. Discuss how the project will make an impact on the described need.

Diakonia is by far the largest provider of homeless services in Worcester County and its continued operation is critical to the county's ability to address the needs of its very-low income population. Its facility on Old Bridge Road in Ocean City is heavily used, providing nearly 13,000 bed-nights of shelter, more than 100,000 bags of food and case management services to hundreds of individuals and families each year. Diakonia also provides homelessness prevention services and rapid re-housing services to homeless individuals and families.

Over the past five years, Diakonia has sheltered an average of 35 guests every night. As the goal of the program is to move people quickly into permanent housing, some guests stay for a short period of time while others stay for relatively extended periods of time as they work with caseworkers to address the issues blocking them from permanent housing. Almost 900 individual guests have moved through Diakonia over the past five years.

The food pantry has served an average of nearly 6,800 persons a year over the past five years, distributing more than \$1 million in food each year.

Diakonia's staff, including its caseworkers, residence managers, housing counselors, leadership and management provides more than 3,350 8-hour shifts every year.

This level of services has put a tremendous load on Diakonia's infrastructure. Without the requested funds, Diakonia will be unable to continue this level of services in the future. Failure to address the repair issues will, despite our best efforts, ultimately lead to a reduction in capacity as portions of the infrastructure become unusable. Failure to address the health and safety issues will place the staff and guests at risk of injury or disease and may again ultimately lead to a significant reduction in capacity.

Diakonia and its supporters have worked hard over the past years to keep the shelter operating and fully occupied in the face of demand for housing that far exceeds supply. This has placed a strain not only on the buildings but also on the finances of the organization. Additional funding to allow these key repairs and upgrades will go far to keeping Diakonia fully operation for the foreseeable future. Diakonia has been able to accomplish significant upgrades and critical repairs over the past two years, but resources are exhausted and significant additional work remains to be done.

**PART B WORKSHEET**

**NOTE: First time applicants must provide a copy of the most recent audit and copy of the most recent single audit.**

- 1. As CDBG funds are primarily "Gap" financing, did you pursue other funds from state, federal agencies and/or private sources? What other funding sources did you pursue for this project? What is the status of those requests?**

While Diakonia receives ongoing operational funding from the County Commissioners of Worcester County, the Town of Ocean City and the Town of Berlin, these funds have been needed for ongoing operations. Private donations and grants have also been restricted to operations. No requests have been made for funding these projects.

There have been several projects completed in the original building :

Installation of a sprinkler system; Completed 2017  
Installation of an fire alarm system; Completed 2017  
Kitchen renovations; Completed 2016  
New flooring on the first floor of the building; Completed 2018  
Updated phone system; Completed 2018  
Enhanced IT backup and security. Completed 2018  
Updated HVAC systems in both locations. Completed 2018

- 2. Please provide copies of award and rejection letters.**

- 3. Please provide financial information for the applicant and, if applicable, the proposed sub recipient or developer. Specifically, provide the annual budget for the current year including all existing debt.**

Please see attached budget.

**DIAKONIA FY19 BUDGET**  
**JULY 1, 2018-JUNE 30, 2019**

**REVENUE**

**Proposed Budget**

Contributions	\$110,000
Annual Appeal	\$40,000
Private Foundations/Grants	\$50,000
Special Events (Net)	\$50,000
United Way	\$75,000
Fed and State Government Fees & Grants	\$607,193
Local Government Support	\$92,500
Program Service Fees	\$3,000
Thrift Shop	\$130,000
Misc Revenue	\$1,000

**TOTAL REVENUE**

**\$1,158,693**

**EXPENSES**

**Proposed  
Budget**

Salaries	\$659,297
Employee Benefits	\$32,965
Payroll Taxes	\$46,151
Assistance to Individuals ESG/TFA	\$166,774
Conferences and Meetings	\$1,500
Computer Equipment, Maintenance & Software	\$20,000
Dues and Subscriptions	\$2,000
Repairs and Maintenance	\$24,000
Insurance	\$55,000
Office Expenses	\$5,000
Postage & Shipping	\$3,000
Printing/Publications	\$2,600
Professional Fees	\$26,000
Rent	\$32,400
Supplies	\$14,000
Training	\$5,000
Travel	\$5,000
Telephone	\$12,506
Utilities	\$40,000
Vehicle Expense	\$2,500
XD Discretionary Fund	\$500
Miscellaneous	\$2,500

**TOTAL EXPENSES**

**\$1,158,693**

**SURPLUS**

**(DEFICIT)**

**\$0**

**PART C**

**COMMUNITY SUPPORT AND INVOLVEMENT:** Describe community involvement with developing this project and application. Attach current letters of support for this project and the CDBG funding. *NOTE: This activity is separate from the public hearing(s).*

Diakonia is proud to report that local community members donate more than \$150,000 to support its operations each year. In addition, the United Way provides substantial funding and both Worcester County and other local jurisdictions provide direct support to Diakonia. Supporters donate more than \$1 million in food to Diakonia each year for the food pantry.

Diakonia has worked closely with the County Commissioners of Worcester County Government staff in developing all parts of this application. The County Commissioners of Worcester County Government, the Town of Ocean City, and the Town of Berlin are supportive of Diakonia's programs and projects.

Support letters are attached.

**PART E**

**NATIONAL OBJECTIVE:**

1. Projects must meet at least ONE of the national objectives. Please identify the national objective and the activity(s).
2. In the space below, provide narrative on proposed accomplishments.

**Low and Moderate Income Benefit - Limited Clientele (LMC) - Persons**

**Public Facility - Shelter Construction or Renovation**

50 # of current users / \_\_\_\_\_ # of new users

**Public Facility - Transitional Shelter/Units Construction or Renovation**

\_\_\_\_\_ # of persons to be assisted / \_\_\_\_\_ # units

**Public Services: Operating -**  **New**  **Increased**

\_\_\_\_\_ # of persons to receive services

**Public Services: Short Term Rental Assistance**

\_\_\_\_\_ # of persons to be assisted

**Low and Moderate Income Benefit - Housing (LMH) - Units**

**Rental - Rehabilitation of Permanent Units**

\_\_\_\_\_ # units

**Rental - Construction of Permanent Units**

\_\_\_\_\_ # units

**Construction of New Homeowner Units**

\_\_\_\_\_ # units

For housing activities, will requested funds be targeted to an area of minority concentration or a specific geographical area?  Yes  No  
If yes, provide an explanation as to why the specific area was targeted.

Will program income be generated by this activity?  Yes  No  
If yes, provide proposed Program Income Re-Use Plan as an attachment



**PART F**

**SOURCES AND USES OF FUNDS:** List each specific project activity separately (please break down the costs as far as possible). Type in the actual sources of other funding. Indicate whether funds are "L" for loan or "G" for grant. INDICATE STATUS OF FUNDS using "P" for pending, "C" for committed, "R" for received, "N" for no action. Attach commitment letters and cost estimates directly behind this page of the application. For administrative costs, indicate what portion of local contribution is cash and what portion is in-kind. **ALL PROJECTS MUST INCLUDE ADMINISTRATIVE COSTS FOR THE COUNTY OR MUNICIPAL APPLICANT.**

ACTIVITY	SOURCES OF FUNDS				TOTALS BY ACTIVITY	STATUS
	CDBG:	APPLICANT	OTHER:	OTHER:		
A1 Building 1 Critical Repairs	\$23,985				\$23,985	P
A2 Building 1 roof, gutters, siding, insulation	\$77,750				\$77,750	P
A3 Building 1 Replace roof of new building	\$41,300				\$41,300	P
A4 Building 2 Deferred maintenance in new building family units	\$25,713				\$25,713	P
81 Safety and security lighting, signage, individual lockers	\$33,630				\$33,630	P
82 Sprinklers, fire alarms, IT and HVAC		\$24,000			\$24,000	R
83 Handicapped access	\$65,750				\$65,750	P
84 Site Improvements; Shed replacement	\$6,097				\$6,097	P
85 Kitchen Upgrades		\$65,000			\$65,000	R
86 Laundry Upgrade	\$3,000				\$3,000	P
Project Admin. (Cash)	\$5,000				\$5,000	P
Project Admin. (In-Kind)		\$13,000			\$13,000	C
General Admin. (Cash)						
General Admin. (In-Kind)		\$5,000			\$5,000	C
<b>TOTALS BY SOURCES OF FUNDS</b>	\$282,225	\$107,000	\$	\$	\$389,225	

A1

Building One  
Critical Repairs

Available in County  
Administration office

**PART G**

**STAFFING AND PROJECT MANAGEMENT:** This section will discuss the capacity of the applicant to administer the project and how CDBG funds will be used for project administration costs. Project costs for engineering, architectural services and inspections are to be identified as separate line items in Part F.

1. Identify the primary person who will administer this project. Discuss their experience with CDBG regulations and requirements as well as past grant and project implementation.

Claudia Nagle, Executive Director of Diakonia will have primary responsibility for administering this project. She has many years of experience in administering and reporting on Federal grants including direct grants from the Department of Veterans Affairs.

Michael Diffendal, will support the project implementation and oversee the contractors. Mike has experience in development and facility management. His experience includes : COO of the 7<sup>th</sup> largest retail mall cooperation and Vice President of Gudelsky Group

2. Identify others who will assist in the administration of this CDBG project.

Kimberly Reynolds, Senior Budget Accountant

Worcester County Government

kreynolds@co.worcester.md.us

3. Amount of funds requested for Project Administration, if any: \$5,000

4. If Project Administration funds requested for staffing, please identify the following:

Person	# Hours Anticipated to Work on Project	Hourly Wage	Total Funds
Executive Director	135	37.00	\$5,000

5. If planning to use Project Administration funds for other expenses other than staffing, identify those expenses and estimated costs. Use additional paper if necessary.

Expenses	Estimated Costs

**PART H**

**PROJECT SCHEDULE: Using the anticipated month of grant award as the start of the activities, list all project activities and the anticipated dates for the start and end of specific activities. A CDBG grant agreement provides a 24-month implementation period so all activities to be paid for with CDBG funds must occur within this timeframe. If an activity is completed prior to application or award, indicate the actual dates.**

**EXAMPLE: CDBG funds are being requested for site acquisition and construction of a facility. The applicant provided the following schedule:**

<u>Activity</u>	<u>Begin</u>	<u>Completion</u>
Grant Award	October 1, 2018	
Environmental Review	October 2018	December 2018
Site Acquisition	January 2019	January 2019
Bidding & Selection	March 2019	May 2019
Construction	June 2019	October 31, 2020

**NOTE: An Environmental Review is the first step for every funded grant after award date**

<u>ACTIVITY</u>	<u>BEGIN</u>	<u>COMPLETION</u>	<u>RESPONSIBLE PERSON</u>
GRANT AWARD	October1		Applicant
ENVIRONMENTAL REVIEW	November 1	December 1	Applicant
Bidding & Selection	January 15,2019	February 15,2019	Diakonia
Renovation/ Construction	March 1, 2019	September 30,2019	Vendors
Review and Acceptance	June 1,2019	November 1, 2019	Diakonia & County Staff



**PART J**

**ACQUISITION / RELOCATION: All acquisition of property must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act.**

1. Has site control been secured?  Yes  No If yes, explain how:

N/A

2. Has an option been secured?  Yes  No If yes, explain how:

3. Estimated cost of acquisition:  
\$

4. Sources of funds for acquisition:

5. Number of parcels to be acquired:  
Residential: \_\_\_\_\_  
Business \_\_\_\_\_

6. Will acquisition be done with eminent domain if needed?  
 Yes  No

7. Is acquisition of easements required?  Yes  No  
If yes, did applicant include costs associated with the Uniform Act?  Yes  No

8. Has anyone been forced to move from the site within the three months prior to the initial application for funds?  Yes  No  Unknown  
If yes, explain:

9. Estimated cost of relocation:  
\$

10. Sources of funds for relocation:

# Units in Property(s) _____	Number of Units Occupied at time of application		Number of Occupants to be Displaced	Number of Occupants to Remain	
	Owner	Tenant		Total	Temporarily Relocated
Residential					
Business					

10. Do the activities of this project trigger the one-for-one replacement housing requirements?  Yes  No  
If yes, discuss how you plan to meet these requirements.

11. If property is to be leased, describe lease terms.

**PART K**

**PROCUREMENT:**

- 1. Describe any major procurement anticipated to be undertaken with CDBG funds for this project:**
- 2. Describe the method that will be utilized by the applicant in procuring the goods and services described above. (i.e., competitive sealed bids, competitive negotiation, etc.)**

**NOTE: No CDBG funds can be used to pay for any contractor or firm on retainer.**

**All construction work will be acquired through competitive negotiation. RFPS with detailed specifications will be issued for each project to a minimum of four contactors with the capacity to complete the projects.**

**Responsive proposals will be reviewed and the top three proposals, considering price, timeliness, quality of materials proposed and references provided by the contractor will be selected for competitive negotiation. After best and final proposal are received, the proposal which offers the best overall value to Diakonia, Inc. and to the County Commissioners of Worcester County will be selected, subject to available funds.**

**PART L**

**FAIR HOUSING/EQUAL OPPORTUNITY: Applicants certify that a grant will be conducted and administered in conformity with applicable federal fair housing and equal opportunity laws and regulations. Complete the following to show what steps have been taken by the jurisdiction in these areas.**

1. Does the jurisdiction have written employment and personnel policies and practices with equal opportunity guidelines?  Yes  No
2. In the past three years, have any complaints of discrimination in employment been filed against the jurisdiction by employees or applicants regarding employment?  Yes  No  
If yes, please explain:

3. Has the jurisdiction adopted a fair housing ordinance?  Yes  No

4. Has the jurisdiction taken any actions to affirmatively further fair housing through activities such as land development, zoning, site selection policies or programming or needs assessment?  Yes  No If yes, please describe: **The County Commissioners of Worcester County commit to affirmatively further fair housing in our community. Our programs will be administered in accordance with our efforts to provide a range of fair housing choices to our citizens. The County will undertake the following activities on an annual basis:**

**-Adopt a Fair Housing Proclamation and celebrate the month of April as Fair Housing Month.**

**-Review local zoning laws and building codes to determine if they impact fair housing choice.**

5. Are there fair housing advocates or agencies that work in your county? If yes, who are they? Have they informed you of either public or private issues or complaints regarding discrimination?

**The Shore Housing Resource Board is a non-profit that operates in the Tri-County area to promote fair housing. Their website is shorehousingrb.com. They have not informed the County Commissioners of Worcester County Government of any issues in regard to discrimination.**

6. Are all buildings owned and occupied by the jurisdiction that are open to the public in compliance with the Americans with Disabilities Act? If not, which ones, and what are the plans to bring them into compliance?

**Yes, all buildings owned and occupied by the County Commissioners of Worcester County are compliant with the ADA.**



**PART M**

**ENVIRONMENTAL IMPACT:** Please complete the following information related to your overall project to the best of your knowledge. Please provide copies of any letters or other information received to date from state and/or federal agencies about your project.

1. If your project located in a floodplain per the current or proposed FEMA maps?  
 Yes  No
2. Is your project located in tidal or non-tidal wetlands?  Yes  No
3. Will your project involve the renovation or rehabilitation of a building that is at least 50 years old or is located in a national historic register district?  Yes  No
4. Will your project involve or impact an archaeological site?  Yes  No
5. Will your project impact any wildlife that is threatened or endangered?  Yes  No
6. Will your project involve the abatement or removal of asbestos from a building?  
 Yes  No
7. Will your project involved the abatement or removal of lead paint from a building?  
 Yes  No

If you answered YES to any of the above questions, please ensure that your schedule and budget take any mitigation or corrective actions into account. If you are already aware of required mitigation or corrective actions that will have to be taken, please describe below:

There are two buildings involved in this project. One of the buildings was built in 1930's and has been updated in the past, it is not located in a historic register district. There does not seem to be any asbestos or lead paint in the building. Since this building is older, we may find some unanticipated materials once we begin reconfiguring the upstairs bathroom.

The other building was completed in 2001 and does not have lead or asbestos and is not located in national historic register district.

## STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies that it:

1. has adopted and maintains a written Citizen Participation Plan in accordance with the citizen participation requirements for the Community Development Block Grant (CDBG) Program at the Code of Federal Regulations 24 Part 570.486; and
2. held a public hearing and provided appropriate notice to ensure participation of citizens in the development the project and of this application for CDBG funding; and
3. assures that all reasonable steps have been taken to minimize the displacement of persons as a result of CDBG assisted activities identified in this application; and
4. in the event that our project does trigger displacement of persons, we will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49CFR Part 24 and it has in effect and is following a Residential Anti-Displacement and Relocation Assistance Plan required under Section 104(d) of the Housing and Community Development Act of 1974, 42 U.S.C. § 5304(d), as amended, in connection with any activity assisted with funding under the CDBG Program; and
5. will not attempt to recover any capital costs of public improvements assisted with CDBG funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than with CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds if the State certifies that it lacks CDBG funds to cover the assessment; and
6. will conduct and administer grant in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations and agrees to take action to affirmatively further fair housing; and
7. has adopted or will adopt and enforce:
  - a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
8. will certify, to the best of the certifying official's knowledge and belief, that:
  - a) no Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement; and

- b) if any funds other than Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form- LLL, Disclosure Form to Report lobbying in accordance with its instructions; and
  - c) it will require that the language of paragraphs (a) and (b) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
9. will adhere to federal and state Code of Conduct standards relative to conflict of interest restrictions and financial disclosure requirements for local elected officials and candidates; and
10. will prevent fraud, waste and abuse of federal funds and ensure that funds are expended on activities that are reasonable and necessary;
11. will comply with the provisions of Title I of the Housing and Community Development Act of 1974, 42 U.S.C. § 5301 et seq., as amended, Title 24 CFR Part 570, and with other applicable State and Federal laws if awarded this grant; and
12. will ensure that, if applicable, any subrecipient, developer or business will comply with all regulations, policies and laws that govern this grant.

I declare that I am duly authorized to make these certifications on behalf of the applicant and certify that the above actions have or will be taken.

Diana Purnell, President  
Typed Name and Title  
Chief Elected Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RESOLUTION AUTHORIZING THE FILING OF A  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
TO FUND THE DIAKONIA EMERGENCY HOUSING RENOVATION PROJECT  
IN WORCESTER COUNTY, MARYLAND**

WHEREAS, the State of Maryland through the Department of Housing and Community Development (DHCD) has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant Program (CDBG); and

WHEREAS, Worcester County is eligible to apply for funds from the Maryland CDBG program through the Maryland Department of Housing and Community Development (DHCD); and

WHEREAS, the County Commissioners of Worcester County, Maryland held the required public hearing on September 4, 2018 related to the formulation of Worcester County's CDBG Application; and

WHEREAS, the Worcester County Commissioners understand and acknowledge that they would be responsible for completion of grant activities and any corrective actions including the repayment of funds if necessary.

NOW, THEREFORE, BE IT RESOLVED, that the County Commissioners of Worcester County, Maryland hereby authorize the submittal of an application for Community Development Block Grant funds in the amount of \$282,225 for the Diakonia Emergency Housing Renovation Project; and

AND BE IT FURTHER RESOLVED, that Commission President Diana Purnell is authorized and empowered to execute any and all documents required for the submission of the application.

PASSED AND ADOPTED 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

**MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**  
Certification Regarding Debarment and Suspension

Instructions

---

All CDBG grantees will be required to do debarment checks on all subrecipients and anticipated contractors receiving CDBG funds. This applies to labor contractors, engineers, consultants, architects, etc. These checks will be completed by using the form provided. The completed form should be placed in your CDBG records in a separate folder.

For proposed subrecipients, the checks must be completed prior to submission of the application. Upon award of grant funds, the checks must be completed by you prior to signing a contract for services.

*Note: Debarment checks for construction contractors will still be completed by the CDBG Labor Standards Officer.*

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989 Federal Register (pages 4722-4733).

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
  
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective shall attach an explanation to this proposal.

**Grantees should use the System for Award Management (SAM) web-site to determine if the potential contractor or engineering firm is excluded from receiving Federal contracts. The web-site can be found at [www.sam.gov](http://www.sam.gov)**

# MARYLAND CDBG PROGRAM

## Debarment Check

---

Name of Contractor (sub-recipient) Diakonia, Inc.  
(Legal)

Contractors Address 12747 Old Bridge Road Ocean City, MD 21842

Date Debarment Check Completed 8/30/18

### CERTIFICATION SIGNATURE:

**SIGNATURE:** By signing this Certification page, you certify that you performed the necessary actions to complete the debarment check and certifying that this contractor is not debarred or suspended.

Grantee Name: County Commissioners of Worcester County

Program Name: Maryland CDBG Program

Chief Elected Official or Designee: Diana Purnell, President

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*(Signed Certifications are to be kept in CDBG project files)*

April 2, 2013

**A NEW WAY TO SIGN IN** - If you already have a SAM account, use your **SAM email** for login.gov.

[Log In](#)  
[Login.gov FAQs](#)

**ALERT - June 11, 2018:** Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Read our updated FAQs to learn more about changes to the notarized letter review process and other system improvements.

# Search Results

**Current Search Terms: diakonia\* inc\***

Your search for "diakonia\* inc\*" returned the following results...

**Notice:** This printed document represents only the first page of your SAM search results. More results may be available. To print your complete search results, you can download the PDF and print it.

<b>Entity</b>	DIAKONIA INC	<b>Status:</b> Active
<b>DUNS:</b> 021599639	<b>CAGE Code:</b> 55R07	<a href="#">View Details</a>
<b>Has Active Exclusion?:</b> No	<b>DoDAAC:</b>	
<b>Expiration Date:</b> 06/15/2019	<b>Debt Subject to Offset?:</b> No	
<b>Purpose of Registration:</b> All Awards		



- Search Records
- Data Access
- Check Status
- About
- Help
- Disclaimers
- Accessibility
- Privacy Policy
- FAPIS.gov
- GSA.gov/IAE
- GSA.gov
- USA.gov

IBM v1.P.18.20180820-1228

WWW1

This is a U.S. General Services Administration Federal Government computer system that is "FOR OFFICIAL USE ONLY." This system is subject to monitoring. Individuals found performing unauthorized activities are subject to disciplinary action including criminal prosecution.

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A NEW WAY TO SIGN IN - If you already have a SAM account, use your SAM email for login.gov.

Log In  
Login.gov FAQs

ALERT - June 11, 2018: Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Read our updated FAQs to learn more about changes to the notarized letter review process and other system improvements.

# Entity Dashboard

- [Entity Overview](#)
- [Entity Registration](#)
  - ▶ [Core Data](#)
  - ▶ [Assertions](#)
  - ▶ [Reps & Certs](#)
  - ▶ [POCs](#)
- ▶ [Exclusions](#)
  - ▶ [Active Exclusions](#)
  - ▶ [Inactive Exclusions](#)
  - ▶ [Excluded Family Members](#)

## DIAKONIA INC

DUNS: 021599639 CAGE Code: 55R07  
Status: Active

12747 OLD BRIDGE RD  
OCEAN CITY, MD, 21842-9243,  
UNITED STATES

Expiration Date: 06/15/2019  
Purpose of Registration: All Awards

### Entity Overview

#### Entity Registration Summary

Name: DIAKONIA INC  
Business Type: Business or Organization  
Last Updated By: Claudia Nagle  
Registration Status: Active  
Activation Date: 07/07/2018  
Expiration Date: 06/15/2019

#### Exclusion Summary

Active Exclusion Records? No



IBM v1.P.18.20180820-1228

WWW1

- [Search Records](#)
- [Data Access](#)
- [Check Status](#)
- [About](#)
- [Help](#)
- [Disclaimers](#)
- [Accessibility](#)
- [Privacy Policy](#)
- [FAPIS.gov](#)
- [GSA.gov/IAE](#)
- [GSA.gov](#)
- [USA.gov](#)

This is a U.S. General Services Administration Federal Government computer system that is "FOR OFFICIAL USE ONLY." This system is subject to monitoring. Individuals found performing unauthorized activities are subject to disciplinary action including criminal prosecution.

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**DRAFT**

September 4, 2018

Ms. Cindy Stone  
Office of Community Programs  
Division of Neighborhood Revitalization  
Maryland Dept. of Housing & Community Development  
7800 Harkins Road  
Lanham, MD 20706

Re: Diakonia Inc. CDBG application

Dear Ms. Stone,

The County Commissioners of Worcester County, Maryland support Diakonia Inc.'s application for a Community Development Block Grant to cover renovation costs for Diakonia's Emergency Housing facility, a 38 bed facility, located in Ocean City, MD. Diakonia, a 501(c)3 nonprofit organization, is requesting funding of \$300,000 through the CDGB program to address the focus area of homelessness.

Diakonia provides essential housing services for men, women and families who are experiencing homelessness. The shelter also offers housing options for homeless veterans across the lower shore. The requested funding will facilitate essential renovations to the buildings that house homeless individuals and families.

The funding will make it possible to improve access for individuals and families and preserve the valuable resources of the Emergency Shelter Facility. We believe this funding will provide the resources necessary for Diakonia to continue delivering high-quality services to those experiencing homelessness across the Lower Shore.

The County Commissioners of Worcester County, Maryland are looking forward to the opportunity to work with the Diakonia Inc. to provide shelter for individuals in need and to address the growing problem of homelessness on the Lower Shore. Worcester County Government currently provides an annual non-profit grant to Diakonia to help with maintenance and operations of the shelter.

Ms. Cindy Stone  
September 4, 2018  
Page 2

We urge you to fully fund Diakonia's request for this CDBG allocation. Thank you for your consideration and ongoing support of Diakonia's Homeless Housing Program. Please feel free to contact either me or Harold L. Higgins, Chief Administrative Officer, at 410-632-1194, if you need any additional information.

Sincerely,

Diana Purnell  
President

DP:kh

cc: Kim Reynolds, Budget Officer  
Claudia Nagle, Diakonia



LOUIS H. TAYLOR  
Superintendent of Schools

H. STEPHEN PRICE  
Chief Safety Officer

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

VINCENT E. TOLBERT, CPA  
Chief Financial Officer

ANNETTE E. WALLACE, Ed.D.  
Chief Operating Officer

# The Board of Education of Worcester County

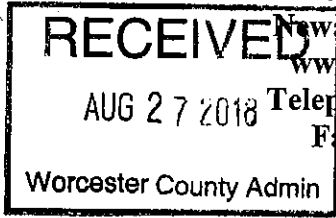
6270 Worcester Highway

Newark, Maryland 21841

www.worcesterk12.org

Telephone: (410) 632-5000

Fax: (410) 632-0364



2

Board Members

WILLIAM L. GORDY  
President

ERIC W. CROPPER, SR.  
Vice-President

BARRY Q. BRITTINGHAM, SR.

J. DOUGLAS DRYDEN

ELENA J. MCCOMAS

ROBERT A. ROTHERMEL, JR.

SARA D. THOMPSON

August 23, 2018

Mrs. Diana Purnell  
Worcester County Commissioners  
Worcester County Government Center  
One W. Market Street, Room 1103  
Snow Hill, Maryland 21863-1195

*Copy: Kathy Whitaker  
Phil Thompson*

Dear President Purnell:

To address increased special education, transportation and maintenance costs experienced in FY18, the Board of Education is requesting your approval of the categorical budget transfers described in the attached Inter-category Budget Transfers and Budget Amendment for the year ended June 30, 2018. Expenditures in the area of Special Education were higher than planned due to an increase in the number of staff required to adequately address the needs of our students with disabilities and the increased costs of out-of-county placements. The budget category of Student Transportation exceeded the original budget allocation due to several items including the costs of athletic transportation for our high schools, after-school transportation and the increasing costs of providing transportation to our homeless students. The budget category of Maintenance of Plant exceeded the original budget allocation due to the increasing cost of repairs and supplies to aging HVAC units at our school buildings. As shown in the attachment, the increase in the categories of Special Education, Student Transportation and Maintenance of Plant will be offset by a reduction in the category of Instructional Salaries. After review, the Board of Education approved these transfers at their meeting on August 21, 2018.

As outlined in the budget amendment, the total budget appropriation for FY18 did not change. These budgetary transfers are necessary to align our budget with actual FY 2018 categorical expenditures as we complete our year-end closeout process. We deeply appreciate your continued support of the Worcester County Public School System. Should you have any questions or concerns, please contact me.

Sincerely,

Louis H. Taylor  
Superintendent of Schools

pc: Members of the Board of Education  
Mr. Vince Tolbert



**BOARD OF EDUCATION OF WORCESTER COUNTY**

***INTER-CATEGORY BUDGET TRANSFERS and BUDGET AMENDMENT***

**FY 2018 - JUNE 30, 2018**

Three categories of the FY 2018 Unrestricted Operating Budget have expenditures that exceed the amount allocated. In order to properly account for this variance, the following transfers are being submitted to the Board of Education at their meeting on August 21, 2018. In compliance with Maryland law, these transfers will be submitted to the Worcester County Commissioners for approval.

**REDUCE THE FOLLOWING EXPENDITURE CATEGORIES:**

	<b><u>APPROVED</u></b> <b><u>AMOUNT</u></b>	<b><u>AMENDED</u></b> <b><u>AMOUNT</u></b>	<b><u>CHANGE</u></b>
<b>INSTRUCTIONAL SALARIES</b>	<b>42,268,258</b>	<b>41,717,663</b>	<b>-550,595</b>
<b>TOTAL OPERATING BUDGET REDUCTIONS</b>			<b>-\$550,595</b>

**INCREASE IN TOTAL OPERATING BUDGET - Additional Revenues**

<b>FY18 SUPPLEMENTAL APPROPRIATION</b>	<b>\$0</b>
<b>ADDITIONAL REVENUES</b>	<b>0</b>
<b>TOTAL OPERATING BUDGET INCREASE</b>	<b>0</b>
<b>ORIGINAL APPROVED OPERATING BUDGET</b>	<b><u>103,424,850</u></b>
<b>REVISED TOTAL OPERATING BUDGET</b>	<b>\$103,424,850</b>

**BOARD OF EDUCATION OF WORCESTER COUNTY**

***INTER-CATEGORY BUDGET TRANSFERS and BUDGET AMENDMENT***

**FY 2018 - JUNE 30, 2018**

**INCREASE THE FOLLOWING EXPENDITURE CATEGORIES:**

<b>SPECIAL EDUCATION</b>	<b>\$9,823,068</b>	<b>\$10,125,562</b>	<b>\$302,494</b>
--------------------------	--------------------	---------------------	------------------

Costs in the area of Special Education were higher than budgeted due to an increase in the number of staff required to adequately address the needs of our students with disabilities and an increase in the costs related to non-public placements.

<b>STUDENT TRANSPORTATION</b>	<b>\$6,308,165</b>	<b>\$6,526,399</b>	<b>\$218,234</b>
-------------------------------	--------------------	--------------------	------------------

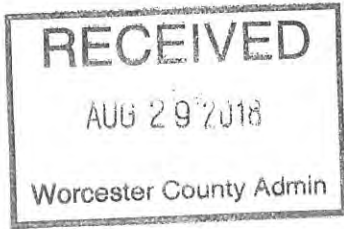
Areas in this category experiencing increased costs include athletic transportation for our high schools, after-school programs transportation and transportation for our homeless students.

<b>MAINTENANCE OF PLANT</b>	<b>\$1,069,536</b>	<b>\$1,099,403</b>	<b>\$29,867</b>
-----------------------------	--------------------	--------------------	-----------------

This transfer is necessary to cover the increasing cost of maintaining our school buildings. The costs of HVAC and other repairs and supplies continue to escalate.

**SUMMARY OF TOTAL INCREASES IN EXPENDITURE CATEGORIES:**

<b>TOTAL OPERATING BUDGET CATEGORY INCREASES</b>	<b>\$550,595</b>
<b>LESS TRANSFERS FROM OTHER CATEGORIES</b>	<b><u>-550,595</u></b>
<b>INCREASE IN OPERATING BUDGET</b>	<b>\$0</b>
<b>ORIGINAL APPROVED OPERATING BUDGET FY 2018</b>	<b><u>103,424,850</u></b>
<b>TOTAL REVISED OPERATING BUDGET FY 2018</b>	<b>\$103,424,850</b>



3

FRED E. WEBSTER, JR.  
DIRECTOR

EMERGENCY SERVICES  
**Worcester County**  
GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1002  
SNOW HILL, MARYLAND 21863-1193  
TEL: 410-632-1311  
FAX: 410-632-4686

To: Harold Higgins, Chief Administrative Officer  
From: Fred Webster, Director of Emergency Services   
Re: CodeRED Renewal  
Date: 27 August 2018

---

The Department of Emergency Services is requesting to renew its contract with OnSolve LLC, provider of the CodeRED mass notification system for another 3-year period. Funding for the renewal will be covered by State Homeland Security Grant Program (SHSGP) funds.

We've activated this system over 12 times in the past year which is about average for a normal year. Messages range from flooding events to government office closings due to snow storms. The system has launched multiple other times for National Weather Service storm notification messages which go to anyone who has signed up to automatically receive the alerts. This feature allows us to maintain our National Weather Service *StormReady* certification.

I'm available to answer any questions you may have.



780 West Granada Blvd | Ormond Beach, FL 32174

866.939.0911 | onsolve.com

June 4, 2018

James Hamilton, Assistant Director  
Worcester County Board of County Commissioners, MD  
1 West Market Street, Room 1002  
Snow Hill, MD 21863

Dear Mr. Hamilton:

The current CodeRED® NEXT Services Agreement and Addenda (collectively, the "Agreement") for the Worcester County Board of County Commissioners, MD will expire at 12:01 am on September 4, 2018. The Agreement contains a clause that enables us to renew it at the same price, with the same terms and conditions, providing both parties agree to the renewal. We would like to renew the Agreement for the period of September 4, 2018 through September 3, 2021, for a total cost of thirty-seven thousand five hundred dollars (\$37,500.00) (\$37,500 for CodeRED®, \$0.00 for CodeRED Weather Warning® and \$0.00 for IPAWS Submission App), which may be paid in annual installments of twelve thousand five hundred dollars (\$12,500.00) per year. This pricing is only valid if all services are renewed.

If you agree to this extension, please complete and return the endorsement below by August 3, 2018, via fax at 386-676-1127 or by email at [Jodi.Baker@onsolve.com](mailto:Jodi.Baker@onsolve.com)

If you have any questions regarding the submission of this form or renewal process, please contact me at 386-676-0294 ext. 1170. If you have any questions regarding the details of the Agreement, you may contact our general counsel, Leanne Siegfried at ext. 1208, who will set up a call with the appropriate member of our team who is best able to answer your questions.

Sincerely,

Jodi Baker  
Contract Manager

-----  
Renewal Agreement Endorsement for the Worcester County Board of County Commissioners, MD

**Please sign below if you would like to renew the Agreement.**

If you do not wish to renew the Agreement please call 888-848-6337 and speak with Leanne Siegfried, who may refer you to the appropriate member of our team, so we can begin the account deactivation process.

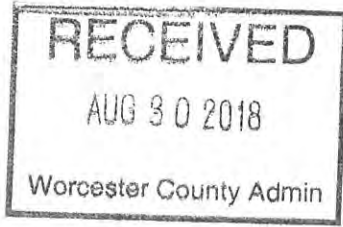
**Worcester County Board of County Commissioners, MD**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_




4

FRED E. WEBSTER, JR.  
DIRECTOR

EMERGENCY SERVICES  
**Worcester County**  
GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1002  
SNOW HILL, MARYLAND 21863-1193  
TEL: 410-632-1311  
FAX: 410-632-4686

To: Harold Higgins, Chief Administrative Officer

From: Fred Webster, Director of Emergency Services 

Re: Radio System Status Update

Date: 28 August 2018

---

Included in this memo are actions taken in regards to the Worcester P25 radio system since the last Commissioners meeting.

Over the last two week period, a single user submitted trouble report has been received that is believed to be associated with a radio actively changing between tower sites at the moment that the push-to-talk button was depressed. Follow up will include checking the software version being run on the affected radio.

Work began the week of 20 August on installation of the microwave dishes and microwave radios at both Central Site Lane and at Mystic Harbour. All tower work and radios were completed by Thursday 23 August and the microwave has been transmitting signal since that time. Harris has assigned Daniel Jolaoye, our project system engineer, to look at the data to determine if there were any issues between the two sites. He arrived on site Monday 27 August. The tower is not live at this time, only exchanging data between the two towers.

On Friday 24 August, engineers from Federal Engineering (FE) and County staff participated in a conference call to discuss findings of their initial review of the contract and Harris Corporation's proposed plan for completion of field testing of the system during the week of 27 August. FE recommended to have Harris complete coverage testing for the 14db and 20db areas not just the north end grids that failed during the initial testing.

On Monday 27 August, County staff participated in a conference call with Harris and FE. There was a lengthy discussion on the specifications for the original coverage acceptance test plan (CATP), results of those tests and how to proceed with testing of the addition of the Mystic site and chances to the Berlin site. FE is recommending retesting of both the 20dB and 14dB areas for bit error rate (BER).



Additionally, the 14dB area testing should include delivered audio quality (DAQ)<sup>1</sup> testing that had not previously been conducted in the additional 14dB area. At the end of the call, Harris staff agreed to come up with a plan to deliver on what the County and FE were asking for.

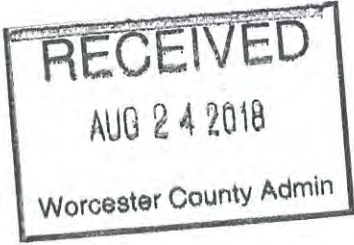
Another call took place on Tuesday 29 August, where language was agreed to regarding retesting most of the grids in the County that both passed and failed to insure integrity of the testing process. Testing is to include all 14dB and 20dB BER areas and 14dB DAQ within the 115 square miles of the boundary areas added in Amendment 4 and not previously tested at the defined attenuation. All effort will be made by both Harris staff teamed with Department of Emergency Services (DES) staff to complete the drive testing by 7 September in order to meet the foliage deadline. All test data collected will be turned over to the County as well as FE. Harris will agree to provide the County with the configuration and optimization data for the Mystic site prior to initiation, the CATP and the drive test vehicle(s) technical parameters and settings (e.g. attenuator levels, antenna heights in vehicle, etc.) and will not make any modifications to the site or network configurations without prior written consent by the County.

On Wednesday morning 29 August the Mystic site was put online as the systems 6<sup>th</sup> site. Both Harris engineering staff, as well as County staff, were onsite. As stated in the previous paragraph drive testing, to include signal from this site, is set to begin this week and continue up until Friday 7 September.

Please let us know if there are any questions.

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<sup>1</sup> DAQ is audio quality judged by a person at a radio console on a scale of 1.0, unusable speech to 5.0 defined as speech easily understood.



5

DEPARTMENT OF  
ECONOMIC DEVELOPMENT

## Worcester County

**TO:** Worcester County Commissioners  
Harold L. Higgins, Chief Administrative Officer  
**FROM:** Kathryn Gordon, Deputy Director   
**DATE:** August 23, 2018  
**RE:** Worcester County Economic Development Progress Report

\*\*\*\*\*

This memo is to report projects planned and complete since January of this year.

- 1. Capital Infusion Requests** – To date, I have assisted eight Worcester County businesses seeking funding for start-ups, expansion, equipment purchases, and/or improvements and renovations apply for and receive approval for funding for a total of \$1,106,000. In addition, there are seven Worcester County businesses currently in the review/approval process with a total of \$7,258,000.

Worcester County Investments		1/1/18 - 7/31/18	
NAICS (1st 2)			
54	Approved	\$ 1,000	
72	Approved	\$ 40,000	
44	Approved	\$ 33,000	
72	Approved	\$ 100,000	
72	Approved	\$ 92,000	
32	Approved	\$ 40,000	
44	Approved	\$ 700,000	
44	Approved	\$ 100,000	
	<b>Total</b>		<b>\$ 1,106,000</b>
54	In Process	\$ 100,000	
81	In Process	\$ 700,000	
72	In Process	\$ 303,000	
44	In Process	\$ 35,000	
31	In Process	\$ 1,000,000	
72	In Process	\$ 5,000,000	
31	In Process	\$ 120,000	
	<b>Total</b>		<b>\$ 7,258,000</b>

2. **Business Workshops/Sessions** – To connect with the local business community, build relationships, and increase awareness on what my office can help with, I began offering workshops that focus on available resources that help with business success.
  - a. **Small Business Development Center (SBDC) and Ready, Set, Grow** – My office, in partnering with SBDC, hosted a 3-part workshop series focusing on the steps necessary in starting a business. The first two workshops focused on the basic start up steps and what is needed when creating a business plan. We are finalizing the date for the third workshop that focuses on financial projections that are required when applying for funding.
  - b. **Department of General Services (DGS) and Government Contracting** – We hosted a business opportunities information session on contracting opportunities with the State of Maryland for Worcester County businesses. This session gave an overview on what products and services DGS looks for, the requirements to working with DGS, the process on bidding for contracting projects, and how to take advantage of special certifications for small and minority owned businesses.
3. **Pocomoke City** – I have had several conversations with City Manager Robert Cowger on programs and services that can assist Pocomoke and their goal in revitalizing the downtown and surrounding commercial development. The Pocomoke Industrial Park has property available for development listed on our website and we are actively connecting with manufacturing facilities that are looking to expand into new markets. I am emphasizing the access to several major U.S. highways within a 30 mile radius of Pocomoke City.
4. **Maryland Opportunity Zones** - Created under the 2017 Tax Cuts and Jobs Act, this program provides federal tax incentives in distressed communities over the next 10 years. Worcester County received three designated Opportunity Zone areas – Snow Hill, Berlin, and downtown Ocean City. Our designated areas will reap the benefits of capital gains to help redevelop our underserved communities. The above \$5 million funding request is through the Opportunity Zone Fund in one of our designated communities. I am working with DHCD on scheduling a presentation for the lower eastern shore counties with designated opportunity zones for businesses, realtors, and developers that may be interested in investing in their communities.

Date: April 17, 2018

Time: 6 – 8pm

*Ocean Pines Community Center*

*Assateague Room*

*235 Ocean Parkway*

*Ocean Pines, MD 21811*



**Ready, Set, Go!**  
**Workshop**  
**for New**  
**Businesses**

*Do you think you have a great business idea, but aren't sure if you're ready to start your own business? This class provides a basic overview of what you need to know in order to decide whether business ownership is right for you. Topics include: feasibility, financial and loan possibilities, pitfalls to avoid, starting a business plan, and additional training and resources you will need to ensure your business is successful!*

**Facilitator: Tim Sherman, SBDC Consultant**

**RSVP Kathy: 410.632.3112**

**Email: [kshubert@co.worcester.md.us](mailto:kshubert@co.worcester.md.us)**



## ***Business Plan Basics***

**When: June 5th**

**Where: Worcester County Library, Snow Hill Branch  
307 North Washington Street  
Snow Hill, Maryland 21863**

**Time: 9am-11am**

**Cost: Free**

Learn the basic elements of a business plan and how to structure writing an effective plan to maximize your loan potential!

To RSVP contact Kathy Shubert  
kshubert@co.worcester.md.us 410-632-3112

or

Register Online at Eventbrite  
<https://www.eventbrite.com/e/business-plan-basics-workshop-for-new-businesses-tickets-46010451499>



*Accredited to provide technology commercialization assistance.*

Worcester County  
**ECONOMIC  
DEVELOPMENT**



**The Maryland Department of General Services,  
The Small Business Development Center  
and  
Worcester County Economic Development  
*present***

**Contracting Opportunities in and Around Worcester County**

**a Business Opportunities Information Session**

**Tuesday, August 14, 2018  
10:00 a.m. to 11:30 p.m.**

**Worcester County Government Center  
One West Market Street  
Snow Hill, MD 21863**

**Learn the ins and outs of doing business with the  
Department of General Services (DGS)**

**Get answers to questions such as:**

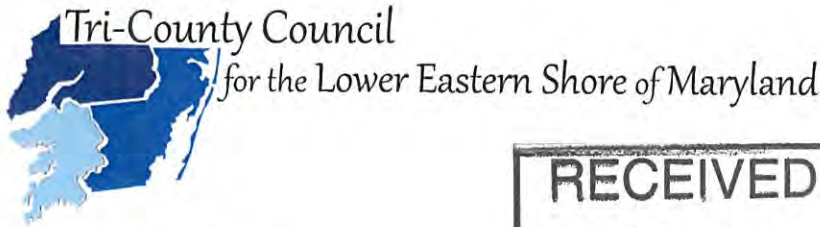
- What products and services does DGS buy?
- What are the requirements to working with DGS?
- What types of opportunities are available for my business?
- How can I find out about large and small contracting opportunities?



**To register to attend this FREE event visit**

<https://boisworcesterco.eventbrite.com>

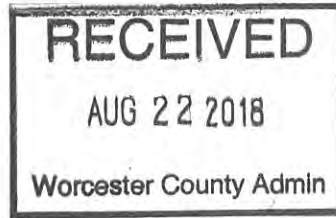




31901 TRI-COUNTY WAY  
SUITE 203  
SALISBURY, MARYLAND 21804  
PHONE: 410-341-8989  
FAX: 410-341-8988  
WWW.LOWERSHORE.ORG

August 20, 2018

Diana Purnell  
President  
Worcester County Commissioners  
1 West Market Street, Room 1103  
Snow Hill, MD 21863



6  
Suggest sending a letter to  
Chambers of Commerce seeking  
volunteers to serve \*

Dear Mrs. Purnell,

The Lower Shore Workforce Alliance (LSWA) division of the Tri-County Council for the Lower Eastern Shore of Maryland (TCC) is funded through grants from the Maryland Department of Labor, Licensing and Regulation (DLLR). DLLR grant funding requirements are governed by the Federal Workforce Innovation and Opportunity Act (WIOA) regulations which requires that the majority of the Workforce Development Board (WDB) members represent business in our community. There are five business seats per county on the WDB. WIOA requires that each business member:

1. Be an owner, chief executive officer, chief operating officer, or other business executives or individual with optimum policymaking or hiring authority;
2. Provide employment opportunities in in-demand industry sectors or occupations;
3. Provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others; and
4. Be appointed from among individuals **nominated by local business organizations and business trade associations.**

The current WDB members for Worcester County are:

Worcester	Industry	Expiration
- Jason Cunha	Financial Services	9/30/19
- Bo Duke	Hospitality	9/30/21
- Geoff Failla	Healthcare	9/30/18
- Walt Maizel	Construction	9/30/20

At this time, we are requesting the appointment of two (2) members.

I would appreciate your prompt attention to this matter and if you have any questions, please contact me.

Sincerely,

Michael P. Pennington  
Executive Director



Serving Somerset, Wicomico and Worcester Counties



**LOWER SHORE WORKFORCE INVESTMENT BOARD**  
 (Previously Private Industry Council Board - PIC)

Reference: Workforce Investment Act of 1998, Section 117

Appointed by: County Commissioners

Functions: Advisory/Regulatory  
 Provide education and job training opportunities to eligible adults, youth and dislocated workers who are residents of Somerset, Wicomico and Worcester counties.

Number/Term: 24 - 5 Worcester County, 7 At-Large (by Tri-County Council), 12 Other  
 2, 3 or 4-year terms; Terms expire September 30

Compensation: None

Meetings: Quarterly (January, April, July, October) on the 2<sup>nd</sup> Wednesday

Special Provisions: Board must be at least 51% business membership.  
 Chair must be a businessperson

Staff Contact: Lower Shore Workforce Alliance  
 Milton Morris, Workforce Director (410-341-3835, ext 6)  
 One-Stop Job Market, 31901 Tri-County Way, Suite 215, Salisbury, MD 21804

Current Members (Worcester County - also members from Wicomico, Somerset and Tri-County Council):

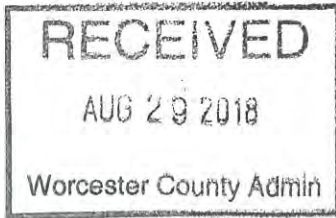
<u>Name</u>	<u>Resides/Agency</u>	<u>Term</u>	<u>Representing</u>
(Vacant)	(Berlin area)	17-21	Business Rep.
Geoffrey Failla	Whaleyville	*15-18	Business Rep.
Jason Cunha	Pocomoke	*16-19	Business Rep.
Walter Maizel	Bishopville	*12, 12-16, 16-20	Private Business Rep.
Robert "Bo" Duke	Ocean City	*17, 17-21	Business Rep.

*Replace*

Prior Members: Since

- |                           |                         |
|---------------------------|-------------------------|
| Baine Yates               | Heidi Kelley (07-08)    |
| Charles Nicholson (98-00) | Bruce Morrison (05-08)  |
| Gene Theroux (97-00)      | Margaret Dennis (08-12) |
| Jackie Gordon (98-00)     | Ted Doukas (03-13)      |
| Caren French (97-01)      | Diana Nolte (06-14)     |
| Jack Smith (97-01)        | John Ostrander (07-15)  |
| Linda Busick (98-02)      | Craig Davis (13-17)     |
| Edward Lee (97-03)        | Donna Weaver (08-17)    |
| Joe Mangini (97-03)       |                         |
| Linda Wright (99-04)      |                         |
| Kaye Holloway (95-04)     |                         |
| Joanne Lusby (00-05)      |                         |
| William Greenwood (97-06) |                         |
| Gabriel Purnell (04-07)   |                         |
| Walter Kissel (03-07)     |                         |





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](http://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: Harold L. Higgins, Chief Administrative Officer**  
**FROM: William Bradshaw, P.E., County Engineer** *WB*  
**Donna Bounds, Warden**  
**DATE: August 27, 2018**  
**SUBJECT: Worcester County Jail Building Improvements and Repairs**

This memo is a request for approval to proceed with the bidding phase of the Worcester County Jail Building Improvements and Repairs project which primarily includes mechanical HVAC renovations and electrical improvements. These plans and specifications have been prepared in response to equipment failures of the existing 1980's vintage equipment and review of equipment and systems which are most important to the operation of the facility.

As a result of prior work and authorization, Gipe Engineering is providing the detailed design drawings and specifications for the recommended work which includes the following:

- Replacement of kitchen ventilation and exhaust systems including conditioned make-up air.
- Replacement of main incoming electrical switchgear and associated equipment.
- Replacement of the generator and increasing size to provide backup power to the kitchen. Re-locating the generator outside of the mechanical/electrical room.
- Add a second water heater for the kitchen and original facility.
- Add a 500 square foot building addition to the existing mechanical/electrical room to accommodate replacement electrical switchgear.
- Replacement of broken HVAC equipment in the processing area.
- Replacement of building corridor HVAC equipment in select locations.
- Replacement of Gym Heating and Ventilating equipment with an option to add air conditioning.
- Replace Heating and Ventilation equipment in office/work areas including the chapel, barber shop, maintenance shop, classification office, and IT room to include air conditioning.

August 27, 2018

Re.: **Worcester County Jail Building Improvements and Repairs**

Page 2

- As an option, add make-up air equipment to the laundry ventilation system.

If approved, bidding will commence and the attached recommended bidders will be notified of the project with bids due in October. A contractor will then be recommended for approval to begin with material procurement before the 2018 year end with installation to follow during 2019. The construction schedule will be coordinated in phases to work with the facility operation. The kitchen phase will require a portable kitchen (rented by separate contract) operation for the duration of the phased work currently anticipated to be 45 days in duration. Other phases will require internal barricades to segregate construction from facility operations. The current work plan does not include alterations to housing unit facilities.

Project funding has been identified in the assigned fund balance as Jail Building Improvements and Repairs with approximately \$2.4 million remaining. In addition to the contract work there are other project costs including engineering, portable kitchen rental/setup, temporary fencing, and project contingency.

Attached to this memo is additional bid and detail information as follows:

Attachment 1 – Bid advertisement and notification

Attachment 2 – Recommended general and mechanical Contractors

Attachment 3 – Bid specifications index and bid drawings index

Please contact me if there are additional questions.

Attachments:

**DRAFT**

**NOTICE TO BIDDERS**

**Worcester County Jail HVAC and Electrical Renovations  
5022 Joyner Road, Snow Hill, Worcester County, MD**

The County Commissioners of Worcester County Maryland are currently soliciting bids for the Worcester County Jail HVAC and Electrical Renovations project. This project consists of HVAC renovations and supporting electrical renovations to portions of the existing Worcester County Jail. Bid documents, bid packages and proposal forms are available by contacting the County's Engineering Consultant, Gipe Engineering at 8719 Brooks Drive, Easton, Maryland; 410-822-8688; or by emailing a request to [lschultz@gipe.net](mailto:lschultz@gipe.net).

Interested contractors are encouraged to attend a **pre-bid meeting at 10:00 AM on Wednesday, September 19, 2018**, at the Worcester County Jail located at 5022 Joyner Road Snow Hill, MD 21863. **There will also be an opportunity to visit the worksite at 10:00 AM on Tuesday, September 25, 2018. Please notify William Bradshaw at [bbradshaw@co.worcester.md.us](mailto:bbradshaw@co.worcester.md.us) if you plan to join this second worksite visit.** Any subsequent visitation requests will not be granted. **Last day for bid questions shall be September 28, 2018.**

**Sealed bids will be accepted until 1:00 PM on Monday, October 9, 2018** in the Office of the County Commissioners, at Room 1103 – Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, at which time they will be opened and publicly read aloud. Envelopes shall be marked **“Proposal for Worcester County Jail HVAC/Electrical”** in the lower left-hand corner. After opening, bids will be forwarded to the County Engineer and Engineering Consultant for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the proposal, the Commissioners reserve the right to reject any and all proposals, waive formalities, informalities and technicalities therein, and to take whatever proposal they determine to be in the best interest of the County considering lowest or best proposal, quality of goods and work, time of delivery or completion, responsibility of subcontractors being considered, previous experience of subcontractors with County contracts, or any other factors they deem appropriate. **All inquiries shall be directed in writing before September 28, 2018 to Dave Hoffman at [dhoffman@gipe.net](mailto:dhoffman@gipe.net)**

All Bids shall be Lump Sum Amount, including allowances as scheduled. Each Bid shall be accompanied by a Bid Guaranty, which shall be either by a certified check made payable to the “County Commissioners of Worcester County, Maryland” or a Bond in the form and by a Surety company approved by the County Commissioners of Worcester County, Maryland in the amount of 5% of the Bid amount. All responsive bids shall be held valid for at least 90 calendar days after the Bid Opening Date.

Contractors that intend to submit an aggregate bid may purchase a hardcopy set of drawings and specifications from Gipe Associates, Inc. at the nonrefundable cost of \$150 per set, or an electronic set at the nonrefundable cost of \$50. Checks shall be made payable to “Gipe Associates, Inc.” Gipe Associates will be maintaining a bidder's list for review by other bidders, subcontractors and suppliers. Only bidders identified on the list shall receive copies of addenda, clarifications or other bid revisions.

Additional drawings and specifications for contractors, subcontractors or suppliers are available at cost from Gipe Associates, Inc., 8719 Brooks Drive, Easton, MD 21601, (410)822-8688.

## Attachment 2

### Worcester County Jail Building Improvements and Repairs Recommended Bidders List

#### General Contractors

<b>Willow Construction</b> 400 Maryland Avenue Easton, MD 21601 (410) 822-6000 (410) 820-7392-fax ATTN: Andy Cheezum <a href="mailto:sales@willowconstruction.com">sales@willowconstruction.com</a>	<b>Gillis Gilkerson, Inc.</b> 212 West Main Street Salisbury, MD 21801 (410) 749-4821 (410) 742-7934-fax ATTN: Dwight Miller <a href="mailto:dmiller@gillisgilkerson.com">dmiller@gillisgilkerson.com</a>
<b>Whiting-Turner</b> 100 West Main Street Salisbury, MD 21801 410-808-6428 <a href="mailto:scott.saxman@whiting-turner.com">scott.saxman@whiting-turner.com</a>	<b>Scheibel Construction</b> 115 Prospect Drive Huntingtown, MD 20639 (301) 855-7900 <a href="mailto:RBailey@scheibelconstruction.com">RBailey@scheibelconstruction.com</a>
<b>Harper and Sons, Inc.</b> 9071 Centreville Road Easton, MD 21601 (410) 820-2000 (410) 819-6679-fax ATTN: Benson Harper <a href="mailto:BHarper@Harperandson.com">BHarper@Harperandson.com</a>	<b>Bancroft Construction Company</b> 1300 N. Grant Avenue, Suite 110 Wilmington, DE 19806 (302) 275-5105 <a href="mailto:taugust@bancroftusa.com">taugust@bancroftusa.com</a>
<b>BBCS, Inc, Beauchamp Construction</b> 900 Clarke Avenue Post Office Box 389 Pocomoke City, MD 21851 Phone: 410-957-1100 Fax: 410-957-3030 Email: <a href="mailto:john@bbcs.net">john@bbcs.net</a>	

Mechanical Contractors

<p><b>Rommel Cranston</b>  ATTN: Henry Lewis  103 E. Main Street  Fruitland, MD 21826  (410) 677-4673  <a href="mailto:HLewis@RommelUSA.com">HLewis@RommelUSA.com</a></p>	<p><b>T.E. Smith &amp; Son, Inc.</b>  ATTN: David Smith  2043 Northwood Drive  Salisbury, MD 21801  (410) 749-4232-phone  (410) 548-5419-fax  <a href="mailto:dave@te-smith.com">dave@te-smith.com</a></p>
<p><b>Wilfre Company</b>  ATTN: Bill Harrison, Jr.  8161 Memory Gardens Lane  Hebron, MD 21830  (410) 749-0496  <a href="mailto:billjr@wilfre.net">billjr@wilfre.net</a></p>	<p><b>Joseph M. Zimmer, Inc.</b>  ATTN: Jeff White  2225 Northwood Drive  Salisbury, MD 21801  (410) 546-5700  <a href="mailto:Jeff.White@jinzinc.com">Jeff.White@jinzinc.com</a></p>
<p><b>Joseph T Richardson Contracting</b>  ATTN: John Dunbar  105 East Center Street  Harrington, Delaware 19952  (302) 398-8101  <a href="mailto:john@jtrmech.net">john@jtrmech.net</a></p>	<p><b>Ralph Degli Obizzi and Sons, Inc.</b>  ATTN: Ralph Degli Obizzi  400 Robinson Lane  P.O. Box 30200  Wilmington, DE 19805  (302) 652-3593  <a href="mailto:ralphjr@degli.com">ralphjr@degli.com</a></p>
<p><b>Worth &amp; Company, Inc.</b>  ATTN: Dave Nieser  19 East Commons Blvd.  New Castle, DE 19720  (302) 221-2674  <a href="mailto:dnieser@worthandcompany.com">dnieser@worthandcompany.com</a></p>	<p><b>Denver Elek</b>  ATTN: Charles Elek  8860 Kelso Drive  Baltimore, MD 21221  (410) 574-8400  <a href="mailto:estimating@denver-elek.com">estimating@denver-elek.com</a></p>

Attachment 3

Full Set of Plans  
and Specifications  
Available for Review in  
County Administration

1. Bid Specifications
  - a. Cover Page
  - b. Index
  
2. Project Drawings Index and Phasing Plan
  - a. Cover and Index
  - b. Phasing/Staging Plan

**TABLE OF CONTENTS**

**OF THE PROJECT MANUAL**

**FOR**

**WORCESTER COUNTY DETENTION CENTER HVAC RENOVATION**

**SNOW HILL, MARYLAND**

**BID DOCUMENTS**

**August 27, 2018**

**GIPE ASSOCIATES, INC. PROJECT No. 17059**

The arrangement of the Project Manual has been established based on the MASTERFORMAT (2004) of The Construction SPECIFICATIONS INSTITUTE. The following Table of Contents lists certain Bidding and Contract Documents (including Specification Sections of Division 01 through 33) contained in this Project Manual.

TABLE OF CONTENTS

000015	LIST OF DRAWINGS
<b>DIVISION 00</b>	<b>CHAPTER # I            BIDDING REQUIREMENTS</b>
	BID INVITATION
002000	INSTRUCTION TO BIDDERS (AIA Document A701-1997 Edition)
002100	SUPPLEMENTARY INSTRUCTIONS TO BIDDERS (AIA A310 – Bid Bond)
004100	BID FORM
004350	SUBCONTRACTOR'S/MANUFACTURER'S LISTING FORM
004500	AFFIDAVIT OF QUALIFICATION TO BID
004600	AFFIDAVIT I   NON-COLLUSION CERTIFICATE
004700	AFFIDAVIT II   DISCLOSURE OF INTEREST BY PERSONS DOING BUSINESS WITH WORCESTER COUNTY
004900	BIDDING ADDENDA FORMAT
<b>DIVISION 00</b>	<b>CHAPTER #2            CONTRACTING REQUIREMENTS</b>
005000	STANDARD FORM OF AGREEMENT BETWEEN CONTRACTOR AND OWNER (AIA Document A101 – 2007 Edition)
005600	CONTRACTOR'S QUALIFICATION STATEMENTS (AIA Document A305 – 1986 Edition)
007000	GENERAL CONDITIONS OF CONTRACT FOR CONSTRUCTION (AIA Document A201-2007 Edition)
008000	SUPPLEMENTARY GENERAL CONDITIONS OF CONTRACT FOR CONSTRUCTION

(AIA A312 Performance Bond- Payment Bond)

**SPECIFICATIONS**

**DIVISION 01 GENERAL REQUIREMENTS**

- 011000 SUMMARY OF WORK
- 011400 WORK RESTRICTIONS
- 012100 ALLOWANCES
- 012300 ALTERNATES
- 012500 SUBSTITUTION PROCEDURES
- 012600 CONTRACT MODIFICATION PROCEDURES  
(AIA G710 Architect's Supplemental Instructions – 1992 Edition)  
(AIA G709 Proposal Request - 1993 Edition)  
(AIA G701-Change Order - 2000 Edition)  
(AIA G714 Construction Change Directive – 1987 Edition)
- 012900 PAYMENT PROCEDURE  
(AIA G702 Application and Certification for Payment – 1992 Edition)  
(AIA G706A Contractor's Affidavit of Release of Liens – 1994 Edition)  
(AIA G707 Consent of Surety To Final Payment – 1994 Edition)
- 013100 PROJECT MANAGEMENT AND COORDINATION
- 013200 CONSTRUCTION PROGRESS DOCUMENTATION  
(AIA G716-2004 Request for Information)
- 013300 SUBMITTAL PROCEDURES  
(CSI 12.1A Submittal Transmittal – 1996 Edition)  
(Gipe Associates, Inc. Release of Electronic Media Form)
- 013516 ALTERATION PROJECT PROCEDURES
- 014000 QUALITY REQUIREMENTS
- 014200 REFERENCES
- 015000 TEMPORARY FACILITIES AND CONTROLS
- 016000 PRODUCT REQUIREMENTS  
(CSI 13.1A Substitution Request Form – 1996 Edition)
- 017300 EXECUTION REQUIREMENTS
- 017310 CUTTING AND PATCHING
- 017320 SELECTIVE DEMOLITION
- 017700 CLOSEOUT PROCEDURES  
(CSI 14.1A Punch List Form – 1996 Edition)
- 017823 OPERATION AND MAINTENANCE DATA
- 017839 PROJECT RECORD DOCUMENTS
- 017900 DEMONSTRATION AND TRAINING
- 019113 GENERAL COMMISSIONING REQUIREMENTS
- 019114 PLUMBING COMMISSIONING REQUIREMENTS
- 019115 HVAC COMMISSIONING REQUIREMENTS

**DIVISION 03 CONCRETE**

- 033000 CAST-IN-PLACE CONCRETE

**DIVISION 04 MASONRY**

- 042200 CONCRETE UNIT MASONRY
- 042613 UNIT MASONRY



**DIVISION 05 METALS**

051200 STRUCTURAL STEEL FRAMING  
053100 STEEL DECKING

**DIVISION 07 THERMAL AND MOISTURE PROTECTION**

072100 THERMAL INSULATION  
075323 ETHYLENE PROPYLENE DIENE MONOMER (EPDM) ROOFING  
076200 SHEET METAL FLASHING AND TRIM  
077200 ROOF ACCESSORIES  
078413 FIRE PROTECTION, HVAC & PLUMBING PENETRATION FIRESTOPPING  
078413 PENETRATIONS FIRESTOPPING  
079200 JOINT SEALANTS

**DIVISION 08 OPENINGS**

081113 HOLLOW METAL DOORS AND FRAMES  
087100 DOOR HARDWARE

**DIVISION 09 FINISHES**

092216 NON STRUCTURAL METAL FRAMING  
092900 GYPSUM BOARD  
099123 PAINT

**DIVISION 21 FIRE SUPPRESSION**

210500 COMMON WORK RESULTS FOR FIRE PROTECTION  
210505 FIRE PROTECTION PIPING, FITTING AND VALVES  
211003 WATER BASED FIRE SUPPRESSION SYSTEM

**DIVISION 22 PLUMBING**

220500 COMMON WORK RESULTS FOR PLUMBING  
220505 PLUMBING PIPING, FITTING AND VALVES  
220701 PLUMBING INSULATION  
224005 PLUMBING EQUIPMENT

**DIVISION 23 HEATING VENTILATING AND AIR CONDITIONING**

230500 COMMON WORK RESULTS FOR HVAC  
230505 HVAC PIPING, FITTING AND VALVES  
230548 VIBRATION CONTROLS FOR HVAC, PLUMBING & FIRE PROTECTION EQUIPMENT  
230593 TESTING, ADJUSTING & BALANCING FOR HVAC AND PLUMBING  
230600 HEATING, VENTILATING, AND AIR CONDITIONING EQUIPMENT  
230701 HVAC INSULATION  
230900 INSTRUMENTATION AND CONTROLS OF HVAC & PLUMBING SYSTEMS  
233000 HVAC AIR DISTRIBUTION  
238222 PACKAGED KITCHEN HOOD VENTILATION CONTROL SYSTEM

**DIVISION 26 ELECTRICAL**

260500 BASIC ELECTRICAL MATERIALS AND METHODS  
260501 GENERAL ELECTRICAL REQUIREMENTS  
260502 ELECTRICAL DEMOLITION  
260519 LOW-VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES

260526	GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS
260529	HANGERS AND SUPPORTS FOR ELECTRICAL SYSTEMS
260533	RACEWAY AND BOXES FOR ELECTRICAL SYSTEMS
260543	UNDERGROUND DUCTS AND RACEWAYS FOR ELECTRICAL SYSTEMS
260544	SLEEVES AND SLEEVE SEALS FOR ELECTRICAL RACEWAYS AND CABLING
260553	IDENTIFICATION FOR ELECTRICAL SYSTEMS
262413	SWITCHBOARDS
262416	PANELBOARDS
262813	FUSES
262816	ENCLOSED SWITCHES AND CIRCUIT BREAKERS
262913	ENCLOSED CONTROLLERS
263213	ENGINE GENERATORS
263600	TRANSFER SWITCHES
264313	SURGE PROTECTION FOR LOW VOLTAGE ELECTRICAL POWER CIRCUITS

**DIVISION 28 ELECTRONIC SAFETY AND SECURITY**

283111	ADDRESSABLE FIRE ALARM SYSTEM
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**DIVISION 31 EARTHWORK**

312300	EXCAVATION AND BACKFILL FOR PIPELINES
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**NOTE ATTACHMENT FORMS ARE INDICATED IN PARENTHESIS ( )**

END OF CONTENTS

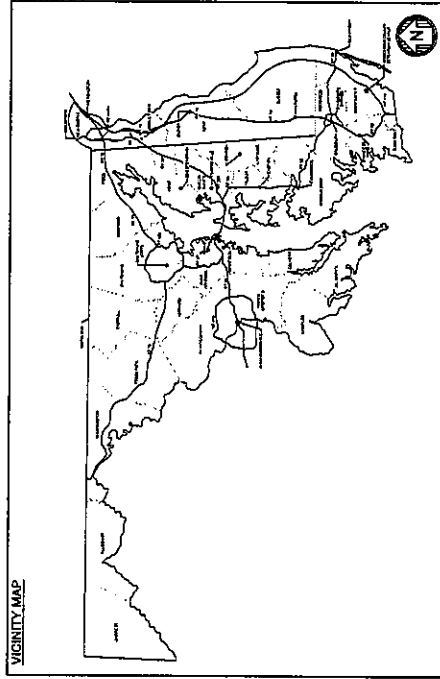
Drawings for:

# WORCESTER COUNTY DETENTION CENTER

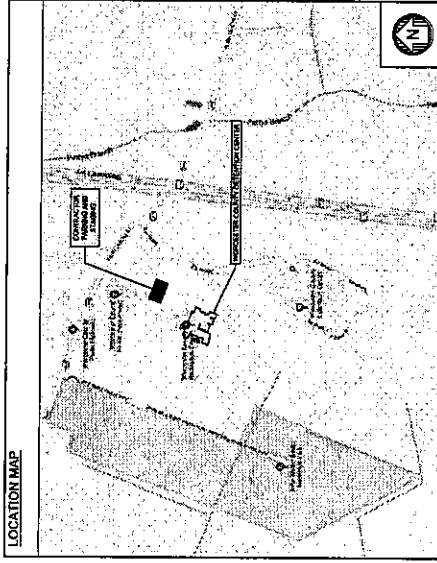
5022 JOYNER ROAD  
SNOW HILL, MARYLAND 21863

## HVAC RENOVATIONS AND ELECTRICAL ROOM ADDITION

VICINITY MAP



LOCATION MAP



**DRAWING LIST**

GENERAL	MECHANICAL/ELECTRICAL	ELECTRICAL
001 CONCRETE	ME1 PARTIAL - HVAC - EXHAUSTION	EB0 ELECTRICAL LEGEND, AMENDMENTS AND NOTES
002 PAINT	ME2 PARTIAL FIRST FLOOR PLAN - AREA 10 - HVAC - NEW WORK	EB1A PARTIAL FIRST FLOOR PLAN - AREA 10 - ELECTRICAL EXHAUSTION
003 CME	ME3 ME10	EB1B PARTIAL FIRST FLOOR PLAN - AREA 10 - ELECTRICAL EXHAUSTION
004 SITE PLAN	ME4 ME11	EB1C ROOF PLAN - HVAC - EXHAUSTION
005 ARCHITECTURAL	ME5 ME12	EB1D ELECTRICAL SYSTEM
006 ARCHITECTURAL PLUMBING LOCATIONS	ME6 ME13	EB1E PARTIAL FIRST FLOOR PLAN - AREA 10 - ELECTRICAL PROPOSED
007 ARCHITECTURAL PLUMBING LOCATIONS	ME7 ME14	EB1F ROOF PLAN - ELECTRICAL ROOM
008 STRUCTURAL	ME8 ME15	EB1G PANEL SCHEDULES
009 STRUCTURAL ROOF PLAN	ME9 ME16	EB1H ELECTRICAL DETAILS
010 PANELS STRUCTURAL DETAILS	ME10 ME17	
011 STRUCTURAL DETAILS & PANELS	ME11 ME18	
012 MECHANICAL	ME12 ME19	
013 PARTIAL FIRST FLOOR PLAN - AREA 10 - HVAC - EXHAUSTION	ME13 ME20	
014 PARTIAL FIRST FLOOR PLAN - AREA 10 - HVAC - EXHAUSTION	ME14 ME21	
015 ROOF PLAN - HVAC - EXHAUSTION	ME15 ME22	

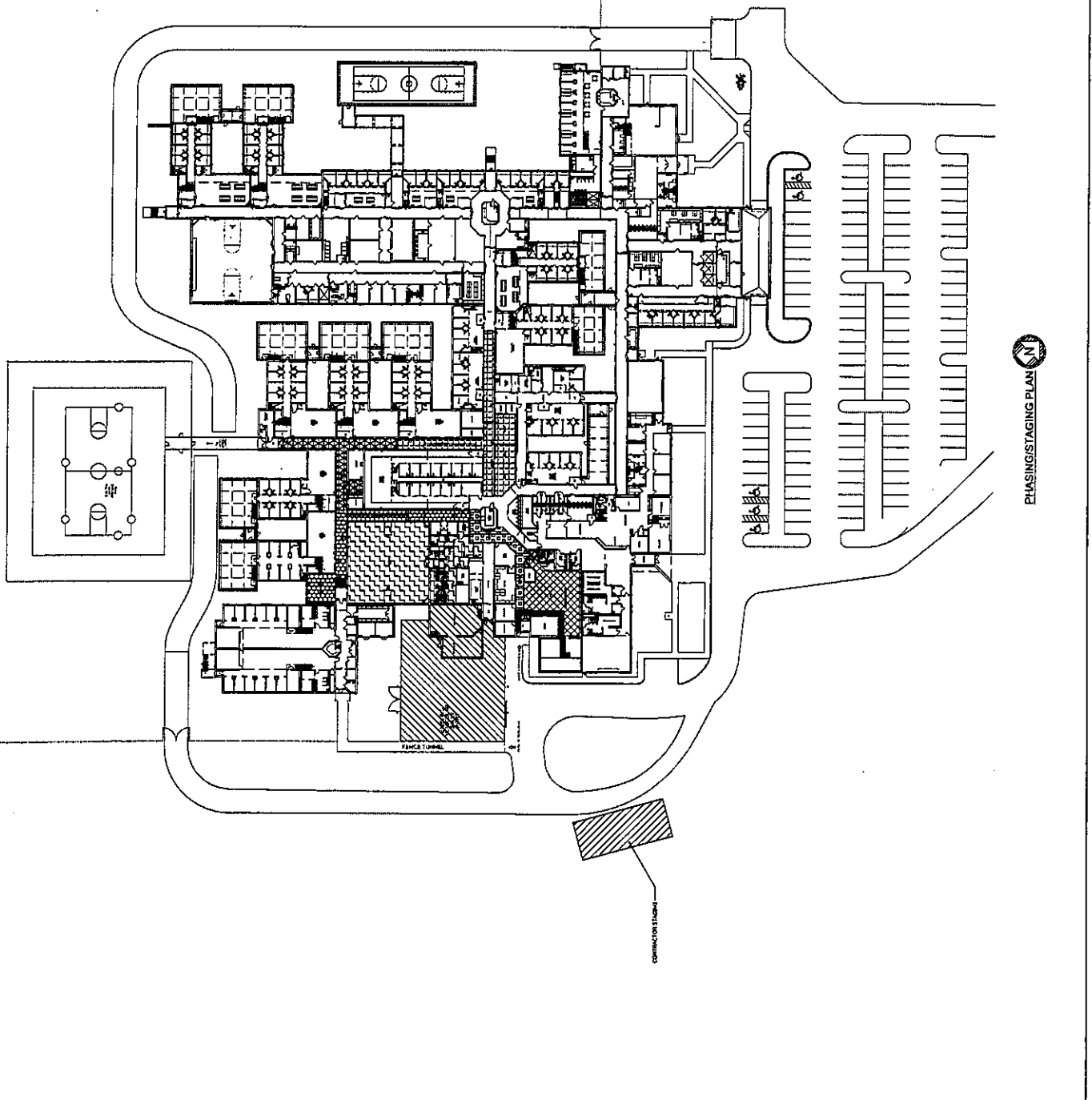
**BID DOCUMENTS**  
**DATE: AUGUST 27, 2018**

	<b>CONTRACTOR</b> DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTURAL, CIVIL & STRUCTURAL ENGINEERS 814 E. JAMES STREET, SUITE 310 FREDERICK, MARYLAND 21701 TEL: 301.221.1000	5022 JOYNER ROAD SNOW HILL, MARYLAND 21863	BID DOCUMENTS	COVER SHEET	CS.1

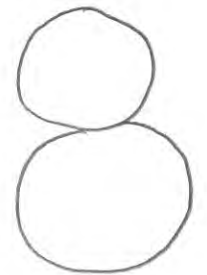
**DRAWING NOTES:**  
 PARTIAL TOTAL FINISH DEVELOPMENT

- PHASING PLANS DEPICT THE PHASE AND SEQUENCE OF ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE CONSTRUCTION PROGRAM. THE PHASING PLAN IS A PRELIMINARY PLAN AND SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SEQUENCING OF ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE CONSTRUCTION PROGRAM.
- ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE BUILDING ENVELOPE.
- THE PHASING PLAN IS A PRELIMINARY PLAN AND SHOULD BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SEQUENCING OF ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE CONSTRUCTION PROGRAM.
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- PHASE KEY**
- PHASE 1: [Symbol] BUILDING ENVELOPE WORK IN THIS AREA TO BE COMPLETED FIRST.
  - PHASE 2: [Symbol] MECHANICAL, ELECTRICAL, AND PLUMBING WORK IN THIS AREA TO BE COMPLETED SECOND.
  - PHASE 3: [Symbol] INTERIORS WORK IN THIS AREA TO BE COMPLETED THIRD.
  - PHASE 4: [Symbol] EXTERIORS WORK IN THIS AREA TO BE COMPLETED FOURTH.
  - PHASE 5: [Symbol] LANDSCAPE WORK IN THIS AREA TO BE COMPLETED FIFTH.
  - PHASE 6: [Symbol] PAVING WORK IN THIS AREA TO BE COMPLETED SIXTH.
  - PHASE 7: [Symbol] UTILITY WORK IN THIS AREA TO BE COMPLETED SEVENTH.



PHASING STAGING PLAN



**RECEIVED**  
 AUG 29 2018  
 Worcester County Admin

**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:** August 23, 2018  
**SUBJECT:** Vehicle Bid Package

**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

Attached for your review and approval is a bid packet for the purchase of vehicles for use by various County Departments. Included in this packet is the Notice to Bidders, Specifications, Vendor's List and Bid Form. Funding for the purchase of the following vehicles was approved in the FY 19 operating Budget:

- |                  |   |
|------------------|---|
| Human Resources  | 1- 1/2 Ton 4x4 Full Size Pickup Truck; 1- Standard Sedan    |
| DRP              | 3 - 1/2 Ton 4x2 Full Size Pickup Truck                      |
| Jail             | 1 - One Ton 4x2 Full Size Cargo Van                         |
| DPW Maintenance  | 1 - 1/2 Ton 4x4 Extended Cab Pickup Truck                   |
| DPW Roads        | 2 - 3/4 Ton 4x4 Full Size Pickup Truck                      |
| Mosquito Control | 3 - Compact Extended Cab 4x2 Pickup Truck                   |
| Recreation       | 1 - SUV Midsize 4x4; 2 - 1/2 Ton 4x2 Full Size Pickup Truck |
| Parks            | 2 - 1/2 Ton 4x2 Full Size Pickup Truck                      |
| DPW - W/WW       | 5 - 1/2 Ton 4x2 Full Size Pickup Truck                      |
| Sheriff          | 1 - Full Size Sedan 4 door                                  |
|                  | 2- SUV Full Size 4x4 with PPV Police Package UNMARKED       |
|                  | 3- SUV Full Size 4x4 with PPV Police Package                |
|                  | 5 - SUV Full Size 4x2 with PPV Police Package               |
|                  | 2 - 1/2 Ton 4x4 Double Cab Pickup Truck                     |

I would request that the County Commissioners review and approve these documents for formal bidding at this time. Once bids are received, we will do a comparison for a future recommendation to purchase. If you have any questions, please feel free to contact me.

**Attachments**

- cc: Ken Whited  
 Frank Adkins  
 John Ross  
 Stacey Norton  
 Warden Donna Bounds  
 Ed Tudor  
 Tom Perlozzo  
 Doug Dods  
 Derrick Babcock/Fleet File

# DRAFT

## NOTICE TO BIDDERS

**Worcester County Commissioners  
Worcester County, Maryland**

### **Purchase of New Vehicles**

The Worcester County Commissioners are currently accepting bids for the purchase of new vehicles for use by various County Departments. Bid specification packages and bid forms are available at the Office of the County Commissioners, Worcester County Government Center – Room 1103, One West Market Street, Snow Hill, Maryland 21863-1072. Sealed bids will be accepted until 1:00 p.m., Monday, September 24, 2018 in the office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked “**Vehicle Bid**” in the lower left-hand corner. After opening, the bids will be forwarded to the Public Works Department for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities, and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Mr. Derrick Babcock, Fleet Management Superintendent, at 410-632-9300 ext 2320 or 410-632-5675.

*Citizens and Government Working Together*

## INSTRUCTIONS TO BIDDERS

### **1. BIDS**

Bids should be submitted in sealed envelopes clearly marked in the lower left-hand corner "Vehicle Bid".

### **2. LATE BIDS**

Bids should be mailed or hand carried to be received in the Office of the County Commissioners by or before Monday, September 24, 2018 by 1:00 p.m. Bids received after the appointed time will not be considered.

### **3. TAXES**

The County is exempt from all Federal and State taxes. Your prices should reflect same.

### **4. SPECIFICATIONS**

Specifications for the following vehicles are attached:

1. 1 - ½ Ton 4x4 Full Size Pickup Truck (Human Resources)
2. 1 - Standard Sedan (Human Resources)
3. 3 - ½ Ton 4x2 Full Size Pickup Truck (DRP)
4. 1 - One Ton 4x2 Full Size Cargo Van (Jail)
5. 1 - ½ Ton 4x4 Full Size Extended Cab Pickup Truck (Maintenance)
6. 2 - ¾ Ton 4x4 Full Size Pickup Truck (DPW/Roads)
7. 3 - Compact Extended Cab 4x2 Pickup Truck - (Mosquito Control)
8. 1 - SUV Midsize 4x4 (Recreation)
9. 2 - ½ Ton 4x2 Full Size Pickup Truck (Recreation)
10. 2 - ½ Ton 4x2 Full Size Pickup Truck (Parks)
11. 5 - ½ Ton 4x2 Full Size Pickup Truck - (DPW/WWW)
12. 1 - Full Size Sedan 4 door - (Sheriff)
13. 2 - SUV Full Size 4x4 with PPV Police Package UNMARKED (Sheriff)
14. 3 - SUV Full Size 4x4 with PPV Police Package (Sheriff)
15. 5 - SUV Full Size 4x2 with PPV Police Package (Sheriff)
16. 2 - ½ Ton 4x4 Full Size Double Cab Pickup Truck - (Sheriff)

### **5. OTHER SPECIFICATIONS**

The Worcester County Commissioners will accept bids for new prior year models that meet all specifications in addition to current production year models.

Vendors are responsible for delivery of awarded vehicle to the DPW, Maintenance Building located at 6113 Timmons Road, Snow Hill, Maryland. All paperwork will accompany vehicles, as the County will be responsible for acquiring their tags and titles. Payment will be made within 15 days of delivery.

### **6. AWARD OF CONTRACT**

Bids will be opened in the County Commissioners office at 1:00 p. m. on Monday, September 24, 2018 to be awarded at a future date. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informality, and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

## WORCESTER COUNTY

### #1 - VEHICLE SPECIFICATIONS – ½ Ton 4x4 Full Size Pickup Truck – (Human Resources)

One (1) New ½ Ton 4x4 Pickup Full Size Pickup Truck to be equipped as follows:

Standard regular cab	
Bed size:	8' with wheel well inside body
Drive type:	4 wheel drive
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	Six cylinder, 3.7L minimum, gasoline, Fuel injected <b>OR</b> ethanol (E85)
Transmission:	Automatic with overdrive
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Dual 6"x9" side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl split 40/20/40 bench seat
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
Power windows	
Power locks	
AM-FM radio	
Vinyl Flooring	
White exterior color	
Daytime running lights	
Front license plate bracket	
Towing Package:	Receiver hitch, class IV with four/seven pin plug connector
110 V Power Outlet	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model.



**WORCESTER COUNTY**

**# 2 - VEHICLE SPECIFICATIONS – STANDARD SEDAN – (Human Resources)**

One (1) New Standard Sedan to be equipped as follows:

Four Door Standard Sedan  
Engine - Four Cylinder Engine, 1.3L minimum, Fuel Injected  
Transmission - Automatic  
Radial Tires - All season tires, Spare Tire with jack  
Wheelbase - 104" minimum  
Power Brakes - ABS  
Power Steering  
Factory Air Conditioning  
Windshield Wipers - Washer with Intermittent Action  
Air bags - Driver, Passenger and Side  
Interior - Carpet Floor and Cloth Seats  
Exterior - White  
Daytime Running Lights  
Front Floor Mats  
AM-FM Radio  
Driver Controlled Electric Door Locks  
Tinted Glass  
Tilt Steering Wheel  
Power Point  
Padded Dashboard  
Left and Right Outside Mirrors  
Fresh Air type Heater and Defroster  
Directional Signals  
Back up Lights  
Light in Cargo Area  
Front license Plate Bracket  
Fleet Free Maintenance Credit (If applicable)

Acceptable Models: Chevrolet Cruze, Dodge Caliber, or comparable model.

**WORCESTER COUNTY**

**#3 - VEHICLE SPECIFICATIONS – 1/2 TON 4x2 Full Size Pickup Truck – (DRP)**

Three (3) New 1/2 Ton 4x2 Full Size Pickup Truck's to be equipped as follows:

Standard regular cab

Bed size:	8' with wheel well inside body
Drive type:	2 wheel rear drive
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	Six cylinder, 3.7L minimum, gasoline, Fuel injected <b><u>OR</u></b> ethanol (E85)
Transmission:	Automatic with overdrive
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Dual 6"x9" side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl split bench seat
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio	
White exterior color	
Daytime running lights	
Front license plate bracket	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model.

**WORCESTER COUNTY**

**#4 - VEHICLE SPECIFICATIONS -- One Ton 4x2 Full Size Cargo Van -- (Jail)**

One (1) New One Ton 4x2 Full Size Cargo Van to be equipped as follows:

Engine:	4.8 Liter V8 minimum gasoline, Fuel Injected
Transmission:	Automatic
Power Brakes:	ABS
Power Steering	
Radial Tires:	All Weather Tread
Spare Wheel and Tire with Jack	
Air bag Supplemental Restraint System for Driver and Front Seat Passenger	
Alternator:	145 amps
Battery:	600 cold cranking amps
Cruise Control	
Factory Air Conditioning	
Rear Air Conditioning	
Rear Heater	
Power Windows and Door locks	
Swing-out 60/40 passenger side doors	
Tire Pressure Monitoring System	
Windshield Wiper/Washer:	Multi-Speed Electric with Intermittent Action
AM/FM Radio	
Exterior:	White
Interior:	Vinyl Upholstery in Medium Pewter
Floor Covering:	Black Rubberized Vinyl
Tinted glass	
Bumpers:	Front and Rear Painted Black
Mirrors:	Dual Factory Outside Manual Black
Daytime Running Lights	
Full Insulation Package	
Molded Assist Steps	
Power Outlets	
Tilt Steering wheel	
Rear vision camera display	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet Express 3500 or comparable model.

**WORCESTER COUNTY**

**#5 - VEHICLE SPECIFICATIONS – ½ Ton 4x4 Full Size Extended Cab Pickup Truck – (Maintenance)**

One (1) New ½ Ton 4x4 Full Size Extended Cab Pickup Truck to be equipped as follows:

Extended cab	
Bed size:	6'4" with wheel well inside body
Drive type:	4 wheel drive
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	8 cylinder, 5.0L minimum, gasoline, Fuel injected <b><u>OR</u></b> ethanol (E85)
Transmission:	Automatic with overdrive
Drive type:	Four wheel drive
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Dual 6"x9" side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl split 40/20/40 bench seat
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio equipped with Bluetooth for cell phone linking	
Vinyl Floor	
Power windows and door locks	
White exterior color	
Daytime running lights	
Front license plate bracket	
Spray on Bed-liner	
Towing Package:	Receiver hitch, class IV with four/seven pin plug connector
110 V Power Outlet	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model

**WORCESTER COUNTY**

**#6 - VEHICLE SPECIFICATIONS – ¾ Ton 4x4 Full Size Pickup Truck (Roads)**

Two (2) New ¾ Ton 4x4 Full Size Truck's to be equipped as follows:

Standard regular cab

Bed Size:	8' with wheel well inside body
Drive Type:	4 wheel drive
Wheelbase:	127" Minimum
Engine:	Eight cylinder, gasoline, fuel injected 5.7 liter or equivalent
Towing package:	Class IV trailer hitch receiver with 7 spade + 4 pin plug heavy duty battery and auxiliary transmission oil cooler and electric brake controller installed
Transmission:	Automatic with overdrive
Alternator:	90 Amp minimum
Air Bags:	Driver and passenger
Shock Absorbers:	Front and Rear
Wheels:	16" Steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel Tank:	Standard
Mirrors:	Dual 6" x 9" side view mirrors
Bumpers:	Matching painted front bumper and rear step bumper
Interior:	Vinyl splint bench seat
Air Conditioning:	Factory installed
Windshield Wipers:	Washer with intermittent action
Locking Rear Differential	
Front Tow Hooks	
Halogen Headlights	
Tinted Glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power Point or Power Outlet	
AM-FM Radio	
Exterior Color:	White
Daytime Running Lights	
Spray in bed liner	
Back rack for beacon light-tool box mounts	
LED strobe light installed on back rack	
Integrated Trailer Brake Controller	
Front tag bracket	
110 Volt Power Outlet	
Vinyl/Rubber flooring	
Driver and Passenger assist steps	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet 2500, Ford F-250, Dodge 2500 or comparable model.

**WORCESTER COUNTY**

**#7 - VEHICLE SPECIFICATIONS – Compact Extended Cab 4x2 Pickup Truck – (Mosquito Control)**

Three (3) New Compact Extended Cab 4x2 Pickup Truck's to be equipped as follows:

Extended cab	
Bed size:	Long box with wheel well inside body
Drive type:	2 wheel rear drive
Payload:	1400 lb. minimum
GVWR:	5400 lb. minimum
Wheelbase:	128" minimum
Engine:	Four cylinder, 2.5L minimum, gasoline, Fuel injected <b><u>OR</u></b> ethanol (E85)
Transmission:	Automatic
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with compact spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Manual folding black side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl Front bucket seats
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio	
Exterior color (White)	
Daytime running lights	
Front license plate bracket	
Spray on Bed liner	
Cab Floor Interior	Black vinyl
Fleet Free Maintenance Credit (If applicable)	
Two extra keys	

Acceptable Models: Chevrolet Colorado or comparable model.

**WORCESTER COUNTY**

**#8 - VEHICLE SPECIFICATIONS – SUV Midsize 4x4 (Recreation)**

One (1) New Midsize 4X4 SUV or AWD to be equipped as follows:

Engine:	6 cylinder, 3.5L minimum fuel injected
Transmission:	Automatic
Tires:	Radial with all weather tread
Wheel base:	112" minimum
Tire pressure monitor system	
Brakes:	Power with ABS
Steering:	Power with tilt wheel and cruise control
Factory Air Conditioning	
Air bags	
Interior:	Cloth Seats
Center Console	
Front and rear floor mats	
AM/FM Radio with CD player	
Windshield wipers – washer with intermittent action	
Power point or power outlet	
Power operated window and door locks	
Exterior Color:	White
Interior Color:	Stone or dark interior
Tinted glass	
Left and Right outside mirrors	
Fresh air type heater and defroster	
Front license plate bracket	
Daytime running lights	
Advance Trac or Stabili Trak	
Fleet free Maintenance Credit	

Acceptable Models: Chevrolet Traverse, Ford Explorer, Dodge Durango or comparable model.

**WORCESTER COUNTY**

**#9 - VEHICLE SPECIFICATIONS – ½ TON 4X2 Full Size Pickup Truck – (Recreation)**

Two (2) New ½ Ton Full Size Pickup Truck's to be equipped as follows:

Standard regular cab  
Bed size: 8' with wheel well inside body  
Drive type: 2 wheel rear drive  
Payload: 1,900 lb. minimum  
GVWR: 6,000 lb. minimum  
Wheelbase: 128" minimum  
Engine: Six cylinder, 3.5L minimum, gasoline, Fuel injected  
**OR** ethanol (E85)  
Transmission: Automatic with overdrive  
Battery: 600 CCA minimum  
Alternator: 95 amp minimum  
Suspension: To meet payload  
Air bags: Driver and passenger  
Shock absorbers: Front and rear  
Wheels: 16" steel minimum  
Tires: All season radial to meet payload with conventional spare wheel  
and tire  
Brakes: Power with anti-lock system  
Steering: Power  
Fuel tank: Standard  
Mirrors: Dual 6"x9" side view mirrors  
Bumpers: Matching painted front and rear  
Interior: Vinyl split bench seat  
Air conditioning: Factory installed  
Windshield wipers: Washer with intermittent action  
Tinted glass with dual sun visors  
Fresh air type heater and defroster  
Directional signals  
Power point or power outlet  
AM-FM radio  
Vinyl/Rubber flooring  
White exterior color  
Daytime running lights  
Front license plate bracket  
Fleet Free Maintenance Credit ( If applicable)

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model.



**WORCESTER COUNTY**

**#10 - VEHICLE SPECIFICATIONS – ½ TON 4X2 Full Size Pickup Truck – (Parks)**

Two (2) New ½ Ton Full Size Pickup Truck's to be equipped as follows:

Standard regular cab

Bed size:	8' with wheel well inside body
Drive type:	2 wheel rear drive
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	Six cylinder, 3.5L minimum, gasoline, Fuel injected <b><u>OR</u></b> ethanol (E85)
Transmission:	Automatic with overdrive
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Dual 6"x9" side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl split bench seat
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio	
Vinyl/Rubber flooring	
White exterior color	
Daytime running lights	
Front license plate bracket	
Towing Package:	Receiver hitch, class IV with seven pin plug connector
Integrated Trailer Brake Controller	
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model.

## WORCESTER COUNTY

### #11 - VEHICLE SPECIFICATIONS – ½ TON 4X2 Full Size Pickup Truck – (DPW/WWW)

Five (5) New ½ Ton Full Size Pickup Truck's to be equipped as follows:

Standard regular cab	
Bed size:	8' with wheel well inside body
Drive type:	2 wheel rear drive
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	Six cylinder, 3.5L minimum, gasoline, Fuel injected <b>OR</b> ethanol (E85)
Transmission:	Automatic with overdrive
Battery:	600 CCA minimum
Alternator:	95 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Power
Fuel tank:	Standard
Mirrors:	Dual 6"x9" side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Vinyl split bench seat
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio	
Vinyl/Rubber Flooring	
White exterior color	
Daytime running lights	
Front license plate bracket	
Spray on Bed-liner	
Back rack for strobe light – no toolbox mount	
LED strobe light installed on back rack	
Towing Package:	Receiver hitch, class IV with seven pin plug connector
Fleet Free Maintenance Credit (If applicable)	

Acceptable Models: Chevrolet C1500, Ford F150, Dodge 1500 or comparable model.

**WORCESTER COUNTY**

**#12 - VEHICLE SPECIFICATIONS –Full Size Sedan 4 door - (Sheriff)**

One (1) New Four Door Full Size Sedans to be equipped as follows:

Four Door Sedan	
Engine	Six cylinders, 3.6 L minimum, Gasoline
Transmission	Automatic
Tires	Radial with all Weather Tread, Spare Tire with Jack
Wheelbase	111" minimum
Tire Pressure Monitor System	
Power brakes	ABS
Electric Power Steering	
Factory Air Conditioning	
Windshield wipers	Washer with Intermittent Action
Air Bags	Driver, Passenger and Side
Interior	Cloth Seats
Cruise Control	
Tilt Steering Wheel	
All Weather Floor Mats	
AM – FM radio	
Tinted Glass	
Exterior Color	Blue Velvet Metallic
Interior Color	Jet Black
Power Window and Door Locks	
Fresh Air Type Heater and Defroster	
Rear Window Defroster	
Left and Right Hand Outside Mirrors	
Padded Dashboard	
Power Point or Power Outlet	
Daytime Running Lights	
Remote Keyless Entry	
Power Trunk Release	
Front License Plate Bracket	
Stabili Trak, Stability Control System	
Fleet Free Maintenance Credit (if applicable)	
Six Keys	
100 Amp Rear Power Management System with 5 Ignition, 5 Battery and 3 Timed Independently Fused Circuits with Individual LED Fuse Status Indicators. Timed Circuits are Independently Programmable for Automatic Shut Off of Equipment at 0.5, 1, 2 or 4 Hours (KBITR)	
Wiring Harness for Grille and Siren Speaker (K6J3)	
100 Watt Siren Speaker - Includes Modification to Grill for better DB Output (KSPEAK)	
Shipped thru Kerr (AI3)	

Acceptable Models: Chevrolet Impala LS W/1FL or comparable model.

**WORCESTER COUNTY**

**#13 - VEHICLE SPECIFICATIONS – SUV Full Size 4x4 PPV Police Package UNMARKED (Sheriff)**

Two (2) New Full Size SUV's 4x4 PPV Police Package rated to be equipped as follows:

Payload:	1,122 lbs. minimum
GVWR:	6,600 lbs. minimum
Wheelbase:	112" minimum
Engine:	5.3L minimum displacement,
Transmission:	6 Speed Automatic with Overdrive
Drive type:	4 wheel drive
Battery:	660 CCA with rundown protection
Auxiliary battery:	730 CCA with computer controlled isolator
Alternator:	160 amp minimum
Axles and springs:	To meet payload
Shock absorbers:	Front and rear
Tires:	V Rated Manufacturer's radial to meet Payload with conventional spare Wheel and tire
Brakes:	Power with 4 wheel ABS
Steering:	Power with tilt wheel and Column mounted Gear Shift Lever
Fuel tank:	26 gallon minimum
Mirrors:	Dual – factory installed – low mount 5" x 7", Minimum, remote control electric-heated
Bumpers:	Front and rear
Body:	4 door, 5' minimum, full steel top
Rear Lift Gate:	With Flip-up Glass
Rear intermittent Wiper/ Wash	
Cloth 40/20/40 seats in front, 2 <sup>nd</sup> row vinyl 60/40 split folding bench seats	
Delete Center Front Seat (9U3)	
Six way power driver's seat	
Factory air conditioning	
Tinted glass	
Driver side air bag supplemental restraint system and front seat passenger position	
Heater/defroster – fresh air type	
Directional signals	
Windshield wipers – multi-speed electric with intermittent action feature	
No floor console	
Rear A/C and heat	
Rear window defroster	
Power point	
AM/FM stereo radio w/ C/D	
Power operated window and door locks	
Child safety locks	
Exterior Color:	(1) – Black      (1) – Siren Red Tintcoat
Interior Color:	Black or Ebony
Front license plate bracket	
Front recovery hooks (V76)	
Factory undercoating	
Cruise control	
Oil Coolers:	Engine, Transmission,

Floor covering: Full heavy duty vinyl  
Speedometer: 150 MPH Certified- 1MPH Increments with Digital  
Trip Odometer  
Dash Cluster: Oil Pressure, Volt Meter, Tachometer, Engine Temperature  
Gauge, Hour Meter and Driver Information Center

Equipped with optional bright machined aluminum wheels (Q5U)  
Delete daytime running lights (9G8)  
Differential Locking Rear  
No spotlight  
100 Watt Siren Speaker - Includes Modification to Grill for better DB Output (KSPEAK)  
Pre wiring grille lamps & speakers (6J3)  
Pre wiring horn & siren circuit (6J4)  
Flasher System Headlamps and Tail lamps (6J7)  
Fleet Free Maintenance Credit (R9Y)  
On Star

Six (6) keys and six key FOBs to be supplied with this vehicle

Acceptable Models: Chevrolet Tahoe PPV or comparable vehicle

## WORCESTER COUNTY

### #14 - VEHICLE SPECIFICATIONS – SUV Full Size 4x4 with PPV Police Package (Sheriff)

Three (3) New Full Size SUV's 4x4 PPV Police Package rated to be equipped as follows:

Payload:	1,122 lbs. minimum
GVWR:	6,600 lbs. minimum
Wheelbase:	112" minimum
Engine:	5.3L minimum displacement,
Transmission:	6 Speed Automatic with Overdrive
Drive type:	4 wheel drive
Battery:	660 CCA with rundown protection
Auxiliary battery:	730 CCA with computer controlled isolator
Alternator:	160 amp minimum
Axles and springs:	To meet payload
Shock absorbers:	Front and rear
Tires:	V Rated Manufacturer's radial to meet Payload with conventional spare Wheel and tire
Brakes:	Power with 4 wheel ABS
Steering:	Power with tilt wheel and Column mounted Gear Shift Lever
Fuel tank:	26 gallon minimum
Mirrors:	Dual – factory installed – low mount 5" x 7" Minimum, remote control, electric-heated
Bumpers:	Front and rear
Body:	4 door, 5' minimum, full steel top
Rear Lift Gate:	With Flip-up Glass
Rear intermittent Wiper/ Wash	
Cloth 40/20/40 seats in front, 2 <sup>nd</sup> row vinyl 60/40 split folding bench seats	
Delete Center Front Seat (9U3)	
Six way power driver's seat	
Factory air conditioning	
Tinted glass	
Driver side air bag supplemental restraint system and front seat passenger position	
Heater/defroster – fresh air type	
Directional signals	
Windshield wipers – multi-speed electric with intermittent action feature	
No floor console	
Rear A/C and heat	
Rear window defroster	
Power point	
AM/FM stereo radio w/ C/D	
Power operated window and door locks	
Child safety locks	
Exterior Color:	Blue Velvet Metallic
Interior Color:	Black or Ebony
Front license plate bracket	
Front recovery hooks (V76)	
Factory undercoating	
Cruise control	
Oil Coolers:	Engine, Transmission,

Floor covering: Full heavy duty vinyl  
Speedometer: 150 MPH Certified- 1MPH Increments with Digital  
Trip Odometer  
Dash Cluster: Oil Pressure, Volt Meter, Tachometer, Engine  
Temperature Gauge, Hour Meter and Driver  
Information Center

Delete daytime running lights (9G8)  
Spot lamp-Left hand, separately fused (7X6)  
Differential Locking Rear  
100 Watt Siren Speaker - Includes Modification to Grill for better DB Output (KSPEAK)  
Pre wiring grille lamps & speakers (6J3)  
Pre wiring horn & siren circuit (6J4)  
Flasher System Headlamps and Tail lamps (6J7)  
Fleet Free Maintenance Credit (R9Y)  
On Star

Six (6) keys and six key FOBs to be supplied with this vehicle

Acceptable Models: Chevrolet Tahoe PPV or comparable vehicle

**WORCESTER COUNTY**

**#15 - VEHICLE SPECIFICATIONS -- SUV Full Size 4x2 with Police Package (Sheriff)**

Five (5) New SUV's full size 4x2 Police Package rated to be equipped as follows:

Payload:	1,122 lbs. minimum
GVWR:	6,600 lbs. minimum
Wheelbase:	112" minimum
Engine:	5.3L minimum displacement,
Transmission:	6 Speed Automatic with Overdrive
Battery:	660 CCA with rundown protection
Auxiliary battery:	730 CCA with computer controlled isolator
Alternator:	160 amp minimum
Axles and springs:	To meet payload
Shock absorbers:	Front and rear
Tires:	V Rated Manufacturer's radial to meet Payload with conventional spare
Wheel and tire	
Brakes:	Power with 4 wheel ABS
Steering:	Power with tilt wheel and Column mounted Gear Shift Lever
Fuel tank:	26 gallon minimum
Mirrors:	Dual -- factory installed -- low mount 5" x 7" Minimum, remote control, electric-heated
Bumpers:	Front and rear
Body:	4 door, 5' minimum, full steel top
Rear Lift Gate:	With Flip-up Glass
Rear intermittent Wiper/ Wash	
Cloth 40/20/40 seats in front, 2 <sup>nd</sup> row vinyl 60/40 split folding bench seats	
Delete Center Front Seat (9U3)	
Six way power driver's seat	
Factory air conditioning	
Tinted glass	
Driver side air bag supplemental restraint system and front seat passenger position	
Heater/defroster -- fresh air type	
Directional signals	
Windshield wipers -- multi-speed electric with intermittent action feature	
No floor console	
Rear A/C and heat	
Rear window defroster	
Power point	
AM/FM stereo radio w/ C/D	
Power operated window and door locks	
Child safety locks	
Exterior Color:	Blue Velvet Metallic
Interior Color:	Black or Ebony
Front license plate bracket	
Front recovery hooks (V76)	
Factory undercoating	
Cruise control	
Oil Coolers:	Engine, Transmission,



Floor covering: Full heavy duty vinyl  
Speedometer: 150 MPH Certified- 1MPH Increments with Digital Trip Odometer  
Dash Cluster: Oil Pressure, Volt Meter, Tachometer, Engine Temperature Gauge, Hour Meter and Driver Information Center  
Delete daytime running lights (9G8)  
Spot lamp-Left hand, separately fused (7X6)  
Differential Locking Rear  
Pre wiring grille lamps & speakers (6J3)  
100 Watt Siren Speaker - Includes Modification to Grill for better DB Output (KSPEAK)  
Pre wiring horn & siren circuit (6J4)  
Flasher System Headlamps and Tail lamps (6J7)  
Fleet Free Maintenance Credit (R9Y)  
On Star

Six (6) keys and six key FOBs to be supplied with this vehicle

Acceptable Models: Chevrolet Tahoe PPV or comparable vehicle

**WORCESTER COUNTY**

**#16 - VEHICLE SPECIFICATIONS – ½ Ton 4x4 Full Size Double Cab Pickup Truck – (Sheriff)**

Two (2) New ½ Ton 4x4 Full Size Double Cab Pickup Truck's to be equipped as follows:

Double cab	
Bed size:	Standard box with wheel well inside body
Payload:	1,900 lb. minimum
GVWR:	6,000 lb. minimum
Wheelbase:	128" minimum
Engine:	Eight cylinder, 5.3 L minimum, gasoline, Fuel injected <b>OR</b> ethanol (E85)
Transmission:	Automatic with overdrive
Battery:	730 CCA minimum
Alternator:	150 amp minimum
Suspension:	To meet payload
Air bags:	Driver and passenger
Shock absorbers:	Front and rear
Wheels:	16" steel minimum
Tires:	All season radial to meet payload with conventional spare wheel and tire
Brakes:	Power with anti-lock system
Steering:	Electric Power assist, rack and pinion
Fuel tank:	Standard
Mirrors:	Outside manual side view mirrors
Bumpers:	Matching painted front and rear
Interior:	Front cloth split bench seat-Rear folding bench
Floor Covering	Rubberized Vinyl
Air conditioning:	Factory installed
Windshield wipers:	Washer with intermittent action
Power Windows and Door Locks	
Tinted glass with dual sun visors	
Fresh air type heater and defroster	
Directional signals	
Power point or power outlet	
AM-FM radio	
White exterior color	
Daytime running lights	
Front license plate bracket	
Spray on Bed liner	
Towing Package	Receiver hitch, class IV with seven pin plug connector
Integrated Trailer Brake Controller	
Fleet Free Maintenance Credit (If applicable)	
Six Keys	

Acceptable Models: Chevrolet 1500

**WORCESTER COUNTY COMMISSIONERS  
VEHICLE BID FORM**

We submit bids on the following vehicles (specifications attached for each quoted vehicle):

**1. One (1) – ½ Ton 4x4 Full Size Pickup Truck (Human Resources)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**2. One (1) – Standard Sedan (Human Resources)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**3. Three (3) – ½ Ton 4x2 Full Size Pickup Truck (DRP)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**4. One (1) - One Ton 4x2 Full Size Cargo Van (Jail)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**5. One (1) – ½ Ton 4x4 Full Size Extended Cab Pickup Truck (Maintenance)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**6. Two (2) – ¾ Ton 4x4 Full Size Pickup Truck (DPW/Roads)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**7. Three (3) - Compact Extended Cab 4x2 Pickup Truck – (Mosquito Control)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**8. One (1) - SUV Midsize 4x4 (Recreation)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**9. Two (2) – ½ Ton 4x2 Full Size Pickup Truck (Recreation)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**10. Two (2) – ½ Ton 4x2 Full Size Pickup Truck (Parks)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**11. Five (5) – ½ Ton 4x2 Full Size Pickup Truck (DPW/WWW)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**12. One (1) - Full Size Sedan 4 door - (Sheriff)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**13. Two (2) – SUV Full Size 4x4 with PPV Police Package UNMARKED (Sheriff)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**14. Three (3) – SUV Full Size 4x4 with PPV Police Package (Sheriff)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**15. Five (5) - SUV Full Size 4x2 with PPV Police Package (Sheriff)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**16. Two (2) - ½ Ton 4x4 Full Size Double Cab Pickup Truck – (Sheriff)**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Bid (per unit) \$ \_\_\_\_\_

Total Bid \$ \_\_\_\_\_

Delivery Time \_\_\_\_\_

**BID MUST BE SIGNED AND BID VEHICLE SPECIFICATIONS MUST BE ATTACHED TO  
BE CONSIDERED.**

**Please note any specification differences when submitting your bid.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**NEW VEHICLE DEALERSHIP VENDORS**

**Hertrich Chevrolet, Inc.**  
Terry Degroat  
1337 Ocean Highway  
Pocomoke, Maryland 21851  
410-957-2222  
Fax: 410-957-4589  
[terry@midway.auto](mailto:terry@midway.auto)

**Stafford Ford, Lincoln, Mercury**  
1902 N. Salisbury Blvd.  
Salisbury, Maryland 21801  
410-548-4600 ext. 1513  
Fax: 410-548-4610  
[Lhofe@sherwoodofsalisbury.com](mailto:Lhofe@sherwoodofsalisbury.com)

**Hertrich Ford Chrysler Jeep Ram**  
Dana Smith  
1618 Ocean Highway  
Post Office Box 119  
Pocomoke, Maryland 21851  
410-957-3333  
Fax: 410-957-4362  
[dsmith@hertrichs.com](mailto:dsmith@hertrichs.com)

**Lindsay Ford**  
Dan Paderofsky  
11250 Veirs Mill Road  
Wheaton, MD 20902  
240-283-3733  
Fax: 301-946-9410  
[dpaderofsky@lindsay.com](mailto:dpaderofsky@lindsay.com)

**Apple Ford Inc.**  
Tom Leasure  
8800 Stanford Blvd.  
Columbia, Maryland 21045  
443-539-1292  
410-290-1100 ext. 1292  
Fax: 410-290-1540  
[tleaseure@appleford.com](mailto:tleaseure@appleford.com)

**Bayshore Ford**  
Ava Halpin & Rob VanDeBoe  
4003 N. Dupont Hwy  
New Castle, DE 19720  
302-656-3160  
Fax: 302-656-5089  
[ahalpin@bayshoreford.com](mailto:ahalpin@bayshoreford.com)  
[rvandeboe@bayshoreford.com](mailto:rvandeboe@bayshoreford.com)

**Criswell Chevrolet, Inc**  
Mark A. White  
503 Quince Orchard Road  
Gaithersburg, Maryland 20878  
301-948-0880 or 571-335-2469 (cell)  
Fax: 301-948-1381  
[mwhite@criswellauto.com](mailto:mwhite@criswellauto.com)

**Hertrich Buick GMC of Salisbury**  
Mike Culver  
2016 N. Salisbury Blvd.  
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410-742-1106  
Fax: 410-742-4722  
[mculver@hertrichs.com](mailto:mculver@hertrichs.com)

**Hertrich Fleet Services Inc.**  
Chris Wilder or Susan Hickey  
1427 Bay Road  
Milford, DE 19963  
800-698-9825  
Fax: 302-839-0555  
[cwilder@hertrichfleet.com](mailto:cwilder@hertrichfleet.com)  
[shickey@hertrichfleet.com](mailto:shickey@hertrichfleet.com)

**Norris Ford Inc.**  
Stu Curtin  
901 Merritt Boulevard  
Dundalk, Maryland 21222  
855-872-7979  
Fax: 410-285-0872  
[Scurtin@NorrisAutoGroup.com](mailto:Scurtin@NorrisAutoGroup.com)

**IG Burton Berlin Chevrolet**  
10419 Old Ocean City Blvd.  
Attn. Sales Manager  
Berlin, MD 21811  
410-641-0444  
Fax: 410-641-9837

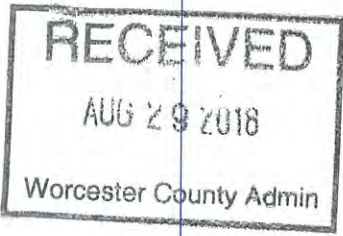
**IG Burton**  
Shayne Fannin  
793 Bay Road  
Milford, DE 19963  
302-265-1318 or 757-618-5678 (cell)  
Fax: 302-265-1490  
[sfannin@igburton.com](mailto:sfannin@igburton.com)



**Barton Ford  
Brian Rustay  
1600 N Main Street  
Suffolk, VA 23434  
757-539-1595**

**Preston Millsboro  
Chrysler Dodge Jeep Ram  
Brad Kleinburd  
28380 Dupont Blvd  
Millsboro, DE 19966  
302-934-8282**

**Frederick Ford  
Mark Malone  
PO Box 1420  
26905 Sussex HWY  
Seaford DE 19973  
302-629-4553 ext. 1283  
Fax: 302-629-9110  
[mmalone@frederickford.com](mailto:mmalone@frederickford.com)**



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:** August 27, 2018  
**SUBJECT:** FY19 Bid Request – Motor Grader  
Department of Public Works – Roads Division

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

Attached for your review and approval are bid documents for the purchase of a motor grader to be utilized by the Department of Public Works – Roads Division. Included in this packet is the Notice to Bidders, Specifications, Bid Form, and Vendor List. Once the Commissioners have had the opportunity to review the packet, it is requested that authorization be provided to solicit bids for the purchase of this equipment.

The purchase of a motor grader will replace a 1989 John Deere 670B Grader (#125), the County currently operates.

Funding in the amount of \$385,000.00 for the purchase of a motor grader was approved in the current FY19 operating budget in account 100.1202.9010.070.

Should you have any questions, please do not hesitate to call me.

Attachments

cc: Frank J. Adkins

**DRAFT**

**NOTICE TO BIDDERS**

**Purchase of Motor Grader  
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting bids for the purchase of a motor grader for the Roads Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 – Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, obtained online at [www.co.worcester.md.us](http://www.co.worcester.md.us) or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. **Sealed bids will be accepted until 1:00 p.m., Tuesday, October 9, 2018**, in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Motor Grader Bid**" in the lower left-hand corner. After opening, bids will be forwarded to the Department of Public Works for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Frank Adkins, Roads Superintendent, at 410-632-2244, Monday through Thursday, between 6:00 a.m. to 4:30 p.m.

# **BID SPECIFICATIONS**

## **1. Bids**

- A. Bids should be submitted in sealed envelopes clearly marked in lower left-hand corner "Motor Grader Bid".

## **2. Late Bids**

- A. Bids should be mailed or hand-carried to be received in the Office of the County Commissioners by or before **1:00 p.m. on October 9, 2018**. Bids received after the appointed time will not be considered.

## **3. Taxes**

- A. The County is exempt from all Federal and States taxes. Therefore, bidders' price should reflect the same.

## **4. Scope of Work**

- A. To supply one (1) motor grader.
- B. Vendor is responsible for delivery of awarded vehicle to the Department of Public Works - Roads Division at 5764 Worcester Highway, Snow Hill, Maryland 21863. All paperwork will accompany vehicles, as the County will be responsible for acquiring their tags and titles.

## **5. Payment**

- A. Submit payment to the Department of Public Works – Roads Division for review and processing upon delivery of said new vehicle purchase.

## **6. Award of Contract**

- A. Bids will be opened by the Chief Administrative Officer or Assistant Chief Administrative Officer in the Office of the County Commissioners and read aloud at **1:00 p.m. on October 9, 2018**.

B. The Department of Public Works shall prepare a tabulation of said bids and a recommendation to the County Commissioners at the next regular meeting of the Commissioners. In awarding the bids, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities herein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

## **7. Vehicle Specifications**

The following specifications represent one (1) motor grader, **current production model**, or equivalent for Worcester County Public Works- Roads Division.

### **Weight:**

The minimum basis operating weight of motor grader in fully serviced condition including fuel, lubricants, coolants and other standard accessories only, shall be not less than 42,000 lbs.

### **Engine:**

Minimum turbo-charged, six-cylinder, 9 liter wet sleeve diesel, minimum torque 840 lb. ft., tier 4 emissions minimum;

Minimum 230 net peak horsepower;

Fuel tank capacity, 75 US gallons minimum;

Air cleaner, dual element dry type;

Engine protection system: automatic shutdown of engine for low oil pressure, high water temperature. Alarm to be audible and visual;

Engine enclosures with side doors for engine access;

Engine block heater, minimum 115 volts 1000 watts;

Exhaust rain cap;

Standard fuel and water separator;

Automatic exhaust filter regeneration;

Engine exhaust with flat black stack.

### **Transmission:**

Direct drive, auto shift;

Transmission solenoid valve guard or equivalent;

Minimum of eight forward and six reverse speeds;

Maximum transport speed shall be no less than 24 mph.

### **Final Drive:**

Tandem type having an operator controlled differential lock/unlock;

Driven on all four tandem wheels.

### **Brakes:**

Service brakes: hydraulic actuated;

Service brake multiple wet discs.

### **Blades:**

Equipment to be equipped, mounted, and delivered with steel blade cutting edges;

Lift above ground – minimum 19”;

Blade side shift, right or left, minimum 26”;

**Blades Cont.:**

- (3) Additional sets of carbide steel blades with hardware for snow clearing operations;
- (3) Additional sets of steel blades with hardware.

**Tires:**

- All six tires shall be new, 14.00-24, 12pr Goodyear BKT Trac Grader tires;
- (2) Spare tires/rims not to be mounted;
- Rims shall be 10";

**Steering**

- Steering shall be hydraulic power frame articulation;
- Motor Grader turning radius shall not exceed 24.4 feet.

**Articulation Joint:**

- Articulation joint shall have a mechanical locking device to prevent frame articulation while servicing or transporting;
- Articulation front steer plus articulated minimum of 20 degrees.

**Frame:**

- Frame articulated with safety lock;
- Rear counterweight with rear hitch and pin.

**Moldboard:**

- 13' long, 27" high and no less than 1" thick;
- Hydraulic shift and hydraulic tilt;
- Replaceable end bits;
- Moldboard shall be constructed of a wear-resistant, high carbon steel;
- Maximum slope angle of 90 degrees to both sides.

**Circle and Drawbar:**

- Drawbar shall be of "Y" type design with solid beam construction;
- The circle shall be supported by the drawbar with a least six support shoes providing vertical and horizontal adjustment;
- Circle diameter shall be no less than 60" and rotated by a hydraulically driven motor 360 degrees.

**Hydraulics:**

- Reservoir tank minimum 16 gallon;
- Stand by pressure minimum 885 psi;
- Pump type variable piston;
- Maximum pump flow 55 gallon minimum;
- Minimum system pressure of 2,750 psi;
- Standard antler rack hydraulic controls with steering wheel with float control;
- Hydraulic pump disconnect.

**Electrical:**

- 24 volt system with an alternator minimum 200 amp total;
- Maintenance free heavy duty batteries with minimum 1,125 CCA;
- Electric back-up alarm
- Electric horn;
- Convertor 24 V to 12 V, 25 amp capacity for inside cab hook-up for two-way radio.

**Cab/Operator Station:**

Low cab with fixed lower front and side windows;  
Pedal decelerator;  
Factory installed fully enclosed ROPS type cab with sound suppression which shall meet all OSHA standards;  
20,000 btu/heater/defroster with a three speed fan;  
Front and rear glass windshield wipers/washer;  
All glass tinted;  
Two rear view mirrors located outside cab, one on each side;  
One inside rear view mirror, wide angle;  
Gauges: engine coolant temperature fuel, voltmeter, engine oil pressure, frame articulation, tachometer, hour meter;  
Entire control console, with steering wheel and all implement control levers, shall be infinitely adjustable fore and aft as a single unit;  
Seat shall be a cloth-covered, suspension type with arm rest, adjustable, equipped with a retractable seat belt;  
Air conditioner refrigerant charged.

**Lighting:**

LED head lights, LED tail lights, LED turn signals and premium LED work/grading lights front and rear, mid-range;  
Warning strobe light, including hardware to be mounted on cab;  
26" higher than standard frame lights, front snow plow light bar;  
License plate bracket with light.

**Other Equipment:**

V-type scarifier front mounted with a working width of no less than 47" and a minimum scarifying depth of 11", hydraulically controlled including float;  
Scarifier with 2 pitch positions and minimum of 9 shank pockets;  
To include 9 – 1 x 3 scarifier shanks with teeth and mounting hardware.

**Paint:**

Standard manufacturer's color scheme.

**Warranty:**

5 Year/5,000 hour no cost full machine warranty shall be provided;  
All warranty work on equipment shall be provided on site or transported to the dealership at dealer's cost.

**Miscellaneous:**

Two (2) sets of keys;  
One (1) complete set of maintenance/repair manuals and parts catalog/CD Rom, in addition to an operator's manual for the model supplied;  
Snow chains to be provided for rear tandem wheels and to include a minimum of 30 replacement links;  
Tool box to be included;  
Vendor shall supply adequate training to acquaint operators with the equipment;  
**\*Title fee to be included in bids\*.**

**\*\*If there is any specification differences please make sure to note them when submitting your bid\*\***

**BID FORM**

**Worcester County Department of Public Works – Roads Division  
“FY19 - Purchase of Motor Grader”**

I/We have reviewed the specifications and provisions for furnishing/delivering one (1) motor grader and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

**One (1) motor grader (current production model):**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Total Cost Per Unit: \$ \_\_\_\_\_ Total Bid Price including delivery: \_\_\_\_\_

**Option 1:** V-Plow unit shall be one (1) ten (10) foot standard duty front mounted V-Plow for snow removal. V-Plow with replaceable cutting edges and mushroom shoes. Mounting is to be of a “quick hitch” design with all mounting hardware and installed on equipment when delivered.

\$ \_\_\_\_\_

**Option 2:** Joystick hydraulic controls \$ \_\_\_\_\_

**Option 3:** Trade in Value: 1989 JD 670B Grader \$ \_\_\_\_\_

*If there is any specification differences please make sure to note them when submitting your bid.*

Delivery To: Department of Public Works – Roads Division  
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: \_\_\_\_\_

**BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_



## VENDOR LIST:

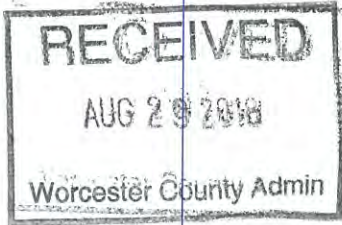
Folcomer Equipment Corporation  
12420 Sussex Highway  
P.O. Box 338  
Greenwood, DE 19950  
Attention: Mike Youse  
Phone No.: 302-349-5760  
Fax No.: 302-349-5785  
Email: [mike.youse@folcomer.com](mailto:mike.youse@folcomer.com)

Jesco  
9060 Ocean Highway  
Delmar, MD 21875  
Attention: Ron Holt  
Phone No.: 410-546-1090  
Fax No.: 410-547-0899  
Email: [ronald.holt@jesco.us](mailto:ronald.holt@jesco.us)

Elliott & Frantz, Inc.  
38420 Sussex Highway  
Delmar, DE 19940  
Attention: Rich Woolfolk  
Phone No.: 302-846-3033  
Fax No.: 302-846-0763  
Email: N/A

Alban Cat  
1770 Westwood Drive, Suite 106  
Salisbury, MD 21801  
Attention: Bob Sellers  
Phone No.: 410-341-3990  
Fax No.: 410-341-3693  
Email: [bsellers@albancat.com](mailto:bsellers@albancat.com)

McClung-Logan Equipment Company  
17941 Sussex Highway  
Bridgeville, DE 19933  
Attention: Tad Lynch  
Phone No.: 302-337-3400  
Fax No.: 302-337-9083  
Email: [tlynch@mcclung-logan.com](mailto:tlynch@mcclung-logan.com)



10

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

JOHN H. TUSTIN, P.E.  
DIRECTOR

MEMORANDUM

JOHN S. ROSS, P.E.  
DEPUTY DIRECTOR

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

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** John H. Tustin, P.E., Director *JHT*  
**DATE:** August 27, 2018  
**SUBJECT:** FY19 Bid Request - Two Dump Trucks  
Department of Public Works – Roads Division

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

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Attached for your review and approval are bid documents for the purchase of two (2) dump trucks with a 10 ft. stainless steel dump body and attachments/accessories to be utilized by the Department of Public Works – Roads Division. Included in this packet is the Notice to Bidders, Specifications, Bid Form, and Vendor List. Once the Commissioners have had the opportunity to review the packet, it is requested that authorization be provided to solicit bids for the purchase of these vehicles.

The purchase of these two (2) dump trucks will replace one (1) 1992 Ford F-800 Dump Truck (#131) and one (1) 1997 Ford F-800 Dump Truck (#130), the County currently operates.

Funding in the amount of \$310,860 for the purchase of two dump trucks was approved in the current FY19 operating budget in account 100.1202.9010.010.

Should you have any questions, please do not hesitate to call me.

Attachments

cc: Frank J. Adkins

**DRAFT**

**NOTICE TO BIDDERS**

**Purchase of Dump Trucks  
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting bids for the purchase of two (2) new current production model dump trucks with a stainless steel 10-foot dump body and attachments/accessories for the Roads Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 – Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, obtained online at [www.co.worcester.md.us](http://www.co.worcester.md.us) or by calling the Commissioners’ Office at 410-632-1194 to request a package by mail. **Sealed bids will be accepted until 1:00 p.m., Tuesday, October 9, 2018**, in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked **“Dump Truck Bid”** in the lower left-hand corner. After opening, bids will be forwarded to the Department of Public Works for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Frank Adkins, Roads Superintendent, at 410-632-2244, Monday through Thursday, between 6:00 a.m. to 4:30 p.m.

# **BID SPECIFICATIONS**

## **1. Bids**

- A. Bids should be submitted in sealed envelopes clearly marked in lower left-hand corner "**Dump Truck Bid**".

## **2. Late Bids**

- A. Bids should be mailed or hand-carried to be received in the Office of the County Commissioners by or before **1:00 p.m. on October 9, 2018**. Bids received after the appointed time will not be considered.

## **3. Taxes**

- A. The County is exempt from all Federal and States taxes. Therefore, bidders' price should reflect the same.

## **4. Scope of Work**

- A. To supply two (2) dump trucks with a stainless steel 10 ft. dump body and attachments/accessories.
- B. Vendor is responsible for delivery of awarded vehicle to the Department of Public Works - Roads Division at 5764 Worcester Highway, Snow Hill, Maryland 21863. All paperwork will accompany vehicles, as the County will be responsible for acquiring their tags and titles.

## **5. Payment**

- A. Submit payment to the Department of Public Works – Roads Division for review and processing upon delivery of said new vehicle purchase.

## **6. Award of Contract**

- A. Bids will be opened by the Chief Administrative Officer or Assistant Chief Administrative Officer in the Office of the County Commissioners and read aloud at **1:00 p.m. on October 9, 2018**.

B. The Department of Public Works shall prepare a tabulation of said bids and a recommendation to the County Commissioners at the next regular meeting of the Commissioners. In awarding the bids, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities herein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

## **7. Vehicle Specifications**

The following specifications represent two (2) cabs and chassis, **current production model**, or equivalent for Worcester County Public Works- Roads Division. Trucks are to be equipped with 10 ft. stainless steel body, tool box, electric controls/central hydraulics, pintle hitch, snow plow, tarp, and attachments.

### **Base Chassis:**

179.0" wheelbase;  
104.0" cab to axle;  
104.0" usable cab to axle;  
65.0" axle to frame.

### **Frame:**

120,000 PSI yield heat treated alloy steel frame rails;  
120,000 PSI yield frame reinforcement;  
Steel front swept back bumper;  
Frame mounted tow hooks (2) front and (2) rear;  
Chassis coating – corrosion resistant primer coating for reinforced frame rails in addition to standard procedures.

### **Front Axle and Suspension:**

I-Beam type with 14,000 lb. capacity;  
Multi-leaf front spring, shackle type with 14,000 lb. capacity;  
Shock absorbers;  
Spring pins rubber bushings, maintenance free.

### **Rear Axle and Suspension:**

23,000 lb. capacity with 200 wheel ends;  
Magnetic rear axle drain plug;  
23,500 lb. capacity vari-rate multi-leaf springs;  
4,500 lb. capacity auxiliary multi-leaf springs;  
Gear ratio: 5.38.

### **Air Brake System:**

ABS brakes;  
Dual system for straight truck applications;  
Dust shields front and rear;  
Air Compressor supply line, naturally aspirated;  
Color and size coded brakes lines;  
Automatic brake slack adjustors (front and rear);

Air tank drain valves with pull chains for air tank;  
16.5" x 5.0" S-Cam front brakes, includes 20 sq. in. long stroke brake chamber;  
16.5" x 7.0" S-Cam rear brakes, includes 30/30 sq. in. long stroke brake chamber;  
Air dryer with heater located inside left rail, back of cab;  
Bendix Tu-Flo 550 air compressor – 13.2 CFM capacity.

\*Brake system air tanks should be mounted under battery box, or within frame rails to allow as much ground clearance as possible. Should either of these locations interfere with body builder please contact Worcester County to discuss alternatives before proceeding with chassis build.

### **Exhaust System:**

Switchback single, horizontal, aftertreatment device frame mounted outside right rail under cab, includes vertical tail pipe and guard;  
Muffler / tail pipe guard non-bright finish;  
Tail pipe (1) turnback type, non-bright, for single exhaust.

### **Electrical System:**

12 volt standard equipment;  
(2) Maintenance free 12 volt 1300 CCA batteries;  
Self-canceling turn signal switch;  
Day time running lights included with headlights (2);  
Headlight dimmer switch integral with turn signal lever;  
Headlights (2) sealed beam, round, with chrome plated bezels;  
Jump start stud located on positive terminal of outermost battery;  
One electric horn;  
Back-up alarm, electric;  
Turn signals, front LED includes LED side marker lights, mounted on fenders;  
12 Volt - 200 Amp alternator;  
AM/FM radio;  
Two speed with wash and intermittent windshield wipers;  
Low oil pressure/high coolant temperature (light and alarm);  
Manual reset circuit breakers;  
Trailer auxiliary feed circuit for electric trailer brake accommodation/air trailer ABS, with 30 amp fuse and relay, controlled by ignition switch;  
2-Way radio wiring effects – wiring with 20 amp fuse protection, includes ignition wire with 5 amp fuse, wire ends heat shrink and routed to center of header console in cab;  
Auxiliary harness 3.0' for auxiliary front head lights and turn signals for front plow applications;  
Electric trailer brakes/lights accommodation package to rear of frame, for combined trailer stop, tail, turn, marker light circuits – includes electric trailer brake accommodation package with cab connections including electric brake control, wiring, and trailer socket installed;  
Switch, toggle, for work light, lighted – on instrument panel and wiring effects for customer furnished back of cab light;  
Body builder wiring back of standard cab at left frame or under extended or crew cab at left frame – includes sealed connectors for tail/amber turn/marker/backup/accessory power/ground and sealed connector for stop/turn.

### **Front End:**

Fiberglass tilt hood and fenders;  
Mud flaps;  
Stationary grill, chrome;  
Insulation under hood for sound abatement;  
Insulation, splash panels for sound abatement.

**Paint:**

White;  
Clear coat.

**Engine:**

Inline six cylinder wet sleeve diesel engine;  
Minimum: 315 HP @2000 RPM;  
Minimum: 950 lb. ft. torque @1200 RPM;  
Electric engine shutdown;  
Spin on type oil filter;  
Engine mounted water filter;  
Engine mounted fuel filter(s);  
Block heater;  
Electronic road speed governor;  
Hand control throttle;  
Federal emission standards;  
Horton drivemaster polar extreme fan drive;  
Air cleaner dual element.

**Transmission:**

6 speed Allison 3500 RDS P;  
PTO transmission mounted constant drive;  
Transmission oil synthetic – 29 thru 42 pints;  
Automatic neutral Allison WT transmission shifts to neutral when parking brake is engaged and remains in neutral when park brake is disengaged.

**Radiator:**

Aluminum radiator cross flow with transmission air cooler;  
Deaeration system with surge tank;  
Premium rubber radiator hoses.

**Fuel Tank:**

70 gallon capacity with step, mounted left side under cab;  
DEF tank – 7 gallon.

**Cab:**

Black rubber floor covering;  
Conventional cab;  
Arm rest (2);  
Clearance marker lights LED, flush mounted;  
Tinted windows;  
Mirrors (2) rectangular 7.55" x 14.1" convex both sides, breakaway type with brackets and arms;  
Gauge cluster (engine oil pressure, water temperature, fuel, tachometer, voltmeter), English  
Bench seat or driver seat with two man passenger, vinyl with seatbelts;  
Air conditioner with integral heater and defroster;  
Single trumpet mounted air horn;  
Cab interior trim, deluxe;  
Grab handles (interior and exterior);  
Steps – two steps per door.

### **Tires and Wheels:**

22.5 x 8.25 hub piloted, painted steel disc wheels, front and rear – 2 hand hole, 10 stud;  
11R22.5 (2) Goodyear load range H, 16 ply tires, front;  
11R22.5 (4) Goodyear load range G, 14 ply tires, rear;  
Front oil lubricated wheel bearings;  
Wheels to be painted white.

### **Body and Hydraulics:**

Stainless steel body;  
10' 300U with 30" sides;  
36" cab protector;  
3/16" high tensile steel floor;  
8 gauge body (sides and ends);  
Air tailgate with dirt shedding inverted "V" on top of tailgate;  
Hide-A-Step with grab handle – passenger side;  
Adapt glad hands to pintle plate;  
Oval LED mounted on their side between frame rails on pintle plate – (2) red (1) clear;  
Dual ovals in rear corner post for (1) LED amber strobe, (1) LED red stop, tail, turn;  
Hot shift PTO;  
Bolt on rear spreader apron;  
PH20 pintle hitch mounted 30" from ground;  
Snow plow lights;  
Electric brake control with 7-pin spade plug;  
6 head strobe mounted in the cab shield;  
Sealed wiring harness;  
Reinstall rear tow hooks;  
820SFDA-10 P22 hoist;  
14"x 36"x 84" behind cab aluminum tool box – AERO or equal;  
Reinforced front bumper wrap;  
Snow plow push frame (GN200) adding gussets;  
Good Roads Model 120M 10' x 36" snow plow or equivalent;  
Power angle locking;  
Curb bumpers;  
Mold board end markers;  
Delete adjustable caster shoes;  
Rubber snow shield;  
All controls must be labeled and illuminated;  
Lines extended to rear of chassis for future spreader use (with connections);  
Hydra Tarp System with mesh tarp and wind deflector;  
Rocker switch central hydraulics;  
Rear rubber flaps;  
Steel front mud guards;  
Paint with powder coat PCTZ89107 White – to match cab. Over zinc oxide primer;  
Back up alarm;  
Rust proof and undercoat body;  
Grip strut between standards;  
Steel valve body box and valves installed outside of frame rail;  
Steel oil reservoir and sight gauge installed outside of frame rail.

\*Total overall height of vehicle including lights not to exceed 134".



**Tool Box:**

Shall be mounted behind cab;  
Aero or equal and shall be approximately 14" in height and approximately 84" wide;  
Height shall be from bottom of cab to bottom of rear window;  
Shall be constructed of .1875 thick 5454H32 aluminum;  
Tool box opening shall be at least 12" wide;  
Box shall have 3/4 plywood on floor;  
Box shall have 3/4 plywood shelf halfway up the box;  
Box shall have full height door on each side opening toward front of vehicle;  
Interior dome light with toggle switch;  
Box doors shall have automotive type seal.

*It is the purpose of these specifications to describe a bumper to frame type snow plow hitch designed for medium to large weight truck. Parts not specifically mentioned - which are necessary to provide a complete and operational unit shall be included in the bid and shall conform in strength and quality of material and workmanship to what is provided to the trade in general.*

**Two Way Power Angling Snow Plow (Good roads 120M 10 x 36 or equal):**

Mouldboard shall be formed using 10 gauge Hot Rolled Steel;  
Minimum of 8 vertical 1/2" x 3" ribs with 2 ribs at center hinge point;  
2 rows of 1/2" x 3" horizontal ribs running length of mouldboard;  
Mouldboard shall be 10 ft. wide and 36" high;  
Top of mouldboard shall be channel formed;  
Bottom of mouldboard shall have back up angle of not less than 3 1/2" x 3 1/2" x 1/2" angle gusseted;  
Sheet shall extend downward below the holes for the cutting edge;  
Mouldboard shall be equipped with a built-in snow shield of 10 gauge steel;  
Cutting edge shall be 3/4" x 6" full length with carbide insert;  
Cutting edge shall have 11/16 square holes punched and be replaceable;  
Two way power angle plow to be equipped with hydraulic cylinders, for angle operation;  
The semi-circle angle shall be rolled down 3 1/2" x 3 1/2" x 1/2" angle with a front tube of 4"x 4" x 3/8" square tube running a minimum length of 116" along the rear of the mouldboard;  
Semi-circle shall be attached to the mouldboard at five points with the outside points measuring a minimum of 116";  
Fully automatic trip device mounted on the semi-circle with heavy duty trunnion support sockets with grease fittings;  
Trip device shall consist of 2 fully enclosed trip springs with a minimum of 5/8" diameter contained in a 6" OD 10 gauge tubular housing;  
Recoil springs shall also be provided on the spring rod to cushion return action;  
Push frame members shall be 4" x 13.8 lb. ship channels and connected by means of an equalizer bar at the end with front bumper wrap reinforcement over OEM bumper or equal to include front tow hooks. Chassis dealer to supply all required wiring codes to be used by body outfitter;  
Drive bar ears shall be a minimum of 1 1/2" thick, 21" apart with holes drilled to accommodate 1 1/4" drive pins;  
Drive pins shall be 1 1/4" with painted ends and fabricated of heat-treated, hardened steel;  
Pin locking mechanism shall be provided to hold snow plow in a set position;  
Length of push frame from mouldboard attaching point to the truck hitch attaching point shall be 36" and shall allow sufficient bumper clearance at 42 degrees left and right;  
Mouldboard to have curb bumpers;  
Mouldboard end markers shall extend 28" and be of high visibility;  
Mouldboard shoes #62100352 Goodroads are required or equal;

Driving lights shall be impact resistant polycarbonate housing, rectangular in design with a quartz Halogen beam, part of fender mount;  
Lights shall have integrated turn signal and parking lamp;  
Lights to be mounted on fenders of truck;  
Unit is to be painted Tangerine;  
Hydraulic lift cylinder shall be 4" bore x 10" stroke with chrome plated rod and minimum 2000 PSI working pressure;  
Unit to be equipped with snow shield assembly.

*The **Hydraulic System** described herein is to supply power to operate the dump body hoist cylinder, snow plow, lifting cylinder, power angling, spreader spinner and auger functions. The system shall permit completely independent, yet simultaneous operation of the dump body hoist and spreader. The hydraulic system shall return fluid back to the reservoir when all circuits are "OFF".*

**Hydraulic System:**

Hydraulic/Hot Shift PTO with direct mount flange and P22 commercial pump;  
Pump inlet suction shall not exceed five (5) inches mercury vacuum at start-up and positive pressure on inlet not to exceed 5 PSI during normal operation;  
Main system bank control valve shall have 6 bank electric solenoid controlled valves;  
Spreader On and Off valve "A" will direct flow of oil to dual flow control valve, must be inside cab;  
Circuit to incorporate pressure compensated flow divider;  
Regulated flow to mid inlet, excess flow to spreader unit;  
Oil split to provide 6 gallons to body and plow lift;  
Body lift circuit, Valve "B" will direct system flow to a double acting hoist cylinder. The adjustable priority flow regulator is to be pressure compensated type with by-pass port;  
Valve is to be set so that a portion of system flow will be directed to body hoist cylinder so that its speed of elevation is such that it will not affect operation of spreader;  
Relief valve back to tank is to be incorporated in the line to the rod end of the cylinder and is to be preset to cylinder manufacturer's specifications;  
Plow lift circuit Valve C will direct flow to a double acting 4" x 10" lift cylinder;  
Plow reverse circuit Valve D will direct flow to the plow reversing cylinders;  
Valve will have a motor spool to allow plow lock to engage when return to neutral position;  
Control valve shall be mounted outside the frame rails directly behind the cab in an aluminum box. Valve shall be controlled by cab mounted electric switches within easy reach of driver. All controls are to be labeled and illuminated;  
Oil reservoir is to be at least 30 gallon capacity - all steel construction, and mounted to chassis frame with flanges which are welded to tank and bolted to frame;  
Return filter to be 50 G.P.M. minimum and contain an electric pressure sensor and bypass circuit to activate a dash warning light when element is clogged;  
Filter shall have a 10 micron rating;  
Suction line is to have an in-tank suction strainer and shall have a 125 micro rating - a 30 P.S.I. bypass and a 2" minimum port;  
Reservoir to be equipped with a filler breather with mesh basket and chain;  
Reservoir must contain a 5" level temperature indicator;  
Reservoir to be equipped with 3/4" magnetic drain plug located at the lowest point;  
One hydraulic test point must be installed permanently in the pump discharge line at a convenient point. All connections between the test points and tester shall be of quick disconnect type. All flow, pressure and temperature of simultaneous or individual functions of the entire hydraulic system must be measured from 1 point;  
Suction line shall enter the front side of the tank a few inches off the tank bottom;

Suction line shall be a minimum of 2" I.D. and be connected through a 2" full flow ball valve directly mounted to tank;  
Suction line shall be equipped with replaceable strainer;  
Return line shall enter tank above oil level, extend to near the bottom of tank and be equipped with a replaceable automotive type 10 micron filter;  
Return line filter shall have a condition indicator gauge;  
Liquid level switch shall be provided in tank which will activate a red warning light in cab when tank level drops to 1/2 capacity;  
Dash mounted light to be clearly labeled;  
Reservoir tank to have sight gauge;  
Hydraulic system must totally shut down all pump flow to system when hose failure occurs;  
System shall be piped with high pressure hose long enough and pliable enough to ensure easy removal and installation;  
Hoses to be equipped with JIC swivels on each end;  
Lines equipped with quick couplers and dust caps shall extend to vehicle rear for spreader operation and to the front bumper for plow lift cylinder and plow reversing cylinder.  
Couplers on these lines shall be reversed, male-female to prevent incorrect hook-up and mounted in collector manifolds;  
Couplers shall be furnished as complete sets. In cases where the lines are not connected to equipment, the mating part of each coupler shall be furnished as on-vehicle equipment;  
Lines shall be clearly and permanently labeled at collector manifolds;  
Fittings shall be permanently attached on hoses with swivel joints located at ends of each hose assembly.

**Tarp System:**

New 22 hydraulic operated tarp system with heavy duty arms;  
Include mesh tarp, cab control operated and wind deflector.

**Warranty:**

Extended warranty - 60 months or 150,000 miles from delivery date to include engine, engine electronics, injectors, front axle, rear axle, propshaft, and transfer case;  
Extended warranty - 60 months - Allison Transmission;  
Exhaust after treatment extended warranty - 60 months or 100,000 miles.

**Miscellaneous:**

One spare disc wheel 22.5 x 8.25;  
Service Manual (Chassis);  
Operator's Manual (Chassis);  
Lineset Tickets (Chassis);  
Parts Books (Body & Hoist);  
Operator's Manual (Hydraulic System);  
Parts Manuals (Hydraulic System);  
Repair Manual (Hydraulic System);  
Parts Manual (Snow Plow);  
Successful body vender to complete and deliver back to successful chassis vender;  
**\*Title fee to be included in bids\*.**

**If there is any specification differences please make sure to note them when submitting your bid.**

**BID FORM**

**Worcester County Department of Public Works – Roads Division  
“FY19 - Purchase of Two Dump Trucks”**

I/We have reviewed the specifications and provisions for furnishing/delivering two (2) current production model dump trucks with 10 ft. stainless steel dump body and attachments/accessories and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

**Two (2) dump trucks with 10 ft. stainless steel dump body and attachments/accessories (current production model):**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

Total Cost Per Unit: \$ \_\_\_\_\_

Total Bid Price including delivery: \$ \_\_\_\_\_

*If there is any specification differences please make sure to note them when submitting your bid.*

Delivery To: Department of Public Works – Roads Division  
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: \_\_\_\_\_

**BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

## VENDOR LIST:

International of Delmarva  
Attn: Beth Brittingham  
Post Office Box 2135  
Salisbury, MD 21801  
Phone No.: 410-546-1122  
Fax: 410-749-9440  
Email: [bbrittingham@pennfreightliner.com](mailto:bbrittingham@pennfreightliner.com)

Easton Truck Center  
Attn: Beth Brittingham  
Post Office Box 1567  
Easton, MD 21601  
Phone No.: 1-800-787-2020  
Fax: 410-822-4838  
Email: [bbrittingham@baylortruck.com](mailto:bbrittingham@baylortruck.com)

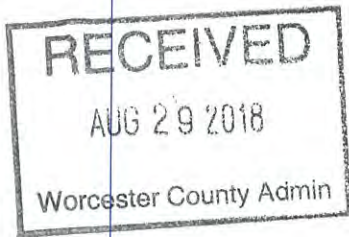
Freightliner of Delmarva  
Attn: Beth Brittingham  
Post Office Box 2135  
Salisbury, MD 21802  
Phone No.: 410-896-3560  
Fax: 410-896-9357  
Email: [bbrittingham@pennfreightliner.com](mailto:bbrittingham@pennfreightliner.com)

Bayshore Ford Truck Sales, Inc.  
Attn: Pat Sankus  
4003 N. Dupont Highway  
New Castle, DE 19720  
Phone: 302-656-3160, ext. 1156  
Fax: 302-656-5089  
Email: [psankus@bayshoreford.com](mailto:psankus@bayshoreford.com)

Western Star Trucks of Delmarva  
A Division of J. G. Parks & Son  
Attn: Joe Pieroschek  
24360 Ocean Gateway  
Post Office Box 416  
Mardela Springs, MD 21837  
Phone No.: 410-742-0400; Cell: 410-430-6123  
Fax: 410-749-5938  
Email: [trucksales1@jgparks.com](mailto:trucksales1@jgparks.com)

Bergey's Truck Center  
Attn: Eric Miller  
30299 Foskey Lane  
Delmar, MD 21875  
Phone No.: 1-800-338-6225  
Fax: 410-896-2766  
Email: [emiller@bergeys.com](mailto:emiller@bergeys.com)

Delmarva Kenworth  
Attn: Richard Weyandt  
613 Clara Street  
Dover, DE 19904  
Phone No.: 302-674-2300  
Fax: 302-735-1841  
Email: [richard@delmarvakenworth.com](mailto:richard@delmarvakenworth.com)



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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: August 27, 2018**  
**SUBJECT: FY19 Bid Request – Metal Pipe**  
**Department of Public Works Roads Division**

DIVISIONS



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

Attached for your review and approval are bid documents for the purchase of pipe to be utilized by The Department of Public Works, Roads Division. Included in this packet is the Notice to Bidders, Specifications, Bid Form and Vendor List. Once the Commissioners have had the opportunity to review the packet, it is requested that authorization is provided to solicit bids for the purchase of pipe.

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

Funding in the amount of \$40,000 for the purchase of pipe is available in the current FY19 operating budget in account 100.1202.6140.040.

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

Should you have any questions, please do not hesitate to call me.

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

Attachments

cc: Frank J. Adkins

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

**DRAFT**

**NOTICE TO BIDDERS**

**Purchase of Corrugated Metal Pipe  
Worcester County, Maryland**

The Worcester County Commissioners are currently accepting bids for the purchase of Galvanized Steel Corrugated Metal Pipe for the Roads Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863-1195, obtained online at [www.co.worcester.md.us](http://www.co.worcester.md.us) or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Sealed bids will be accepted until **1:00 p.m., Tuesday, October 9, 2018**, in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Pipe Bid**" in the lower left-hand corner. After opening, bids will be forwarded to the Public Works Department for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Frank Adkins, Roads Superintendent, at 410-632-2244, Monday through Thursday, 6:00 a.m. to 4:30 p.m.

## Bid Specifications

The Worcester County Commissioners are accepting bids on the following **Riveted Galvanized Steel Corrugated Metal Pipe or Helically Corrugated Pipe with Two Annular Corrugations on each end of pipe** delivered to Worcester County Department of Public Works, Roads Division, Snow Hill Shop, 5764 Worcester Highway, Snow Hill, MD 21863. **NO DIMPLE BANDS, NO INDIVIDUAL LUGS, ONLY BANDS WITH ANGLES ACROSS WIDTH OF BAND OR APPROVED EQUAL WILL BE ACCEPTED FOR PIPE SIZES LARGER THAN 18". ALL PIPES CUT TO MEET SIZE REQUIREMENTS MUST BE RE ROLLED.** All Federal and State Taxes are exempt.

<u>PIECES</u>	<u>GAUGE</u>	<u>DIAMETER</u>	<u>PIPE</u>	<u>LENGTH</u>	<u>PRICE/FT</u>	<u>TOTAL</u>
6	12	48"	GCCMP	20'	\$ _____	\$ _____
3	12	48"	GCCMP	14'	\$ _____	\$ _____
5		48"	BANDS		\$ _____	\$ _____
4	12	36"	GCCMP	20'	\$ _____	\$ _____
10		36"	BANDS		\$ _____	\$ _____
3	14	30"	GCCMP	16'	\$ _____	\$ _____
4	14	30"	GCCMP	14'	\$ _____	\$ _____
2	14	30"	GCCMP	12'	\$ _____	\$ _____
2	14	24"	GCCMP	16'	\$ _____	\$ _____
1	14	24"	GCCMP	14'	\$ _____	\$ _____
5	16	18"	GCCMP	20'	\$ _____	\$ _____
2	16	18"	GCCMP	16'	\$ _____	\$ _____
5	16	18"	GCCMP	14'	\$ _____	\$ _____
5	16	15"	GCCMP	20'	\$ _____	\$ _____
4	16	15"	GCCMP	16'	\$ _____	\$ _____
5	16	15"	GCCMP	14'	\$ _____	\$ _____
15	16	12"	GCCMP	20'	\$ _____	\$ _____
25	16	12"	GCCMP	16'	\$ _____	\$ _____
20	16	12"	GCCMP	14'	\$ _____	\$ _____
9	16	12"	GCCMP	12'	\$ _____	\$ _____
30		12"	BANDS		\$ _____	\$ _____



## **BID FORM**

### **Worcester County Department of Public Works – Roads Division “FY19 – Pipe Bid”**

I/We have reviewed the specifications and provisions for furnishing **Riveted Galvanized Steel Corrugated Metal Pipe** to the Worcester County Department of Public Works, Roads Division and understand said requirements. I/We hereby propose to furnish pipe and bands for:

**TOTAL BID PRICE (including freight):** \$ \_\_\_\_\_

Pipe and bands to be delivered within \_\_\_\_\_ calendar days from receipt of written order.

*Worcester County reserves the right to adjust the amount of pipe depending on varying circumstances.*

**BID MUST BE SIGNED TO BE VALID.**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

## VENDOR LIST:

Lane Enterprises, Inc.  
c/o Annette Bliss  
6369 Schoolhouse Road  
P.O. Box 67  
Bealeton, VA 22712  
Phone No.: 540-439-3201  
Fax No.: 540-439-1042  
E-Mail: [abliss@lane-enterprises.com](mailto:abliss@lane-enterprises.com)

Tri Supply and Equipment  
c/o Neil Messick  
110 Columbia Road  
Salisbury, MD 21801  
Phone No.: 410-546-2900  
Fax No.: 410-546-2644  
Email: [nmessick@trisupplyandequipment.com](mailto:nmessick@trisupplyandequipment.com)

Contech Engineered Solutions  
c/o Jeff Van Osdel  
7037 Ridge Road, Suite 350  
Hanover, MD 21076  
Phone No.: 410-740-8490  
Fax No.: 410-740-8492  
E-Mail: [jvanosdel@conteches.com](mailto:jvanosdel@conteches.com)

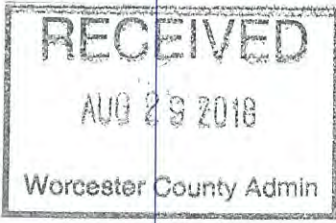
Chemung Supply Corporation  
c/o Carl Perine  
Post Office Box 527  
Elmira, NY 14902  
Phone No.: 607-733-5506  
Fax No.: 607-732-5379  
Email: [cperine@chemungsupply.com](mailto:cperine@chemungsupply.com)

HD Supply Water Works  
c/o Mike Hurd  
25414 Prime Hook Road, Suite 100  
Milton, DE 19968  
Phone No.: 302-684-3054  
Fax No.: 302-684-3586  
Email: [mike.hurd@hdsupply.com](mailto:mike.hurd@hdsupply.com)

ACF Environmental  
c/o Robert Hagy  
11435 Red Lion Road  
White Marsh, MD 21162  
Phone: 443-987-8317  
Fax No.: N/A  
Email: [bhagy@acfenv.com](mailto:bhagy@acfenv.com)

P.E. Sales  
c/o Andy Cary  
P.O. Box 461  
Perry Hall, MD 21128  
Phone No.: 410-733-0748  
Fax No.: 410-256-5952  
Email: [amcary@pesales.com](mailto:amcary@pesales.com)

Ferguson Waterworks  
c/o Gregg C. Thomas  
28596 Naylor Mill Road  
Salisbury, MD 21801  
Phone No.: 410-677-6793  
Fax No.: 410-543-9646  
Email: [gregg.thomas@ferguson.com](mailto:gregg.thomas@ferguson.com)



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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*  
John S. Ross P.E. Deputy Director  
**DATE:** August 29, 2018  
**SUBJECT:** Mystic Harbour Sanitary Service Area  
Staff Report on Mystic Harbour Plant Capacity/Expansion

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 in you memo of February 23, 2018, attached is the staff report on the current capacity and potential for expansion of the Mystic Harbour Wastewater Treatment Plant (MHWWT). This document has been discussed, edited and finalized within the Water and Sewer Committee over the last several months.

In summary, the plant has a current capacity of 450,000 gallons per day (GPD) with 250,000 GPD reserved for the original Mystic Harbour Customers and 200,000 GPD for new customers. At the current rate, that excess capacity will be distributed within the next 5 to 6 years.

The plant was designed to be easily expanded to 600,000 GPD if additional capacity was needed. The primary problems to be resolved for plant expansion is locating additional effluent disposal capacity and resolving the ongoing issue with disposal of plant solids on a permanent basis.

We are available to discuss this report at your convenience.

Attachments

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

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**MYSTIC HARBOUR WASTEWATER TREATMENT PLANT EXPANSION  
REPORT REQUESTED BY THE COUNTY COMMISSIONERS  
AUGUST 2018**

**1. Introduction**

The Worcester County Commissioner have requested a staff report on the Mystic Harbour Wastewater Treatment plant (MHWWTTP) addressing the following:

- The current plant capacity
- The status of the allocation and sale of the remaining EDU's from the plant
- An engineering perspective on the expansion potential of the MHWWTTP identifying:
  - A. Potential Capacity
  - B. Cost Estimate
  - C. Financing
  - D. Timing
- Discussion of potential effluent disposal options including:
  - A. Prior investigations
  - B. Other potential disposal options

**2. Current Plant Capacity**

In February of 2014, construction was completed on the new MHWWTTP. The new plant has a capacity of 450,000 gallons per day (GPD) which replaced the old treatment plant which had a capacity of 250,000 GPD. Within the treatment plant, there are three (3) treatment trains, each with a treatment capacity of 150,000 GPD creating the total plant capacity.

The additional 200,000 GPD resulted in the creation of 666 new Equivalent Dwelling Units (EDUs) to be used for a combination of environmental improvement (septic tank removals) and growth (primarily commercial in nature) within the Mystic Harbour Sanitary Service Area. Since 2015, a significant number of EDUs have been allocated to projects aimed at satisfying the goals as set forth above.

Treated effluent from the MHWWTTP is discharged in compliance with a Discharge Permit issued by the Maryland Department of the Environment. The Discharge Permit is attached to this report as Appendix A. According to the discharge permit, the plant effluent can be discharged to three (3) permitted outfalls, described as follow:

- Outfall 001 allows discharge to a system of shallow groundwater injection wells. The permit limits the quantity of treated effluent discharged through this outfall to 250,000 GPD average monthly flows. The quality of effluent discharged is very strict requiring the MHWWTWP to produce extremely high quality effluent.
- Outfall 002 allows discharge to the Eagle's Landing Golf Course where the effluent is sprayed as a part of an effluent reuse program. The golf course discharge is limited to 81,000 GPD annual average daily flows with 225,000 GPD as a peak flow for any single day. Effluent quality for this discharge is the same as for outfall 001.
- Outfall 003 allows treated effluent to be discharged to the West Ocean City Sanitary Sewer System where it is ultimately sent to the Town of Ocean City, treated and discharged through the Ocean City Ocean outfall to the Atlantic Ocean.

The discharge permit for the MHWWTWP was made effective on May 1, 2017 so there is no significant operating history to determine the success of complying with these permit conditions.

### 3. Status of Current EDU allocations

Of the 666 EDUs created as a result of the MHWWTWP construction, the following is a summary of EDU allocations to date (August 2018)

Description	EDUs Allocated
Ocean City - Airport, Golf Course, Animal Shelter and Maintenance Bldg.	32
Castaway's Campground	88
Frontier Town	166
Frontier Town Expansion (Pending MDE Planning Approval)	34
Park Place	14
Hampton Inn	13
Victor Birch	2
Gene Parker	2
L&B Ocean City	3
Stockyard (Hoopers Site)	9
Total Allocated to Date	363
Current allocation assignment rate (EDU/Year)	72
At current rate, all EDU's will be allocated by	2023

#### 4. Perspective on the Expansion Potential of the MHWWT

The following is a discussion of the potential for the expansion of the MHWWT. Specific questions will be addressed individually.

##### A. Potential Capacity

When the MHWWT was designed and constructed, provisions were included for a planned expansion of the facility. The plant included an empty fourth treatment tank dimensionally sized for additional capacity of 150,000 GPD (an additional 500 EDUs), bringing the total treatment capacity of the plant to 600,000 GPD.

In order to gain the identified capacity, the following construction would be needed:

- Install a new Internal recycle (IR) pump and return activated sludge (RAS) pump
- Install aeration piping and air diffusers inside the treatment tank
- Install new Process piping and a new flow meter
- Purchase and Install a new Membrane Cassette(s)
- Electrical work and process control integration

Recently, we have determined through operational experience, improvements will be needed to make the dewatering and disposal of bio-solids generated at the plant more efficient. This issue was evaluated by the engineering firm of George, Miles and Buhr in December of 2017 and they recommended providing a sludge holding tank as well as additional sludge dewatering capacity by constructing additional greenhouses or adding mechanical dewatering via a belt filter press.

##### B. Cost Estimate

The following summarizes the order of magnitude cost estimate for treatment plant improvements needed to increase capacity from 450,000 GPD to 600,000 GPD:

No	Item	Estimated Cost
1	Internal Recycle and Return Activated Sludge Pumps	\$40,000
2	Aeration Piping and Diffusers	60,000
3	Process Piping and Mixers	60,000
4	New Membrane Cassette(s)	200,000
5	Electrical and Process Controls	100,000
6	Sludge Holding Tank	400,000
7	Supplemental Dewatering	1,300,000
	Soft Costs (Engineering Administrative etc.)	200,000
	Contingency	200,000
	Total Estimated Cost	\$2,500,000

NOTE: The cost estimate provided above does not include the cost for effluent disposal

### **C. Expansion Financing**

Because the primary purpose of this expansion would be to provide additional capacity for growth, there may be a limited number of funding sources. Most funding programs are geared toward solving some type of environmental problem by upgrading aging infrastructure.

### **D. Timing**

In 2007, the County Commissioners decided that replacing the Mystic Harbour Wastewater Treatment Plant was the number 1 priority for the Commissioners. The construction of that project was completed in 2013, 6 years later. Once the decision is made to begin the process of completing the next plant expansion, it is likely it can be done within a similar time frame. However, negotiations for spray site acquisitions, amending the Comprehensive Water and Sewer Plan, discharge permit negotiations and other regulatory matters can greatly impact that timing.

### **E. Planning**

It should be noted that Comprehensive Water and Sewer Plan for Worcester County was last updated in 1994. When considering a significant project like this, it is always good to consider updating the vision for water and sewer services throughout the County.

## **5. Discussion of Potential Effluent Disposal Options**

In discussing potential disposal options, it is not possible to assign a cost because site acquisition, testing, regulatory effort and public opposition/acceptance are too complex for this level of study.

### **A. Prior Investigations**

From 2013 to 2015, the Water and Sewer committee investigated a number of options for effluent disposal before settling on working with the Town of Ocean City to dispose of treatment plant effluent at the Eagle's Landing Golf Course. Information on these other options is provided below and the locations are shown on Exhibit 1:

Coates Property/Mallard Creek, LLC - The Coates property is a 90 acre parcel along Assateague Road, near the intersection of Assateague Road and Stephen Decatur Highway. A preliminary look at the soils on this property indicated that between 50,000 and 180,000 gallons per day of highly treated plant effluent could be sprayed on the site. Efforts to obtain this site were eventually dropped because the Eagle's Landing Site was at a much better location and negotiations for acquisition of the site had run into some difficulties.

Pines Shore South Golf Course - The Pine Shore South Golf Course is a privately owned former golf course along Stephen Decatur Highway south of the intersection with Assateague Road. This site was evaluated initially for effluent reuse and offered the potential for 130,000 to 260,000 GPD of disposal. The property has since been sold and is most likely not available for effluent disposal.

Assateague Greens Golf Course - The Assateague Greens Golf Course is a 36 acre parcel along Stephen Decatur Highway at the intersection with Eagle's Landing Road. This site was evaluated initially for effluent reuse but it was determined that the majority of the soils were not very good for application of sewage effluent. Total potential capacity on this site was only approximately 48,000 gallons per day. It would be fairly inexpensive to develop this site for application of sewage effluent but it does not provide enough disposal capacity for all of the capacity identified. This site could be a part of a larger multi-site solution for additional disposal for the expanded capacity of the MHWWTWP.

Ocean City Municipal Airport - The Ocean City Municipal Airport was investigated because of its proximity to the MYWWTP. The disposal concept on this site included drip irrigation in the grassed areas along, around and between the runways as well as the large grassed areas adjacent to the airport. There was a concern that spray irrigation could pose a safety problem for the airplanes so drip irrigation was proposed. The site had potential capacity of 200,000 to 400,000 gallons per day. Because of Federal Aviation Administration (FAA) internal policy discouraging effluent disposal on the airport, it was decided that gaining approval for use of the airport would require significant political pressure and there was no guarantee of success. This option was dropped and recent history has shown operational difficulties in large drip irrigation systems.

Town of Berlin - Preliminary discussions were held with the Town of Berlin offering a scenario where MHWWTWP effluent would be pumped to Berlin and sprayed at the Berlin disposal sites. The excessive cost for piping effluent to Berlin caused this potential alternative to be dropped once negotiations began on the Eagle's Landing option. This option is not considered a viable option at this time.

## **B. Other Potential Disposal Options**

Assateague Pointe Option - The Assateague Pointe Service Area currently uses spray irrigation for effluent disposal from their wastewater treatment plant. Although never pursued in earlier evaluations, staff members have offered a possible solution using the existing Assateague Pointe spray irrigation fields.

The Assateague Pointe Wastewater Treatment Plant was constructed in 1989. Over the past few years, there have been a number of significant repairs completed to the facility, most significantly, patching of the treatment lagoon liners. As it approaches 30 years old, it is clear that a significant upgrade/reconstruction to the lagoons will be needed.

The Assateague Pointe Discharge Permit allows discharge of 41,930 GPD of treated wastewater. The limit is an annual average daily flow and there is no limit placed on the facility for daily, weekly or monthly maximum flows.

Under this concept, the existing Assateague Pointe spray fields would be evaluated for disposal capacity assuming the effluent applied would be high quality rather than the lagoon effluent currently sprayed. By spraying high quality effluent, the spray field buffers would be significantly reduced providing more spray area. Additionally, the spray application rates could increase because of the



lower concentration of nutrients in the effluent. All of these conditions would result in a significant increase in spray capacity.

To accomplish this, the existing Assateague Pointe Wastewater Treatment Plant would be decommissioned and the lagoons upgraded and used for effluent holding. Naturally, some of the capacity of the MHWWT plant expansion would need to be assigned to Assateague Pointe to replace their treatment plant. The viability of this option would rest on how much additional spray capacity would be obtained in the spray fields. If this option were pursued, all of the wastewater facilities along Stephen Decatur Highway would be interconnected, allowing operation of the best disposal option for the given conditions. Spray at Assateague Pointe and Eagle's Landing would be used to the greatest extent possible as conditions permit, the additional storage at Assateague Pointe would make spray times more flexible while injection wells from both Mystic Harbour and Landings could serve during periods when spray is not possible.

Eagle's Landing Golf Course Capacity Rerating - When the discharge permit was issued for the Eagle's Landing Golf Course, the discharge capacity was established based on a history of water use for the past 10 years. Because the water use history was based on need and not maximum effort to dispose of effluent, there was never an evaluation done to establish the "real" capacity of the golf course and immediate surroundings for capacity to dispose of effluent. The quality of the Mystic Harbour Plant Effluent could also mean that some golf course land adjacent to the actual golf course could be used specifically for disposal. It is possible that with additional study, the disposal capacity could be increased by establishing that capacity.

New Site - With the possibility that the potential sites discussed above will not result in the provision of adequate for effluent disposal, the last option is to begin the process of a searching for a new site. Potential sites could be identified along Route 611 (Stephen Decatur Highway) further south or along Route 376 (Assateague Road) to the west. Since the use of Golf Courses has been shown to be viable for a number of County facilities, discussions could be held with other courses in these areas.

## **6. Summary**

In summary, expansion of the MHWWT plant from its current capacity of 450,000 GPD to 600,000 GPD is a fairly simple activity. The plant was designed to be expanded and the treatment plant work needed is very minimal. The largest expense in expanding the plant is to provide supplemental sludge dewatering at a cost of approximately \$1.5 million.

The most difficult task in expanding the MHWWT plant is identifying method to dispose of effluent. In 2013 - 2015, County staff examined a number of alternatives and selected reuse of the plant effluent on the Eagle's Landing Golf Course as the most viable option. Although that seems to be a good option for the current plant capacity, it is not likely adequate for the expanded capacity.

Because the scope of expanding the treatment plant capacity is very clear, we would recommend establishing the plan for effluent disposal as a first step in providing the capacity expansion. The following summarizes tasks needed for the project to move forward:

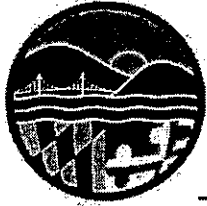
- Identify potential effluent disposal sites, confirm disposal capacity and develop preliminary agreements as needed
- Prepare Water and Sewer Plan Amendments
- Complete Preliminary Engineering Report
- Secure Project Funding
- Prepare Preliminary and Final Designs
- Construct the Project

**Attachments:**

Appendix A - Discharge Permit

Exhibit 1 - Potential Disposal Sites

**APPENDIX 1 - DISCHARGE PERMIT**



**Maryland**  
Department of  
the Environment

Larry Hogan  
Governor

Boyd Rutherford  
Lieutenant Governor

Ben Grumbles  
Secretary

**MAR 24 2017**

**CERTIFIED MAIL**

John S. Ross, P.E., Deputy Director  
Worcester County Dept. of Public Works  
1000 Shore Lane  
Berlin, MD 21811

**RE: State Discharge Permit No. 10-DP-2273  
The Mystic Harbour Wastewater Treatment Plant**

Dear Mr. Ross:

Enclosed is the above referenced discharge permit with the effective date indicated on the cover page. The permittee is responsible for complying with all permit conditions. Therefore, you are advised to read the permit carefully and to become thoroughly familiar with the requirements.

The Maryland Department of the Environment offers NetDMR for filing your required Discharge Monitoring Report (DMR) forms. NetDMR is a freely available Web based tool that allows NPDES permittees to electronically sign and submit their DMRs to EPA via a secure internet connection. NetDMR is designed to improve data quality, reduce reporting liabilities, save paper, and provide cost savings. It allows participants to discontinue mailing in hard copy forms under 40 CFR 122.41 and 403.12. For more information go to the EPA website ([www.epa.gov/netdmr](http://www.epa.gov/netdmr)) or call the MDE Water Management Administration, Compliance Program, at [410-537-3510](tel:410-537-3510) and ask to speak to a NetDMR coordinator.

As indicated in Condition II.C.2 of your permit, before you can submit official DMRs using NetDMR you must attend a training Webinar and successfully set-up and submit test monitoring results electronically. While paper DMR reporting is being phased out, those who are unable to use the NetDMR system may continue to submit paper copies after applying for a waiver (see Condition II.C.2.b). Enclosed are (EPA No. 3320-1) Discharge Monitoring Report (DMR) forms, which, unless you are already using NetDMR, must be completed for each reporting period and submitted to the Department in accordance with the requirements of the permit. Copies of these forms can also be downloaded from the Department's website ([bit.ly/MDE-New-DMR](http://bit.ly/MDE-New-DMR)). Using the latest version of Adobe Acrobat Reader, the DMR form can be completed from a keyboard and printed for mailing to the Department.

John S. Ross  
Page 2

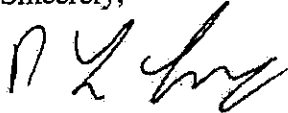
You will also find enclosed a copy of the Code of Federal Regulations, 40 CFR Part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants." Unless otherwise specified, these guidelines are to be used for the analyses required by this permit. The most current version of 40 CFR Part 136 can be found online at EPA's website. The link is: [www.epa.gov/epahome/cfr40.htm](http://www.epa.gov/epahome/cfr40.htm).

Please note that the permit authorizes wastewater discharge to groundwaters of the State; discharges to surface waters are prohibited. Please direct all future correspondence regarding permit compliance to the following address:

Compliance Program  
Water Management Administration  
Maryland Department of the Environment  
1800 Washington Boulevard, Suite 420  
Baltimore, MD 21230-1708

If you have any questions, please do not hesitate to call Ching-Tzone Tien, Chief, Groundwater Discharge Permits Division at (410) 537-3662.

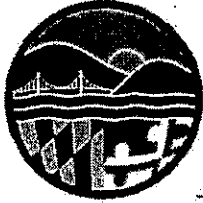
Sincerely,



D. Lee Currey, Acting Director  
Water Management Administration

Enclosures

cc: Eastern Inspection Division Chief  
Bob Mitchell  
William Lee (electronic copy)



**Maryland**  
Department of  
the Environment

Larry Hogan  
Governor

Boyd Rutherford  
Lieutenant Governor

Ben Grumbles  
Secretary

**GROUND WATER DISCHARGE PERMIT**

Permit Number: 10-DP-2273  
Effective Date: May 1, 2017  
Expiration Date: April 30, 2022

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland (1987 volume) and implementing Regulation COMAR 26.08.04. et seq, the Department of the Environment, hereinafter referred to as "the Department", hereby authorizes:

Worcester County Commissioners  
Office of County Commissioners  
Room 112, Courthouse  
One West Market Street  
Snow Hill, Maryland 21863-1070

hereinafter referred to as "Permittee", to discharge treated wastewater by injection wells as described herein from:

The Mystic Harbour Wastewater Treatment Plant  
9423 Stephen Decatur Highway  
Berlin, MD 21811

THROUGH OUTFALL: 001 – Injection well system  
THROUGH OUTFALL: 002 – Eagle Landing Golf Course Irrigation  
THROUGH OUTFALL: 003 – Ocean City Wastewater Treatment Plant

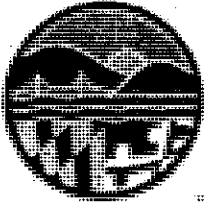
to ground water of the State in accordance with the following special and general conditions, including the attached maps made a part hereof

I. Special ConditionsA. 1. Waste and Wastewater Limitations. Outfall 001

1. This Permittee is authorized to discharge treated municipal wastewater via injection wells to ground waters of the State at the site shown on the attached Map A, B and C. The Permittee is not authorized to discharge any treated or untreated industrial or other waste.
2. Prior to discharge into the injection wells, all wastewaters shall be treated to produce an effluent which does not exceed the following maximum limitations.

Parameter Code (STORET)	Parameter Description	Loading		Concentration	Monitoring Frequency	Sample Type
		Monthly Average	Yearly Maximum	Monthly Average		
00310	BOD <sub>5</sub>	N/A	N/A	10 mg/l	Weekly	8 hr. comp
00530	Suspended Solids	N/A	N/A	10 mg/l	Weekly	8 hr. comp
00400	pH	N/A	N/A	6.5 - 8.5 <sup>(1)</sup>	Daily	Grab <sup>(2)</sup>
00600	Total Nitrogen (N) <sup>(3)</sup>	N/A	N/A	3 mg/l	Weekly	8 hr. comp
00625	TKN	N/A	N/A	Report Value	Weekly	8 hr. comp
00630	Nitrate + Nitrite (N+N)	N/A	N/A	Report Value	Weekly	8 hr. comp
50050	Flow	250,000 gpd	N/A	N/A	Continuous	Recorded
74055	Fecal Coliform	N/A	N/A	200MPN/100 ml	Weekly	Grab <sup>(2)</sup>

- (1) These are maximum (8.5) and minimum (6.5) values of pH.
- (2) Grab samples shall be obtained from effluent line serving the injection wells.
- (3) Total nitrogen is defined as the sum of Nitrate plus Nitrite (NO<sub>2</sub>-N + NO<sub>3</sub>-N) and Total Kjeldahl Nitrogen (TKN). The concentration of each constituent shall be reported.



**Maryland**  
Department of  
the Environment

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Secretary

**GROUND WATER DISCHARGE PERMIT**

Permit Number: 10-DP-2273  
Effective Date: May 1, 2017  
Expiration Date: April 30, 2022

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland (1987 volume) and implementing Regulation COMAR 26.08.04. et seq, the Department of the Environment, hereinafter referred to as "the Department", hereby authorizes:

Worcester County Commissioners  
Office of County Commissioners  
Room 112, Courthouse  
One West Market Street  
Snow Hill, Maryland 21863-1070

hereinafter referred to as "Permittee", to discharge treated wastewater by injection wells as described herein from:

The Mystic Harbour Wastewater Treatment Plant  
9423 Stephen Decatur Highway  
Berlin, MD 21811

THROUGH OUTFALL: 001 – Injection well system  
THROUGH OUTFALL: 002 – Eagle Landing Golf Course Irrigation  
THROUGH OUTFALL: 003 – Ocean City Wastewater Treatment Plant

to ground water of the State in accordance with the following special and general conditions, including the attached maps made a part hereof



A. 2. Waste and Wastewater Limitations, Outfall 002

1. This Permittee is authorized to discharge treated municipal wastewater via spray irrigation to ground waters of the State at the Eagle's Landing Golf Course shown on Maps A and E.
2. Prior to discharge to the irrigation pond located at Eagle's Landing Golf Course, all wastewaters shall be treated to produce an effluent which does not exceed the following maximum limitations.

Parameter Code (STORET)	Parameter Description	Loading		Concentration	Monitoring Frequency	Sample Type
		Yearly Average	Yearly Maximum	Monthly Average		
00310	BOD <sub>5</sub>	N/A	N/A	10 mg/l	Weekly	8 hr. comp
00530	Suspended Solids	N/A	N/A	10 mg/l	Weekly	8 hr. comp
00400	pH	N/A	N/A	6.5 - 8.5 <sup>(1)</sup>	Daily	Grab <sup>(2)</sup>
00600	Total Nitrogen (N) <sup>(3)</sup>	N/A	N/A	3 mg/l	Weekly	8 hr. comp
00625	TKN	N/A	N/A	Report Value	Weekly	8 hr. comp
00630	Nitrate + Nitrite (N+N)	N/A	N/A	Report Value	Weekly	8 hr. comp
50050	Flow <sup>(4)</sup>	81,000 gpd	N/A	N/A	Continuous	Recorded
74055	Fecal Coliform	N/A	N/A	3 MPN/100 ml	Weekly	Grab <sup>(2)</sup>

- (1) These are maximum (8.5) and minimum (6.5) values of pH.
- (2) Grab samples shall be obtained from effluent line serving the spray irrigation.
- (3) Total nitrogen is defined as the sum of Nitrate plus Nitrite (NO<sub>2</sub>-N + NO<sub>3</sub>-N ) and Total Kjeldahl Nitrogen TKN). The concentration of each constituent shall be reported.
- (4) The maximum usage in any day of a year shall not exceed 225,000 gallons.
- (5) A permit modification is required for any future expansion of this facility. The modification may include a nitrogen loading cap depending on the expansion flow and the effluent disposal method.

A. 3. Groundwater Discharge Limitations – Outfall 001 and Outfall 002

Groundwater Monitoring Well samples taken per requirements of Section I.D.4. shall be monitored by the permittee according to the following limitations.

- a. The discharge of the wastewater authorized in this permit shall not cause groundwater quality to exceed the limitations listed below, as measured in the designated down gradient monitoring wells (MW 1 thru MW8 for Outfall 001, MW10 – MW12 for Outfall 002 as shown on Maps B, C and D). The Table below includes limitations based on the drinking water standards for NO<sub>2</sub> (Nitrite 00615), Total Dissolved Solids (70295), Chloride (00940), and Fecal Coliform (74055).

Parameter Code (STORET)	Parameter Description	Concentration	Monitoring Frequency	Sample Type
		Yearly Average		
00400	pH	(1)	Once every 6 months	Grab
00600	Total Nitrogen (TKN+NO <sub>2</sub> +NO <sub>3</sub> )	2.7 mg/l	Once every 6 months	Grab
00615	NO <sub>2</sub> Nitrite Nitrogen	1 mg/l <sup>(2)</sup>	Once every 6 months	Grab
00620	NO <sub>3</sub> Nitrate Nitrogen	(1)	Once every 6 months	Grab
00625	TKN	(1)	Once every 6 months	Grab
00665	Total phosphorus (as P)	0.3 mg/l	Once every 6 months	Grab
00940	Chloride	250 mg/l <sup>(2)</sup>	Once every 6 months	Grab
70295	Total Dissolved Solids	500 mg/l <sup>(2)</sup>	Once every 6 months	Grab
74055	Fecal Coliform	Non-Detect <sup>(2)</sup>	Once every 6 months	Grab

(1) Monitoring required without limitation

(2) For any reported exceedance, if the average groundwater quality in the background upgradient wells exceeds the groundwater discharge standards, the Department may evaluate whether a violation exists on a case by a case basis.

- b. For other parameters not included in (a) above, unless the annual average groundwater quality in the background upgradient wells (MW9 for Outfall 002) exceeds the groundwater discharge standards during the reporting period, the discharge of the treated wastewater, which is authorized in this permit, shall not cause an exceedance of the groundwater quality standards adopted by the Department of the Environment in COMAR 26.04.01, and 26.08.02:09.

A. 4. Waste and Wastewater Limitations, Outfall 003

1. The permittee is authorized to discharge treated municipal wastewater to the public sewer in the West Ocean City Service Area shown on Maps A and F. Discharge at Outfall 003 shall not exceed the capacity of the West Ocean City collection system and pumping stations. In addition the discharge shall not cause the wastewater flow from the West Ocean City service area to exceed a yearly average flow of one million gallons per day based on the existing MOU agreement with the City of Ocean City. This would include conformance with all other requirements or conditions as outlined in the existing agreement with the City of Ocean City. The permittee shall monitor and record the monthly and yearly average flows at the pumping stations. The recorded flow shall be reported in the DMR shown in Section B.1
2. The Permittee shall install flow meter(s) at the flow diversion structure shown on Map E to measure the wastewater flow discharged to the Eagle's Landing Golf Course Spray Field and/or the Ocean City Wastewater Treatment Plant. The recorded flow shall be reported in the DMR shown in Section B.1.

B. Effluent Monitoring

1. Measurements and Reporting Requirements

a. Discharge Monitoring Reports

Monitoring results obtained each month shall be summarized on a Discharge Monitoring Report form (EPA No. 3320-1). Reports shall be submitted to the Department postmarked no later than the 28th day of the month following the reporting month. One signed copy of these reports shall be submitted to:

**Attention: Discharge Monitoring Reports  
WMA- Compliance Program  
Maryland Department of the Environment  
1800 Washington Boulevard Ste-425  
Baltimore, Maryland 21230 -1708**

b. Monthly Operating Reports

The permittee shall submit monthly operating reports on a form supplied or approved by the Inspection and Compliance Program. Reports shall be submitted to the Inspection and Compliance Program postmarked no later than 28th day of the month following the reporting month.

c. **Groundwater Monitoring Reports (GMRs)\***

**Groundwater monitoring data required by this permit under I.A.3.a. shall be summarized on a Discharge Monitoring report form supplied by the Compliance Program. The yearly report shall be submitted on or before the 28<sup>th</sup> day of the month following the end of each calendar year to the address shown on I.B.1a.above. The permittee shall report any violations of the groundwater quality standards in accordance with General Condition II.A.3.**

2. Definitions

- a. The monthly average shall be determined by the summation of all the required measurements divided by the number of days during the month when the measurements were made.
- b. The weekly average shall be determined by the summation of all the required measurements divided by the number of days during the week when the measurements were made.
- c. A composite sample is a combination of individual samples obtained, at least, on an hourly basis over the specified time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.
- d. A grab sample is an individual sample collected in less than 15 minutes.

3. Analysis Methods

The analytical methods used shall conform to test procedures for the analysis of pollutants as identified in "Guideline Establishing Test Procedures for the Analysis of Pollutants" (40 CFR Part 136) published on July 1, 1989.

4. Monitoring Equipment Maintenance

The Permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

5. Data Recording Requirements

For each measurement or sample taken pursuant to the requirements of this permit, the Permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person (s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation and original recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years. This period may be extended during the course of litigation, or when so requested by the Department.

C. 1. Injection Well Limitations- Outfall 001

1. The Permittee shall install and maintain an influent flow meter to measure the sewage flow entering the plant and an effluent flow meter to measure treated effluent injected into the discharge wells.
2. The Permittee shall update the "Manual of Operation and Maintenance" to reflect 6 additional injection wells adjacent to the Wastewater Treatment Plant area  
The manual shall include the procedures to operate and maintain the process to its maximum efficiency. The manual shall be made available on site to the Department inspection staff upon request.
3. The Permittee shall inform the Department at least 6 months prior to abandoning the injection wells and monitoring wells at Islands and request a permit modification. Abandonment of the injection and monitoring wells shall conform with COMAR 26.04.04 – Well Construction.
4. Operation of the injection well shall not cause injected wastewater raising up to the ground surface resulting in ponding and/or surface runoff.

C. 2. Land Application Requirements and Limitations – Outfall 002

1. The Permittee shall apply treated wastewaters from the Mystic Harbour Wastewater Treatment Plant by spray irrigation onto the golf course areas outlined on Map D. The application of treated wastewater onto golf course is to meet the vegetation water demand only.
2. Irrigation of treated wastewater shall not take place during periods of precipitation, high winds, freezing conditions, or saturated soil. At no time shall spray irrigation be conducted on areas with bare unvegetated soils or with groundwater table depth less than 2' from ground surface. Excessive irrigation resulting in surface runoff or ponding is prohibited. The Permittee shall install or provide a storage facility designed to hold treated wastewater during periods when irrigation cannot take place or provide other option for wastewater discharge.
3. The Permittee shall provide adequate means to prevent spray droplets from entering adjacent properties, either by direct application or wind carry-over in accordance with Environmental Article 9-303.1 (Use of Reclaimed Water). These means shall include a buffer zone that is:
  - a. a minimum of 100-foot buffer to potable wells and surface water intakes;
  - b. a minimum of 25-foot buffer to intermittent and perennial streams and residential structures;
  - c. a minimum of 50-foot buffer to schools and playgrounds; and
  - d. a minimum of 25-foot buffer to public roads and residential property lines

Compliance with local planning and zoning buffer/setback requirements, which may increase these minimum distances, is required.

4. Daily logs tracking responses of each disposal area to the application of treated effluent shall be kept by the golf course operator and submitted to the Worcester County Department of Public Works on a monthly basis. Subjects to be included in the log are:
- a. area(s) or section(s) under irrigation;
  - b. application rates (hourly and weekly);
  - c. effect of irrigation on vegetation;
  - d. instances of ponding or runoff; and
  - e. weather conditions and incidents of spray droplets carried over to adjoining properties.

The log shall be kept at the golf course and be available for inspection by the Department personnel upon request.

5. **Within 6 months of the effective date of this permit, the Permittee shall submit a nutrient management plan (NMP) for the golf course irrigation to the Department. The NMP shall be prepared by a nutrient management consultant licensed by the State of Maryland in consistent with the terms and conditions of this permit and in accordance with COMAR 15.20.07., COMAR 15.20.18., and describe how nitrogen will be removed via vegetative uptake in minimizing the nitrogen leaching to the groundwater system. The NMP shall include the nutrients in irrigation water as a nutrient source in meeting vegetation demand. Operation of the spray irrigation system shall conform with the NMP.**

D. Monitoring Requirements of Outfalls 002 and 003

1. **The wastewater treatment plant, injection well system and the golf course irrigation system shall be operated by a Maryland State Certified Operator in accordance with the provisions of COMAR 26.06.01 and consistent with the approved operation and maintenance manual. In order to ensure that the Operator is proficient in the operation of the wastewater system, the operator shall take required training courses at a frequency approved by the MD Board of Waterworks and Waste Systems Operator. This training shall be specific to the operation of the wastewater system in addition to any other training requirements of the operator's class.**
2. The permittee is responsible for the installations, operation and maintenance of monitoring wells (MWs) and Recharge wells (RWs) on the Central Island (2MWs and 6RWs), North Island (2MWs and 6RWs), South Island (1MW and 6RWs), North Peninsula (1MW and 10RWs), South Peninsula (1MW and 4RWs) and Wastewater Treatment Plant site (1MW and 6RWs) as well as the monitoring wells at Eagle's Landing Golf Course (4 MWs) Locations of the monitoring wells and recharge wells are shown on the attached Maps B, C, and D.

3. The monitoring wells shall be installed according to the following specifications:
  - (1) Installation of the wells shall be by a licensed Maryland Well Driller in accordance with the following:
    - i. Schedule 40 P.V.C. or better quality well casing, 4-inch diameter shall be used.
    - ii. Commercial well screen (minimum 3" diameter) or neatly slotted well casing, approved by the Department shall be used in conjunction with a gravel pack.
    - iii. The screen, or slotted casing, shall extend from the seasonally high water table downward approximately 15 feet.
    - iv. The wells shall be grouted from near the top of the screen to ground surface.
    - v. The wells shall be equipped with locking watertight removal caps.
  - (2) The well driller selected to install the observation wells shall obtain all necessary State and local well drilling permits.
  
4. The permittee shall take and analyze one water sample every six (6) months from each monitoring well. Testing results shall be submitted to the Department in accordance with Section B. 1. Sampling procedures are outlined as follow:
  - (1) Water samples may be obtained by either pumping or bailing the monitoring wells. Prior to taking the sample, a volume of water equal to 300% of the wetted volume of casing and screen shall be removed.
  - (2) The water sample shall be analyzed for the parameters shown in Section A.3.a.:

## II. GENERAL CONDITIONS

### A. Management Requirements

#### 1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant in toxic amounts, as determined by the Department during the effective period of this permit, is prohibited. Any anticipated facility expansion, production increases, or process modifications which will result in new, different, or increased discharge of pollutants shall be reported by the Permittee by submission of a new application at least one year prior to the commencement of the changed discharge or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department. Following such notice, the permit may be modified by the Department to specify and limit any pollutants not previously limited.

#### 2. Operational Restrictions

The operation of a waste treatment or disposal facility shall at no time create: (1) a direct discharge to surface waters of the State; (2) any standing or ponded water condition on adjacent properties; or (3) a persistent standing or ponded water condition on the Permittee's property, excluding actual storage lagoons.

#### 3. Noncompliance Notification

- a. If, for any reason, the Permittee does not comply with or will be unable to comply with the special and general conditions of this permit, the Permittee shall, within 24 hours, notify the Department by telephone at (410) 537-3510 during work hours and at (866) 633-4686 during evenings, weekends and holidays and provide the Department with the following information in writing within five days of such notification:
  - i. a description of the noncompliance, including its impact upon the receiving ground or surface waters;
  - ii. cause of noncompliance;
  - iii. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;
  - iv. steps taken by the Permittee to reduce and eliminate the noncompliance discharge;
  - v. steps to be taken by the Permittee to prevent recurrence of the condition of noncompliance; and
  - vi. a description of the accelerated or additional monitoring by the Permittee to determine the nature and impact of the noncompliance.



## II. GENERAL CONDITIONS

### 3. Noncompliance Notification continued.....

- b. In the case of any discharge subject to any toxic pollutant effluent standard under Section 307 (a) of the Clean Water Act of 1987, the Department shall be notified within 24 hours of the time the Permittee becomes aware of the noncomplying discharge. Notification shall include information as described in paragraph 3.a. above. If such notification is made orally, a written submission must follow within five days of the time the Permittee becomes aware of the noncomplying discharge.

### 4. Facility Operation and Quality Control

All waste collection, control, treatment, monitoring, and disposal facilities shall be maintained in good working order and operated at all times as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants.

### 5. Adverse Impact

The Permittee shall take all reasonable steps to minimize any adverse impact to the ground water quality resulting from noncompliance with any limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

### 6. Removed Substances

The Permittee shall comply with all existing State and federal laws and regulations that apply to sewage sludge monitoring requirements and utilization practices, and with any regulations promulgated pursuant to Environment Article, Section 9-230 *et seq.* The Permittee is responsible for ensuring that its sewage sludge is utilized in accordance with a valid sewage sludge utilization permit issued by the Department.

## II. GENERAL CONDITIONS

### A. Management Requirements continued.....

#### 7. Bypassing

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

- a. the bypass is unavoidable to prevent loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources; and
- b. there are no feasible alternatives; and
- c. the Department is notified within 24 hours (if orally notified, then followed by a written submission within five days of the Permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten days before the date of bypass; and
- d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effect; and
- e. there is an existing flow of any such diversion or bypass; then a schedule for the elimination of such shall be included in a schedule of compliance.

### B. Responsibility

#### 1. Right of Entry

The Permittee shall allow the Secretary of the Department, or authorized representatives, upon the presentation of credentials:

- a. to enter upon the Permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. to have access to and to copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
- c. to inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;
- d. to sample at reasonable times any discharge of pollutants;
- e. to inspect, at reasonable times, any collection, treatment, pollution management or discharge facilities required under this permit; or
- f. to drill and install monitoring wells for the purpose of obtaining samples of the groundwater.

## II. GENERAL CONDITIONS

### B. Responsibility continued.....

#### 2. Property Rights/Compliance with Other Requirements

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

#### 3. Availability of Reports

Except for data determined to be confidential under COMAR 26.08.04.01.F., all reports, plans, maps, or other specifications submitted for review shall be available for public inspection at the Department.

#### 4. Transfer of Ownership or Control

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and re-issuance of the permit to change the name of the Permittee and may incorporate other requirements as may be necessary. The written notice to the Department shall include at least the following information:

- a. the legal name, address and telephone number of the new owner or operator;
- b. a statement, signed by the new owner or operator, indicating that the new owner or operator has read, understands and accepts the terms and conditions of the existing permit; and
- c. the date that the new owner or operator took control or expects to take control of the facility. In the event that new ownership or control is expected in the future, the current Permittee and the anticipated new owner or operator both must sign the written notice to the Department.

#### 5. Reapplication for a Permit

At least one year before the expiration date of this permit, unless permission for a later date has been granted by the Department, the Permittee shall submit an application for renewal of the permit or notify the Department of the intent to cease discharging by the expiration date. In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the Permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

#### 6. Permit Modification

A permit may be modified by the Department upon the written request of the Permittee and after notice and opportunity for a public hearing in accordance with the reasons set forth in COMAR 26.08.04.10.

## II. GENERAL CONDITIONS

### B. Responsibility continued.....

#### 7. Permit Modification, Suspension, or Revocation

A permit may be modified, suspended, or revoked by the Department in the event of a violation of the terms or conditions of the permit, or federal or State laws and regulations and in accordance with the procedures set forth in COMAR 26.08.04.10.

#### 8. Civil and Criminal Liability

Environment Article, Sections 9-342 and 9-343 provide that any person who violates a permit condition implementing Environment Article, Section 9-322 *et seq.* is subject to a civil penalty in an amount not to exceed \$10,000 per day for such violation; and to criminal penalties of a \$25,000 fine or imprisonment not exceeding one year or both for a first offense, and a \$50,000 fine or imprisonment not exceeding two years or both for subsequent offenses.

#### 9. Waterway Construction and Obstruction

This permit does not authorize the construction or placing of physical structures, facilities, debris, or the undertaking of related activities in any waters of the State including the 100-year flood plain.

#### 10. Severability

If any provision of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provisions shall be considered severed and deleted from this permit.

#### 11. Nuisance and Odor Restrictions

The facility shall be operated at all times to prevent offensive odors from escaping the facility boundaries and to prevent the facility from becoming a public nuisance. In the event that prolonged or excessive odors are noted outside of the property line, the Permittee shall take actions necessary to remedy the problem.

#### 12. Action on Violations

The issuance or reissuance of this permit does not constitute a decision by the State not to proceed in any administrative, civil or criminal action for any violations of State law or regulations occurring prior to the issuance or reissuance of this permit, nor a waiver of the State's right to do so.

## II. GENERAL CONDITIONS

### C. MONITORING AND REPORTING

#### 1. REPRESENTATIVE SAMPLING

Samples and measurements, if required herein, shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

#### 2. SUBMISSION OF REPORTING-MONITORING RESULTS VIA NETDMR

##### a. NetDMR

Monitoring results obtained during each calendar quarter shall be reported using NetDMR. Results shall be submitted to the Department no later than the 28th day of the month following the end of the reporting period. Reporting periods shall end on the last day of the following months: March, June, September and December.

NetDMR is a freely available U.S. EPA tool allowing permittees to submit monitoring reports electronically via a secure Internet application. You must apply for access to NetDMR at [www.epa.gov/netdmr](http://www.epa.gov/netdmr) and register for a NetDMR Webinar.

Before you can submit official DMRs using NetDMR you must attend a training Webinar and successfully set-up and submit test monitoring results electronically. You must complete all requirements to gain access to NetDMR within six (6) months of authorization under this permit, including applying for access within one (1) month of being registered.

Hard copies of monitoring results obtained before the permittee is granted access to NetDMR shall be submitted postmarked no later than the 28th of the month following the end of the reporting quarter. Signed copies of the results shall be submitted to the Department at the following address:

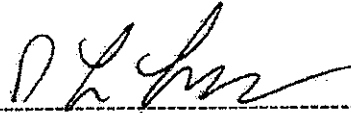
Attention: Discharge Monitoring Reports  
Water Management Administration  
Compliance Program  
Maryland Department of the Environment  
1800 Washington Boulevard, STE-425  
Baltimore, MD 21230-1708

NetDMR is designed to improve data quality, reduce reporting liabilities, save paper, and provide cost savings. It allows participants to discontinue mailing in hard copy forms. For more information call the MDE Water Management Administration, Compliance Program, at [410-537-3510](tel:410-537-3510) and ask to speak to a NetDMR coordinator.

##### b. NetDMR Waiver Request

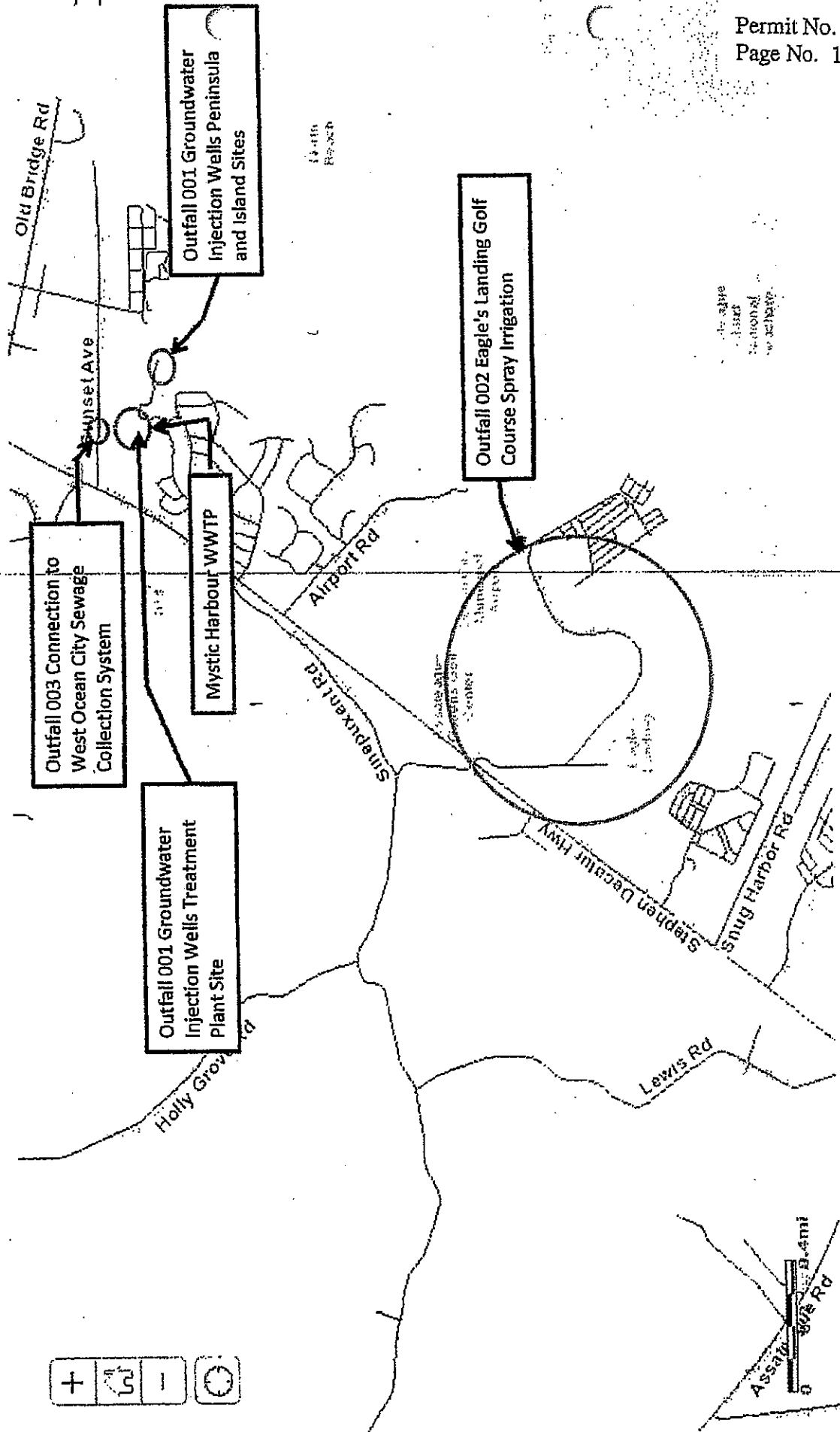
The permittee may be eligible for a temporary waiver by MDE from electronic reporting requirements if the permittee has no current internet access and is physically located in a geographic area (i.e., zip code) that is identified as under-served for broadband internet access in the most recent National Broadband Map from the Federal Communications Commission (FCC); or if the permittee can demonstrate that such electronic reporting of the monitoring data and reports would pose an unreasonable burden or expense to the permitted facility. Waiver requests must be submitted in writing to the Department for written approval at least 120 days prior to the date the permittee would be required under his permit to begin using NetDMR. This demonstration shall be valid for one (1) year from the date of the Department approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department unless the permittee submits a renewed waiver request and such request is approved by the Department. All hardcopy DMRs shall be sent to the following address:

Attention: Discharge Monitoring Reports  
Water Management Administration  
Compliance Program  
Maryland Department of the Environment  
1800 Washington Boulevard, STE-425  
Baltimore, MD 21230-1708

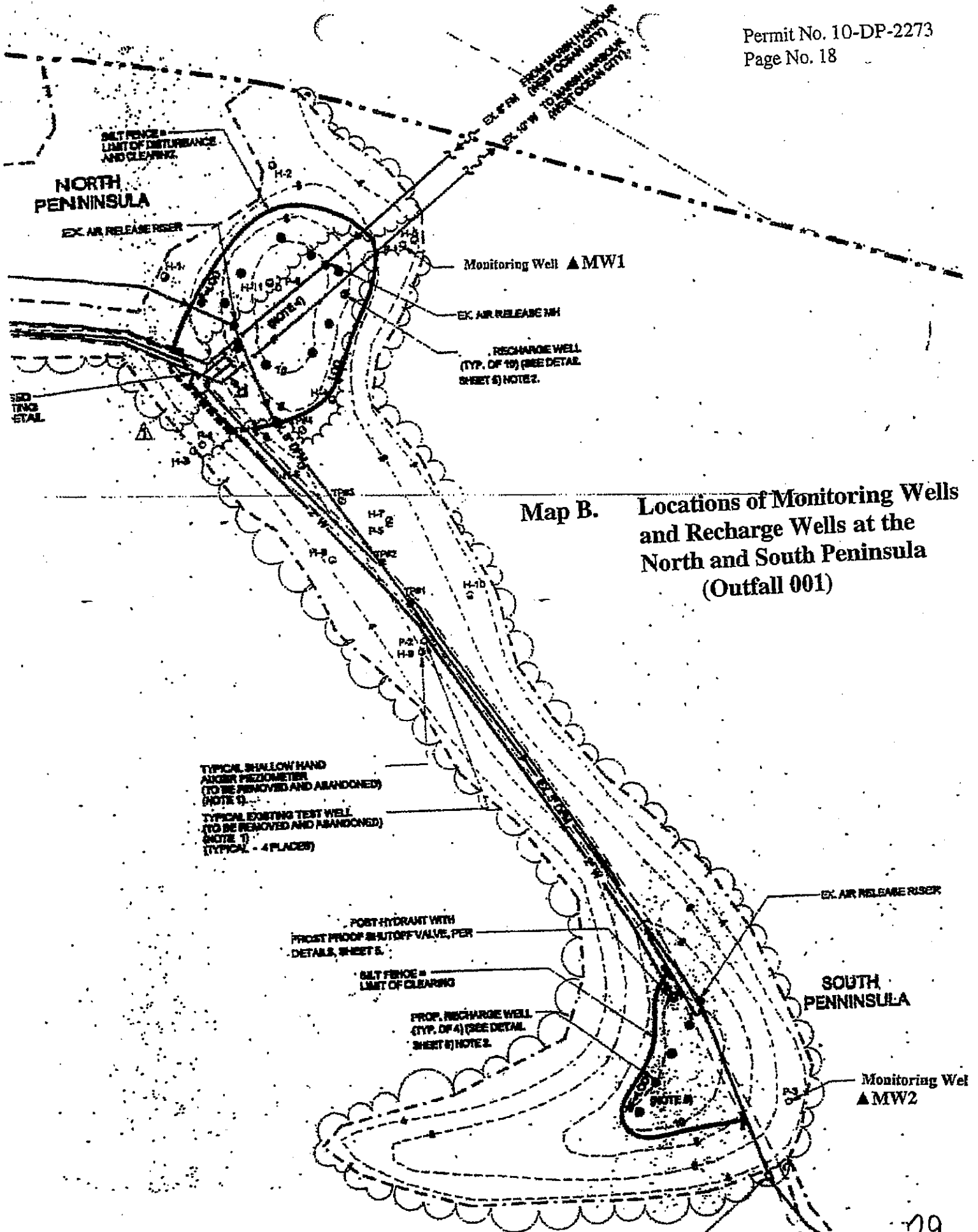


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D. Lee Currey, Acting Director  
Water Management Administration



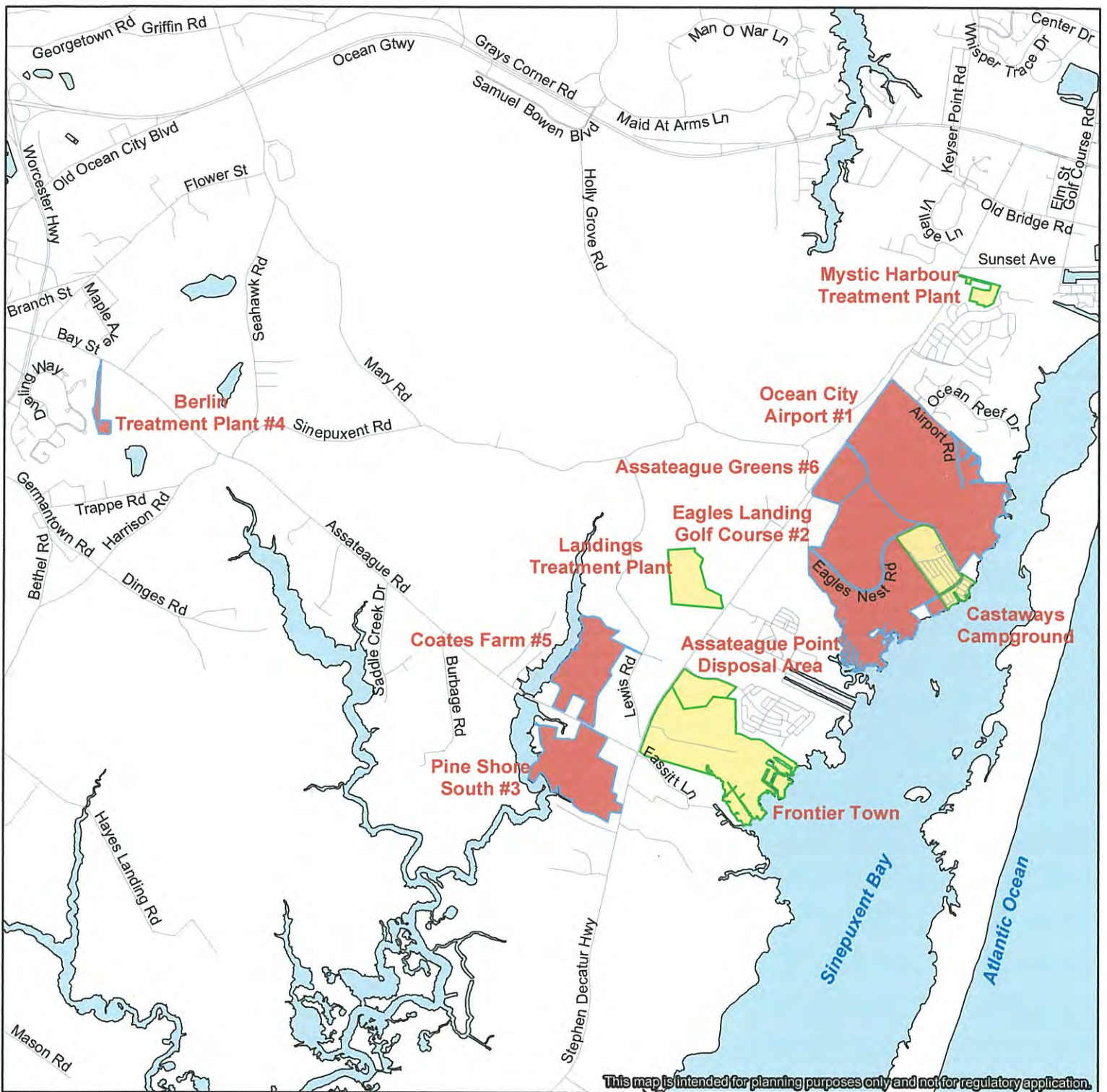
Map A. Site Map (Outfalls 001, 002 and 003)



**Map B. Locations of Monitoring Wells and Recharge Wells at the North and South Peninsula (Outfall 001)**



**EXHIBIT 1 - POTENTIAL DISPOSAL SITES**



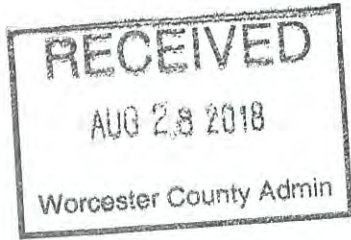
This map is intended for planning purposes only and not for regulatory application.



**Worcester County  
Maryland  
Exhibit #1  
Land Disposal  
Investigation Options**

Department of Development  
Review and Permitting  
Technical Services Division

N Drawn By: MDD Reviewed By: KLH  
0 4,000  
1 inch = 4,000 feet  
Map prepared on March 27, 2018.  
Map prepared for Worcester County  
Environmental Programs Department



13

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](http://www.co.worcester.md.us/drp/drpindex.htm)

MEMORANDUM

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

To: Harold Higgins, CAO  
From: Edward A. Tudor, Director, Development, Review and Permitting   
Date: August 28, 2018  
Re: Request for nuisance abatement, abandoned house, 13412 Madison Ave., TM 5, P 1, L 146

\*\*\*\*\*

The purpose of this memorandum is to request the County Commissioners' assistance with regard to the above referenced property. The subject property is improved with a small, one story concrete block cottage which is approximately sixty years old. Over the last several years we have received several complaints relative to the unkempt state of the structure and property. With regard to the property in general the complaints have been concerning the growth of the grass and weeds beyond the one foot code limit. Up until recently the structure, although certainly in a rough state, did not appear to be beyond rehabilitation or restoration considering it is a concrete block structure. The legal standard in our code is that an unattended or uninhabitable dilapidated structure must be beyond reasonable hope of rehabilitation or restoration to be considered a nuisance. Most recently however a hole has opened in the roof of the structure.

The department managed to cut the grass several times over the last few years after notices to the property owners as shown on the tax assessment rolls went unanswered or undelivered. The property is shown on the assessment rolls as belonging to Raymond A. and E. Jeanette Quillen in Port Penn, Delaware. Most recently, we have been advised by a neighbor that the listed property owners are deceased and have been for quite some time. We have verified independently that indeed Mr. Quillen passed in 1994 and his wife Jeanette in 2007. The estates of both spouses have been closed for a long time as well. Since the code is clear that we must send any notifications to the property owners as listed on the assessment records, all of our correspondence has been directed to the Port Penn address. Our last correspondence was signed for, however the signature on the card returned to our office is illegible.

Members of my staff have done a diligent search online over the last three and a half weeks trying to find any information on what we believe are the two surviving sons of Mr. and Mrs. Quillen to see if they can be of any help or provide any additional information. We have found multiple potential addresses and phone numbers listed for the brothers, including one email address. To date, none have proved fruitful in contacting them. In my opinion the Department is stalled at this point with regard to the

structure unless the County Commissioners find that the structure is beyond any reasonable hope of rehabilitation or restoration and therefore that it constitutes a public nuisance. In making this determination the code also requires that the Commissioners consider the historical significance of the structure and its danger or potential danger to the public. If the County Commissioners do find that the structure meets the code requirements for abatement, I suggest that the notice to the property owners affording them an opportunity to make repairs or to be heard on the determination be limited to the code minimum of fifteen days since we already know that the listed owners are deceased. In the interim, we can begin to develop bid specifications for the repair or removal of the structure and vegetation.

As always if you need any additional information please let me know. I'll be happy to meet with you and the County Commissioners at your convenience to further discuss the matter.

cc: Jennifer Keener, Zoning Administrator  
Lisa Wilkens, Zoning Inspector

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>							
<b>Exempt Class:</b>		NONE							
<b>Account Identifier:</b>		District - 10 Account Number - 000920							
Owner Information									
<b>Owner Name:</b>		QUILLEN RAYMOND A & E JEANETTE			<b>Use:</b>		RESIDENTIAL		
<b>Mailing Address:</b>		9 W MARKET ST BOX 14 PORT PENN DE 19731			<b>Principal Residence:</b>		NO		
					<b>Deed Reference:</b>		/00123/ 00101		
Location & Structure Information									
<b>Premises Address:</b>		13412 MADISON AVE W OCEAN CITY 21842-0000			<b>Legal Description:</b>		LOT 146 & 1/2 145 MADISON AVE PL GLENN ACRES		
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>
0005	0000	0001		77A8			146	2017	Plat Ref:
<b>Special Tax Areas:</b>				<b>Town:</b>		NONE			
				<b>Ad Valorem:</b>					
				<b>Tax Class:</b>					
<b>Primary Structure Built</b>		<b>Above Grade Living Area</b>		<b>Finished Basement Area</b>		<b>Property Land Area</b>		<b>County Use</b>	
1960		1,257 SF				7,500 SF			
<b>Stories</b>	<b>Basement</b>	<b>Type</b>		<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>		
1 1/2	NO	STANDARD UNIT		BLOCK	1 full/ 1 half				
Value Information									
		<b>Base Value</b>		<b>Value</b>		<b>Phase-in Assessments</b>			
				As of		As of		As of	
				01/01/2017		07/01/2018		07/01/2019	
<b>Land:</b>		61,200		65,200					
<b>Improvements</b>		33,300		27,300					
<b>Total:</b>		94,500		92,500		92,500		92,500	
<b>Preferential Land:</b>		0						0	
Transfer Information									
<b>Seller:</b> SEA GULL REALTY CORPORATION				<b>Date:</b> 06/15/1959			<b>Price:</b> \$0		
<b>Type:</b> NON-ARMS LENGTH OTHER				<b>Deed1:</b> FWH /00123/ 00101			<b>Deed2:</b>		
<b>Seller:</b>				<b>Date:</b>			<b>Price:</b>		
<b>Type:</b>				<b>Deed1:</b>			<b>Deed2:</b>		
<b>Seller:</b>				<b>Date:</b>			<b>Price:</b>		
<b>Type:</b>				<b>Deed1:</b>			<b>Deed2:</b>		
Exemption Information									
<b>Partial Exempt Assessments:</b>		<b>Class</b>		07/01/2018		07/01/2019			
<b>County:</b>		000		0.00					
<b>State:</b>		000		0.00					
<b>Municipal:</b>		000		0.00 0.00		0.00 0.00			
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>							

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Raymond + Jeannette Quillen  
9 West Market St  
Post Penn DE 19731

2. Article Number  
(Transfer from service label)

7015 0640 0007 6561 5856

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1640

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from Reg. 17?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

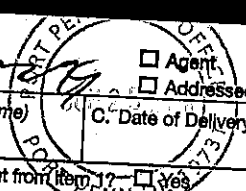
Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



## Title PH1

### HEALTH-RELATED NUISANCES

#### SUBTITLE I Environmental Health Hazards

§ PH 1-101. Nuisances.

§ PH 1-102. Abatement of nuisances.

§ PH 1-103. Tattoo establishments.

§ PH 1-104. Junk vehicles.

§ PH 1-105. Smoking in public buildings.

§ PH 1-106. Litter.

§ PH 1-107. Skin penetrating body  
adornment.

§ PH 1-108. Nightclubs.

§ PH 1-109. Adult-oriented businesses,  
entertainment, and material.

**[HISTORY: Adopted by the Board of County Commissioners of Worcester County 8-25-1981 by Bill No. 81-5 as Title 1 of the Public Health Article of the 1981 Code. Amendments noted where applicable.]**

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#### SUBTITLE I Environmental Health Hazards

§ PH 1-101. Nuisances. [Amended 11-10-1987 by Bill No. 87-5; 4-25-1989 by Bill No. 89-2]

(a) Certain conditions to be declared nuisances. The existence of any of the following conditions in the County which are found to be dangerous or prejudicial to the maintenance of property values, health, safety or general welfare of the people of the County by the duly designated County department or official are hereby declared to constitute a public nuisance: [Amended 11-16-2004 by Bill No. 04-11]

(1) The uncontrolled growth of grass, weeds or other rank vegetation, including but not limited to ragweed, poison ivy, poison oak, poison sumac, and all other noxious weeds which are generally known to be either allergenic, a skin irritant, or toxic when ingested, to a height exceeding one foot. [Amended 5-18-2010 by Bill No. 10-4]

A. The above requirement shall not apply where the Department has determined, after an investigation which considers the physical characteristics or actual use of the property or other relevant factors, that the property qualifies as one of the following: properties utilized for a bona fide agricultural purpose, natural wooded areas, stream protection areas, habitat protection areas, steep slope and erodible soil protection areas, stormwater management facilities areas, unimproved areas of more than three acres in size, areas publicly owned and maintained as natural areas, and private open space areas covenanted with the County as recreational areas to be maintained in their natural state. In no case shall noxious weeds as described above be allowed to grow within sixty feet of any property line adjoining an occupied property zoned for residential, commercial or industrial purposes. In addition, the

supplies and materials not in storage for existing permitted construction activity on the site.

- A. When the storage or accumulation of personal property as described in Subsection (a)(4) above is visually screened from adjoining public road rights-of-way and adjoining properties or contained wholly within a completely enclosed structure, the storage or accumulation of personal property may occupy greater than one hundred square feet of land area per parcel or lot.
- B. The provisions of this subsection shall not apply to properties utilized for bona fide agricultural purposes.
- (5) The deposit or accumulation of any foul, decaying or putrescent substance or garbage, trash, rubbish or other offensive matter upon the ground surface or in or upon any groundwater, abandoned well, sewage system, bathing area, lake, pond, watercourse, ditch, drain, gutter or tidewater, hole or pit.
- (6) The overflow of any foul liquids or sewage or the escape of any sewage or sewage gas from any privy, cesspool, septic tank, subsurface tile field or any other type of sewage system which is not connected to a municipal sewage system; or any open cesspool or unsafe sewage system. [Amended 7-26-2005 by Bill No. 05-8]
- (7) A toilet or urinal in any public or quasi-public building which is maintained in an unsanitary condition.
- (8) The accumulation or deposit of manure, human feces, garbage, cannery wastes or by-products, feathers and poultry offal, carcasses of animals or any form of filth.
- (9) A polluted or unsafe water system, well or spring or the pollution of any well or spring. [Amended 7-26-2005 by Bill No. 05-8]
- (10) Any premises having an unsafe sewerage system or facility, or that is not provided with a suitable toilet or sanitary privy for all persons gathering, working or living therein. [Amended 7-26-2005 by Bill No. 05-8]
- (11) Any dilapidated, burned-out, fallen-down, ramshackled or decayed structure or remnant thereof which is unattended and uninhabitable or unusable for its intended purpose and is beyond reasonable hope of rehabilitation or restoration. The Commissioners, in making a determination of a nuisance condition under this subsection, shall consider the historical significance of the structure and its danger or potential danger to the public.
- (12) Any unattended and unprotected man-made hole, cave, crater, cavity, pit or pool or similar surface condition which constitutes or has the potential of becoming a hazardous area to the public because of potential for cave-in, subsidence or collapse or because of an accumulation of water.
- (13) The disposition of any animal carcass upon the surface of any land, road or highway.



and whom to contact for further information. [Added 11-16-2004 by Bill No. 04-11;<sup>1</sup> amended 5-18-2010 by Bill No. 10-4]

(e) Applicability.

- (1) This Subtitle shall apply only in the unincorporated areas of Worcester County and shall not apply to any disposal site operated by the County Commissioners or the Worcester County Sanitary Commission.<sup>2</sup>
- (2) This Subtitle shall not apply to any legal, bona fide, recognized agricultural practice, provided that such practice does not constitute a health hazard.

→ § PH 1-102. Abatement of nuisances. [Amended 11-10-1987 by Bill No. 87-5; 8-2-1988 by Bill No. 88-6; 4-25-1989 by Bill No. 89-2]

- (a) County Commissioners may abate. The County Commissioners may abate any nuisance so designated under this Subtitle.
- (b) Procedure. Where necessary corrections have not been completed after the notice requirements as contained in § PH 1-101(d) hereof have been fulfilled, any Department or official charged with the enforcement of this subtitle may cause or request abatement of any nuisance condition in accordance with the following: [Amended 11-16-2004 by Bill No. 04-11; 5-18-2010 by Bill No. 10-4]
  - (1) Where the Department has ascertained there to be a violation of the provisions of § PH 1-101(a)(1) hereof and corrective actions have not commenced after notice as provided for in § PH 1-101(d) hereof, the Department may enter upon the premises and cut or otherwise remove the overgrowth of vegetation in accordance with the standards as set forth in § PH 1-101(a) hereof. All costs associated with cutting and or removal of the vegetation, and a service fee, shall be assessed in accordance with a fee schedule established by resolution of the County Commissioners. The Department shall mail a statement of charges promptly upon completion of the corrective action to the owner of the premises. All such statements shall be due and payable within thirty days of mailing and shall bear interest thereafter in the same percentage as a delinquent County tax bill. Any unpaid and delinquent statement shall become a lien upon all real estate and personal property of the subject in the same manner as delinquent taxes and a notation shall be made upon the tax records of the County Finance Officer.
  - (2) For all nuisance conditions which remain uncorrected after notice as provided for in § PH 1-101(d) hereof, other than that described in Subsection (b)(1) hereof, the appropriate Department or official may request abatement of a nuisance.
- (c) → Notice, order, hearing. After the receipt of a request as described in Subsection (b)(2) hereof, the County Commissioners shall notify, in writing, the owner of the property on which the nuisance is located, as shown on the tax assessment rolls of the County as

1. Editor's Note: This bill also redesignated former Subsection (d) as Subsection (e).

2. Editor's Note: The Sanitary Commission was abolished by Bill No. 93-19.

maintained by the Maryland Department of Assessments and Taxation, as well as the occupant or other person in possession of the property in question, of the request for abatement and shall send to such person an order requiring the prompt abatement of such nuisance within a reasonable time, to be set in such order, which is to take into account the nature of the nuisance. The notice shall afford the owner, occupant or other person in possession of the premises the opportunity to be heard by the County Commissioners within a reasonable time, to be set in such order, which time shall take into account the nature of the nuisance. Such notice shall be sent to the owner's address as shown on the tax assessment rolls of the County as maintained by the Maryland Department of Assessments and Taxation by registered United States mail. If the address of any owner or person having charge of such lot or lands cannot be located after diligent search, or if the aforementioned notice by registered mail is not accepted or otherwise not deliverable, it shall be sufficient to post such notice on the lot or land. Such notice shall be posted on the lot or lands not less than fifteen days prior to taking any further action and shall contain information describing the nature of the violation, the anticipated corrective action, and whom to contact for further information. [Amended 11-16-2004 by Bill No. 04-11; 5-18-2010 by Bill No. 10-4]

(d) Abatement by County.

- (1) In the event that such person does not abate any such nuisance as prescribed hereby within the prescribed period of abatement or does not appear before the County Commissioners and have such abatement order rescinded by the County Commissioners within the time prescribed, the County Commissioners may enter upon the premises and cause such condition to be removed or otherwise remedied by such means as the County Commissioners may deem most appropriate and expedient.
- (2) Any person, upon receipt of an abatement notice as prescribed by this section, may, at any time up to the date on which such person might have been heard with regard to an order to abate, request the County, in writing, to abate such condition, provided that such request states an affirmative agreement on the part of the requesting party to pay the costs of such removal or abatement.

- (e) Cost of abatement. Any actual costs incurred by the County in removing, abating or otherwise remedying any nuisance as herein prescribed, including reasonable attorney's fees, shall be charged to the owner of the land on which the nuisance existed as well as all subjects of the civil infraction citation and shall become a lien upon all real estate and personal property of the subject of the civil infraction citation in the same manner as delinquent taxes. In the case of a condominium or cooperative, the lien shall be upon all of the individual units proportionally. It shall be the duty of the County Finance Officer to mail a statement of such charges to the persons responsible at the address shown on the tax assessment rolls of the County or, in the case of no address on the assessment roll, to the last known address. All such statements shall be due and payable within thirty days from the date of receipt thereof and shall bear interest thereafter in the same percentage as a delinquent County tax bill. In the event that any such statement becomes delinquent, a notation of the delinquency shall be made upon the tax records of the County Finance Officer. [Amended 7-26-2005 by Bill No. 05-8]

8/28/18  
TX 51P1  
lot 146



8/28/19  
115/101  
101/101

10



8/28/18  
115/P1  
Lot 146



13412

8/29/18  
TN5/p1  
lot 146



8/28/13 TR 5/P1 Lot 146



**NOTICE  
OF  
PROPOSED CHANGE  
IN ZONING**

14

NORTH SIDE OF MARKET STREET (BUSINESS US ROUTE 113)  
WEST OF US ROUTE 113, EAST OF SNOW HILL, MARYLAND

SECOND TAX DISTRICT  
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 419 has been filed by Hugh Cropper, IV, attorney, on behalf of Cedar Mountain Farm, LLC, and Mallard Landing, LLC, property owners, for an amendment to the Official Zoning Maps to change approximately 4.7 acres of land located on the north side of Market Street (Business US Route 113) to the west of US Route 113 in the Second Tax District of Worcester County, Maryland, from A-1 Agricultural 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, SEPTEMBER 4, 2018**  
at 11:00 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. 419 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. 419 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. 419**

**ORIGINAL APPLICANT:**

**Cedar Mountain Farms, LLC  
108 Eldrid Drive  
Silver Spring, Maryland 21904-3506**

**REVISED APPLICANT:**

**Anthony Materese  
Mallard Landing, LLC  
2 Winslow Road  
Pennsville, New Jersey 08070**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9923 Stephen Decatur Highway, D-2  
Ocean City, Maryland 21842**

**July 5, 2018**

**WORCESTER COUNTY PLANNING COMMISSION**

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I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 419, filed on January 31, 2018.
- B. ORIGINAL APPLICANT: Cedar Mountain Farms, LLC  
108 Eldrid Drive  
Silver Spring, Maryland 21904-3506
- REVISED APPLICANT: Anthony Materese  
Mallard Landing, LLC  
2 Winslow Road  
Pennsville, New Jersey 08070
- APPLICANTS' ATTORNEY: Hugh Cropper, IV  
9923 Stephen Decatur Highway, D-2  
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 55 - Part of Parcel 22 - Tax District 2
- D. SIZE: When the rezoning application was originally submitted, the area petitioned for rezoning was 6.0 acres. However, the application was subsequently revised to remove 1.3 acres within the Chesapeake Bay Critical Area, leaving a petitioned area of 4.7 acres. Parcel 22 in its entirety is approximately 130.5 acres.
- E. LOCATION: The petitioned area is located on the westerly side of Market Street (Business US Route 113) near its easterly terminus at US Route 113.
- F. CURRENT USE OF PETITIONED AREA: The property in its entirety was previously used as a research facility for a poultry company. The structure on the petitioned area was constructed as an office facility for that company. It was then utilized as a County retail liquor store for a number of years but is now vacant.
- G. CURRENT ZONING CLASSIFICATION: A-1 Agricultural 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 a M-1 Light Industrial District classification. That classification was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning the petitioned area was placed in the A-1 Agricultural District.

- J. SURROUNDING ZONING: Almost all adjoining and nearby properties to the north and east are also zoned A-1 Agricultural District. Environmentally sensitive areas to the west and north are zoned RP Resource Protection District, including a portion of the subject property of which the petitioned area is a part. The petitioned area itself, however, is zoned A-1 Agricultural District in its entirety. A parcel of land on the opposite side of Market Street (Business US Route 113) from the petitioned area, adjacent to the McDonald's, is zoned C-2 General Commercial District. The Preston Auto Body facility, to the north of 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 Agricultural 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), the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that his department's well and septic records show the property is improved with existing individual well and septic. Mr. Mitchell also states that the existing structure within the petitioned area itself is served by an existing septic system with a capacity of 600 gallons per day.
- M. ROAD ACCESS: The petitioned area fronts on and currently has access to Market Street (Business US Route 113), a State-owned and -maintained roadway. The Comprehensive Plan does not make any comments with regard to Market Street.

## II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Gregory Wilkins, surveyor, and Chris McCabe, environmental consultant, were present for the review. Mr. Cropper began his presentation by stating that he needed to make two amendments to the rezoning application. He stated that the property owner/applicant has changed from Cedar Mountain Farm, LLC to Mallard Landing, LLC, represented by Anthony Matarese, and submitted the deed of transfer for the subject property as documentation. Secondly, the applicant wishes to remove 1.3 acres from the petitioned area which is within the Chesapeake Bay Critical Area's Resource Conservation Area (RCA). Therefore, the total area now being proposed for rezoning is approximately 4.7 acres. Mr. Cropper provided an aerial map which showed the revised petitioned area. He stated that the petitioned area will be outside of the Critical Area, though the existing access point is within the RCA and will continue to be used. Mr. Cropper stated that he was requesting the

change in zoning solely on the basis of a mistake in existing zoning and that he was no longer asserting that there has been a change in the character of the neighborhood, as had been indicated on the application. He maintained that the mistake was made during the 2009 comprehensive rezoning when the petitioned area was given its current A-1 Agricultural District designation even though the County retail liquor store was operating on the site at the time and it had been used commercially for a number of years. He called Mr. McCabe as his first witness. Mr. McCabe testified that the facility was originally constructed and used as an office for the Holly Farms poultry operation and its successor and was subsequently used for a retail liquor store by the County's Department of Liquor Control for quite some time. Mr. Cropper submitted as Applicant's Exhibit No. 1 a copy of the permit package for Permit No. 14296, comprised of the permit, site plan and zoning certificate for the original Holly Farms office. This permit was issued on March 14, 1986. Mr. Cropper stated that it was a mistake to have given the petitioned area an A-1 Agricultural District designation in 2009 and that the site should have instead been given a commercial zoning designation in conformity with the historical use of the building as a business. He noted that the petitioned area is shown on the Comprehensive Plan's Land Use Map as being within the Agricultural Land Use Category but asserted that this land use map uses a broad brush approach and should not be used as a specific parcel layer analysis. Mr. Cropper stated that commercial land use and zoning are located on the opposite side of Market Street from the petitioned area, which runs all the way into Snow Hill. These existing uses include a Dollar General store, pharmacy, convenience store, and two restaurants, all of which are within the incorporated limits of Snow Hill. A parcel of land located to the east of the existing McDonalds restaurant is within the County's jurisdiction and is zoned C-2 General Commercial District. Mr. McCabe testified that the soils on the petitioned area are well drained and that the Critical Area Commission has confirmed that it will allow the property owner to utilize the existing driveway that runs through the Critical Area (and which has been removed from the request for rezoning) for any future commercial uses on the petitioned area. Mrs. Wimbrow confirmed that zoning will also allow the use of this existing driveway. Mr. Cropper then called Mr. Wilkins to testify. Mr. Wilkins stated that he had done the survey work for the property and concurred with the testimony of Mr. McCabe. He stated that he agrees that the existing A-1 Agricultural District zoning is a mistake and that the proposed commercial zoning classification is more in keeping with the intent of the Comprehensive Plan. Mr. McCabe stated that the State Highway Administration's office and facility yard are located adjacent to the petitioned area and that that site is zoned RP Resource Protection District and is also within the RCA. He confirmed that both the SHA yard and the existing building on the petitioned area are shown on a 1988 aerial photograph which was entered as Applicant's Exhibit No. 2.

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, as per the comments of Robert Mitchell, Environmental Programs Director, the petitioned area is served by an existing septic system with a capacity of 600 gallons per day. Mr. Cropper stated that this system had been sufficient to serve the former office use and retail liquor store.
4. Regarding present and future transportation patterns: Mr. Cropper stated that the petitioned area is located at a major intersection in Worcester County and has an existing point of access which has been utilized for many years. Mr. Cropper noted that the comments submitted by the State Highway Administration relative to the proposed rezoning only pertained to future consideration of any redevelopment or upgrades requiring SHA review and did not oppose the rezoning. Mr. Cropper recalled that when this property was used as a poultry operation, it had significant truck traffic, more so than an office building use.
5. Regarding compatibility with existing and proposed development and environmental conditions in the area: Mr. Cropper stated that the petitioned area abuts the SHA yard to the west, the remaining lands of the applicant to the north and east along US Route 113, and the properties to the south are commercially zoned and utilized. He maintained that the proposed rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District is compatible with both the historical use of the petitioned area and the existing zoning and uses in the area. Mr. Cropper also noted that the petitioned area is high, well drained, and out of the Chesapeake Bay Critical Area and asserted that commercial zoning of the existing use will have no adverse environmental impacts.
6. Regarding compatibility with the Comprehensive Plan: Mr. Cropper noted that the petitioned area is within the Comprehensive Plan's Agricultural Land Use Category but maintained that the Comprehensive Plan uses a broad brush approach to its land use map rather than being property specific. He asserted that the petitioned area is truly commercial and should be zoned as such.

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 A-1 Agricultural District to C-2 General Commercial District would be more desirable because it would bring a long-time commercial structure and use into conformity with zoning after having been made nonconforming during the 2009 comprehensive rezoning. 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 the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He stated that his department's well and septic records show the property is improved with existing individual well and septic. Mr. Mitchell also stated that the existing structure within the petitioned area itself is served by an existing septic system with a capacity of 600 gallons per day. He further stated that seasonal soil testing will be needed to increase the capacity of the existing system, that without expansion of the existing system, many of the uses permitted in the C-2 zone could not be supported utilizing the onsite capacity as it currently exists today and that that would severely limit the potential of the proposed future use(s) should this reclassification be approved. No comments were received from John H. Tustin, P. E., 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 Snow Hill Volunteer Fire Company, 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 twenty minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately five minutes away. No comments were received from the Maryland State Police Barracks. Chief Deputy Sheriff Douglas A. Dods of the Sheriff's Department responded that the department did not see any impact on the Sheriff's Office operations at this time. The petitioned area is within the area served by the following schools: Snow Hill Elementary School, Snow Hill Middle School, and Snow Hill 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 and, as to wastewater and water, private septic and well systems have served the site for many years. The property will be subject to these limitations.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has access to Market Street (Business US Route 113), a State-owned and -maintained roadway, just to the southwest of US Route 113. This latter roadway is also state-owned and -maintained. The Comprehensive Plan does not make any comments with regard to Market Street. Classifying US Route 113 as a primary highway/arterial highway, the Comprehensive Plan recommends the completion of dualization from Berlin to south of Snow Hill, the implementation of an access control plan to maintain its status as a limited access roadway, and complete scenic and transportation corridor planning for the remainder of US Route 113. The Planning Commission found that James W. Meredith, District Engineer for the 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, and 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. He also stated that future development may require an access permit to be issued from SHA and that, with the exception of the 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 at this time. The Planning Commission noted that the petitioned area is served by an existing access point and driveway from Market Street and that although this particular area is within the Chesapeake Bay Critical Area's Resource Conservation Area and excluded from the area petitioned for rezoning, the Maryland Critical Area Commission has indicated that it will allow continued use of the driveway to serve the petitioned area if rezoned to C-2 General

Commercial District. 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 there are a number of commercial and quasi-commercial uses in close proximity to the petitioned area. Although within the town limits of Snow Hill, a McDonalds restaurant, a Dollar General store, a pharmacy, a convenience store, and another restaurant are located on the opposite side of Market Street. Additionally, the vacant property on the easterly side of the McDonalds is zoned C-2 General Commercial District by the County. The State Highway Administration office and yard facilities are located adjacent to the westerly side of the petitioned area, within an area zoned RP Resource Protection District. The Planning Commission found that, even more importantly, there is an existing structure on the petitioned area that was constructed in 1987 as an office facility for Holly Farms, Inc., at the time the petitioned area was zoned M-1 Light Industrial District. It was later used for a number of years as a retail liquor store by the County. The Planning Commission found that the existing structure on the petitioned area was made a nonconforming use when the 2009 update of the zoning maps changed the petitioned area's zoning from M-1 Light Industrial District to A-1 Agricultural District. The Planning Commission concluded that the C-2 General Commercial District zoning classification would therefore be more in keeping with the actual office and retail uses that have been located on the petitioned area and for which it was originally approved. The Planning Commission found that the proposed rezoning will not have any adverse impacts on environmental concerns. The petitioned area is high and well drained and is not located within the Chesapeake Bay Critical Area. Additionally, the Maryland State Critical Area Commission has indicated that it will allow the existing access point and driveway to be utilized to serve the petitioned area, although that driveway is located within the Resource Conservation Area. 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 structure into conformance with the zoning regulations. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from A-1 Agricultural 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 Agriculture Land Use Category.

With regard to this category the Comprehensive Plan states that the importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county's way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged. The Planning Commission concluded that while the majority of the property of which the petitioned area is a part is correctly within the Agricultural Land Use Category, the petitioned area, given its commercial use as an office and retail facility since 1987, should have not been included in that category. The Planning Commission perceived that this portion of the Market Street corridor is a natural commercial area. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from A-1 Agricultural 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 that the existing structure on the petitioned was originally constructed as an office at the time the property was zoned M-1 Light Industrial District and then subsequently used as a retail liquor store, the Planning Commission found that it was a mistake to have placed the petitioned area in an A-1 Agricultural District designation during the comprehensive rezoning of 2009 because that structure was then made a non-conforming use. In that the structure and its commercial use 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 structure's use 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. 419, seeking a rezoning of the petitioned area from A-1 Agricultural District to C-2 General Commercial District subject to no portion of the petitioned area being within the Chesapeake Bay Critical Area and a metes and bounds legal description of the petitioned area being provided if the rezoning is approved by the County Commissioners.

#### V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 419

**PROPERTY OWNER:** Cedar Mountain Farms, LLC  
108 Eldrid Drive  
Silver Spring, Maryland 20904-3506

**ATTORNEY:** Hugh Cropper, IV  
9923 Stephen Decatur Highway, D-2  
Ocean City, Maryland 21842

**TAX MAP/PARCEL INFO:** Tax Map 55 - Part of Parcel 22 - Tax District 2

**SIZE:** The petitioned area is approximately 6 acres in size. It is part of a much larger parcel of land. According to the application, this parcel totals approximately 200 acres. However, the tax records indicate that it is approximately 130.6 acres in size.

**LOCATION:** The petitioned area is located on the westerly side of Market Street (Business US Route 113) near the junction with US Route 113. While in close proximity to properties located within the town limits, the petitioned area is outside of the Snow Hill Corporate Limits.

*Petitioned area revised to 4.7 acs., after removing 1.3 acs. in CBCA*

**CURRENT USE OF PETITIONED AREA:** The property in its entirety was formerly used as a research facility for Tysons Poultry and the structure on the petitioned area was an office facility for that operation. It was then utilized as a County liquor store for a number of years but is now vacant.

**CURRENT ZONING CLASSIFICATION:** A-1 Agricultural 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, on a secondary basis, changes to the character of the neighborhood.

**ZONING HISTORY:** At the time zoning was first established in the 1960s the petitioned area was given a M-1 Light Industrial District classification. That designation was retained in the 1992 comprehensive rezoning. The petitioned area was given its current A-1 Agricultural District zoning classification during the 2009 comprehensive rezoning.

**SURROUNDING ZONING:** Almost all adjoining and nearby properties to the north and east are also zoned A-1 Agricultural District. Environmentally sensitive areas to the west and north are zoned RP Resource Protection District, including a portion of the subject property of which the petitioned area is a part. The petitioned area itself, however, is zoned A-1 Agricultural District

in its entirety. A parcel of land on the opposite side of Market Street (Business US Route 113) from the petitioned area, adjacent to the McDonald's, is zoned C-2 General Commercial District. The Preston Auto Body facility, to the north of 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 Agricultural Land Use Category. With regard to this land use category, the Comprehensive Plan states the following:

"The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bed rock of the county's way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged." (Page 18)

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. 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.
- 7. Work with municipalities to develop annexation guidance policies that encourage infill within a municipality and then provide for logical community extensions.
- 8. Regulate development to minimize consumption of land, while continuing the county's rural and coastal character.
- 9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
- 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.
  - .....
  19. Limit rural development to uses compatible with agriculture and forestry.
  - .....
- (Pages 12, 13)

In Chapter 4, Economy, pertinent objectives under the heading Commercial Services 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 services needs of population centers.
  3. Encourage mixed-use commercial, office and residential development.
  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 roadway access and are designed to be visually and functionally integrated into the community.
- ....." (Page 60)

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.
- ....." (Page 70)

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), the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that his department’s well and septic records show the property is improved with existing individual well and septic. Mr. Mitchell also states that the existing structure within the petitioned area itself is served by an existing septic system with a capacity of 600 gallons per day. He further states that seasonal soil testing will be needed to increase the capacity of the existing system, that without expansion of the existing system, many of the uses permitted in the C-2 zone could be supported utilizing the onsite capacity as it currently exists today and that that would severely limit the potential of the proposed future use(s) should this reclassification be approved. 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:

- CeB - Cedartown-Rosedale complex - severe limitations to on-site wastewater disposal
- EvA - Evesboro loamy sand - severe limitations to on-site wastewater disposal
- EvC - Evesboro loamy sand - severe limitations to on-site wastewater disposal

**EMERGENCY SERVICES:** Fire and ambulance service will be available from the Snow Hill Volunteer Fire Department, 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 twenty minutes away, and the Worcester County Sheriff’s Department in Snow Hill, approximately five minutes away. No comments were received from the Maryland State Police Barracks. Chief Deputy Sheriff Douglas A. Dods of the Sheriff’s Department responded that the department did not see any impact on the Sheriff’s Office operations at this time.

**ROADWAYS AND TRANSPORTATION:** The petitioned area is a part fronts on and currently has access to East Market Street (Business US Route 113), a State-owned and -maintained roadway, just to the southwest of US Route 113. This latter roadway is also state-owned and -maintained. The Comprehensive Plan does not make any comments with regard to East Market Street. Classifying US Route 113 as a primary highway/arterial highway, the Comprehensive Plan recommends the completion of dualization from Berlin to south of Snow Hill, the implementation of an access control plan to maintain its status as a limited access roadway, and complete scenic and transportation corridor planning for the remainder of US Route 113. James W. Meredith, District Engineer for the 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, and 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. He also states that future development may require an access permit to be issued from SHA, and that with the exception of the 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 at this time.

**SCHOOLS:** The petitioned area is within the area served by the following schools: Snow Hill Elementary School, Snow Hill Middle School, and Snow Hill 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), approximately 1.2 acres of the petitioned area is partially located within the Chesapeake Bay Critical Area (CBCA) and that area is designated as Resource Conservation Area (RCA). He states that the RCA designated area of the parcel does not allow for new commercial activities to be established and that any proposed future development must be located outside the RCA. He further states that any proposed future development will need to meet the requirements of the CBCA that are in place at the time of development. He recommended that the portion of the petitioned area within the CBCA not be included in any zoning reclassification. M. Claudia Jones, Science Advisor with the Maryland Critical Area Commission, stated in her comments (attached) that a zoning map amendment can only be made in the Critical Area on the basis of mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification. She states that the C-2 zone is clearly not consistent with the RCA classification as evidenced by the description of the General Commercial District in the County's zoning code as being *intended to provide for more intense commercial development* and that COMAR 27.01.02.05(6) states that *"additional industrial or commercial facilities may not be located in the resource conservation area unless the use is authorized by a local program."* Ms. Jones states that, therefore, the proposed rezoning may not be approved within any area of the RCA. In her response memo Ms. Jones states that the application indicated a commercial use in this location; however, there was no information as to whether this use existed at the time of original program mapping. She states that the character of the land surrounding the petitioned area was considered at the time of the original mapping for the CBCA and that the petitioned area was



correctly mapped as RCA based on the mapping criteria. Ms. Jones further states that her office is of the opinion that a mapping mistake to change the petitioned parcel from Agricultural District to General Commercial District is prohibited based on the Critical Area Law and Critical Area regulations and that it appears that the only option to increase the intensity of development on the Critical Area portion of the property is through the use of growth allocation. She states that if the property owner and the County want to pursue this avenue, all growth allocation standards would have to be met.

**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 within one mile of the corporate limits of Snow Hill and a request for comments was submitted to the Town Manager Kelly Pruitt. She responded that the town is okay with the proposed rezoning (copy attached).

**ADDITIONAL COMMENTS RECEIVED:** Comments received from various agencies, etc. are attached and are summarized as follows:

Kathryn Gordon, Deputy Director, Worcester County Economic Development: Ms. Gordon states that her office is supportive of the rezoning request, as potential development at this site would transform the property from its current vacant status to a compatible use with existing development in the area (local restaurants and convenience store) and stimulate rural economic growth.

Edward Potetz, Director, Environmental Health, Health Department: No objection to the proposed rezoning.

Rob Clarke, Maryland Forest Service: No comments on the rezoning request.

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! **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. 419

Date Received by Office of County Commissioners: \_\_\_\_\_

Date Received by Development, Review and Permitting: 1/31/18

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, lessee, 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. \_\_\_\_\_ Lessee
- 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): 55
- B. Parcel Number(s): 22
- C. Lot Number(s), if applicable: \_\_\_\_\_
- D. Tax District Number: 2

III. Physical Description of Property

- A. Located on the West side of Maryland Route 113 approximately \_\_\_\_\_ to the \_\_\_\_\_ of \_\_\_\_\_.
- B. Consisting of a total of 200 acres of land.

- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

6033 Tyson Lane, Snow Hill, Maryland

- 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): A-1, Agricultural District  
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: 4.7  
~~6~~ acres
- C. Requested zoning classification(s): C-2, General Commercial District  
(Name and Zoning District)

- D. Acreage of zoning classification(s) in "C" above: 4.7  
~~6~~ acres revised  
7/5/18

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 Cedar Mountain Farms, LLC


Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842

Phone Number: 410-213-2681

E-Mail: hcropper@bbcmlaw.com

Date: January, 2018

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 

Printed Name of Owner:

Cedar Mountain Farms, LLC,

Mailing Address: 108 Eldrid Drive, Silver Spring, MD 20904-3506

Phone Number: 240-605-9555

E-Mail: kiju99@kiju99.com

Date: January, 2018

(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 1<sup>st</sup> to January 31<sup>st</sup>, May 1<sup>st</sup> to May 31<sup>st</sup>, and September 1<sup>st</sup> to September 30<sup>th</sup> 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.

V. Reasons for Requested Change

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.**

Cedar Mountain Farms, LLC, by its attorney, Hugh Cropper IV, respectfully submits the following in support of its Application for Amendment of Official Zoning Map.

The primary basis for this rezoning is a mistake in the November 3, 2009 Comprehensive Rezoning. As of that date, the property was improved by a business structure, which was operated by the Worcester County, Department of Liquor Control, as a Liquor Store. The store also sold wine, snacks, and other products. This use is consistent with the C-2, General Commercial District. It was not consistent with the A-1, Agricultural District, and it created a non-conformity. Albeit a good faith mistake, the Worcester County Commissioners mistakenly zoned the property A-1, Agricultural District, when it should have been C-2, General Business District.

The petitioned property represents 6 acres of a 200 acre farm. Although the remainder of the farm may be appropriate for agricultural zoning, there are no appropriate agricultural uses for this road frontage.

The property is located immediately west of the State Highway Administration offices, storage yards, etc., which are essentially commercial/industrial uses. It is across the road from McDonald's, and other commercial uses. There are really no reasonable agricultural uses for this



property. Therefore, the Worcester County Commissioners committed a good faith mistake when they zoned the property A-1, Agricultural District.

The second basis for the rezoning request (although not the primary basis) is a substantial change in the character of the neighborhood. There are approximately 10 poultry houses on the remainder of this property. Since the last Comprehensive Rezoning, these poultry houses have been decommissioned. Although the property operated years ago as an office for the large poultry operation, that use has ceased, and those circumstances have changed. Given the requirements of modern poultry houses, it is impossible to imagine that these poultry houses will ever be placed back into service.

Delmarva Power has exercised its rights under its existing easement, and upgraded the large power line that runs adjacent to this property. This has consumed even more land, both changing the character of the neighborhood, and limiting the available uses for the subject property.

With respect to the definition of the neighborhood, it should include all of the town limits of Snow Hill, except the more recently zoned Summerfield properties. The subject property is part of the mercantile strip that runs into Downtown Snow Hill. The entire road frontage is characterized by commercial uses, such as McDonald's, convenience stores, a grocery store, liquor stores, a State Highway Administration headquarters, storage yards, etc.

In conclusion, the property owner respectfully requests that the zoning maps be amended to C-2, General Commercial District based upon a mistake. As a secondary basis, the Planning Commission is urged to consider substantial

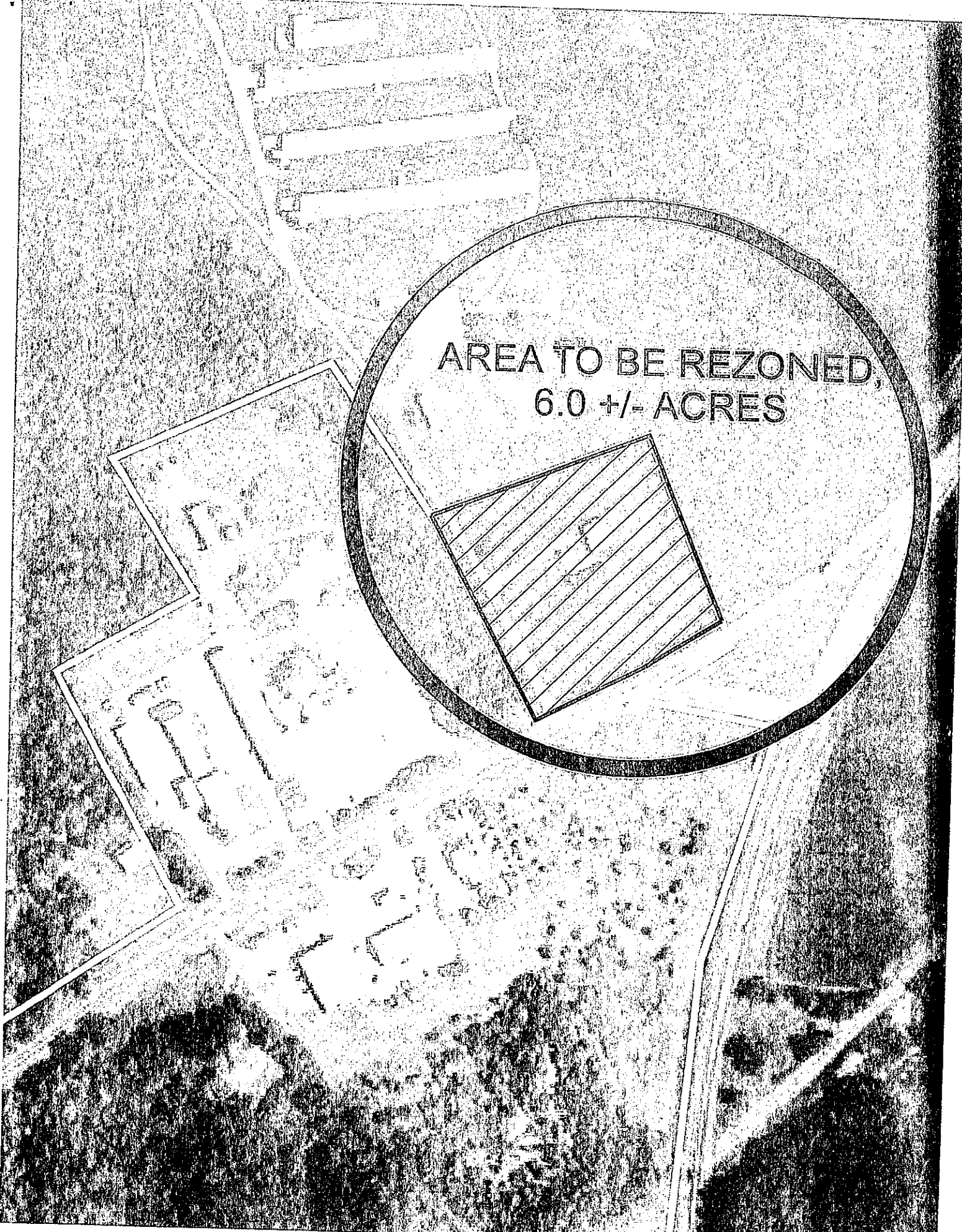
changes to the character of the neighborhood.

Respectfully submitted,



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Hugh Cropper IV  
Attorney for Cedar Mountain  
Farms, LLC



AREA TO BE REZONED,  
6.0 +/- ACRES

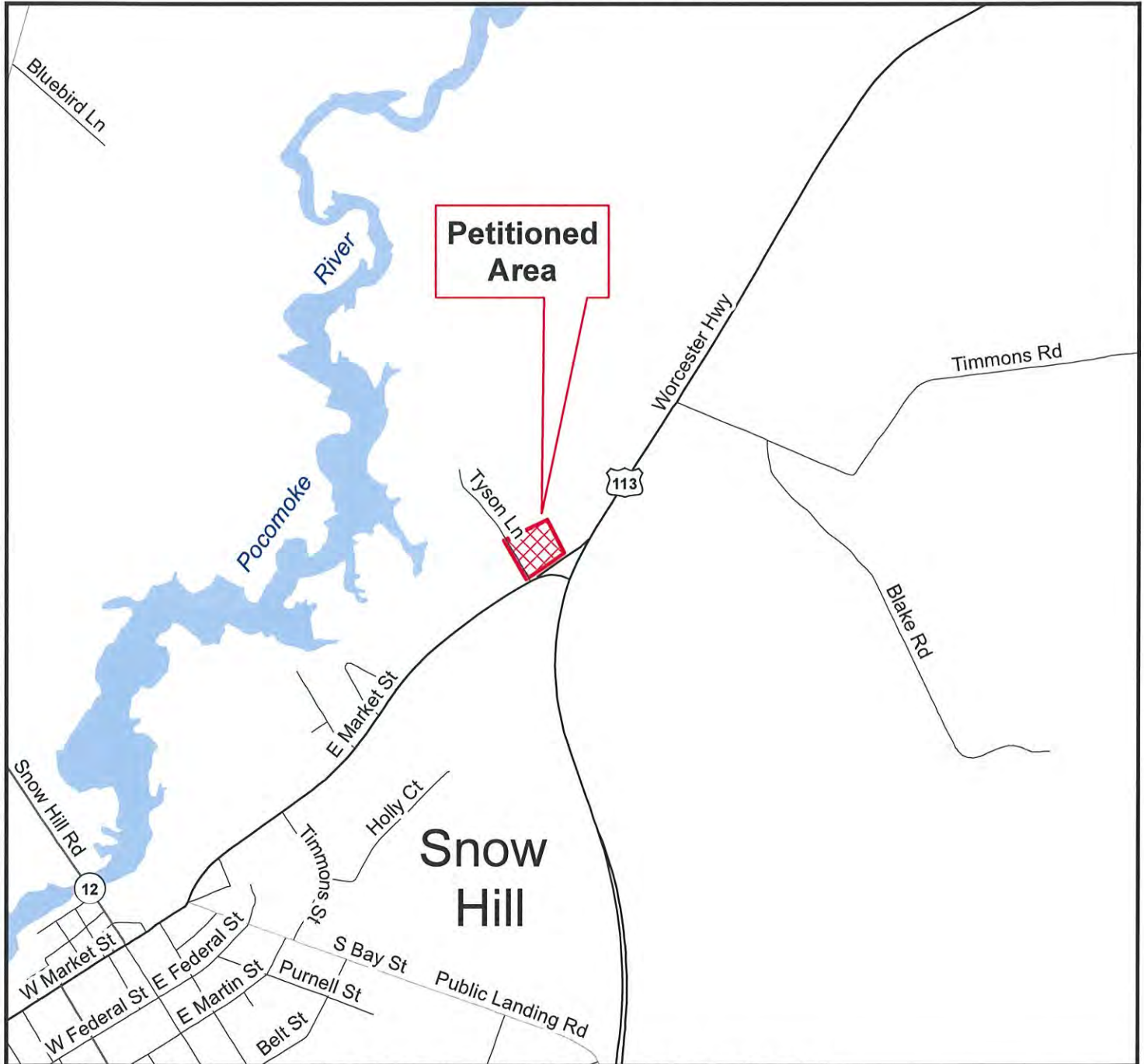


# WORCESTER COUNTY, MARYLAND

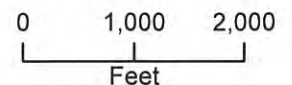


**REZONING CASE NO. 419**  
**A-1 Agricultural District to C-2 General Commercial District**  
**Tax Map: 55, Parcel 22 (6 acre portion)**

## LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
 Technical Services Division - Prepared February 2018



Source: Road Centerline Data - County GIS

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

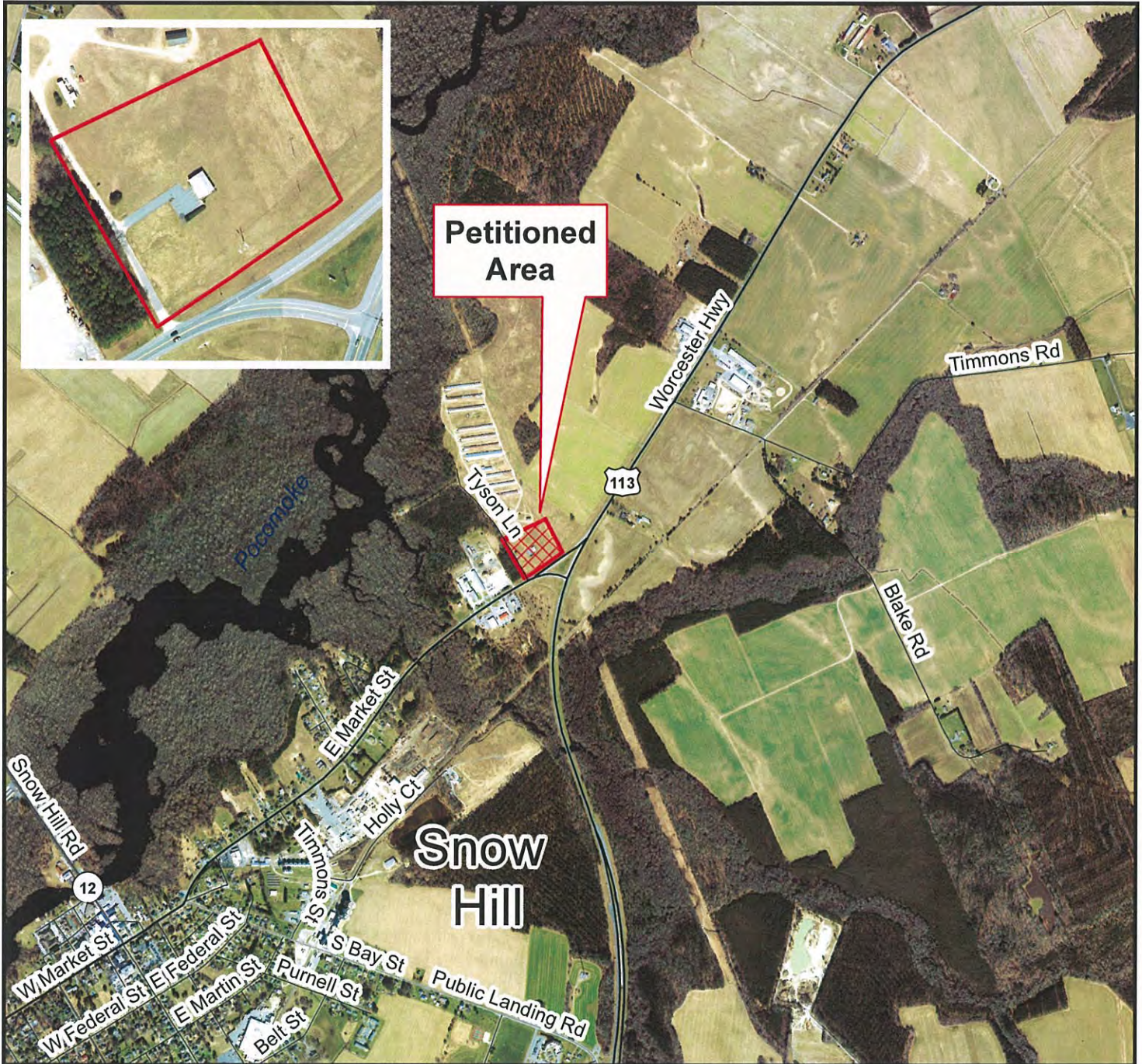


# WORCESTER COUNTY, MARYLAND

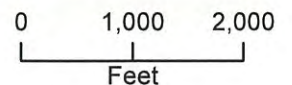


REZONING CASE NO. 419  
 A-1 Agricultural District to C-2 General Commercial District  
 Tax Map: 55, Parcel 22 (6 acre portion)

## AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
 Technical Services Division - Prepared February 2018



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

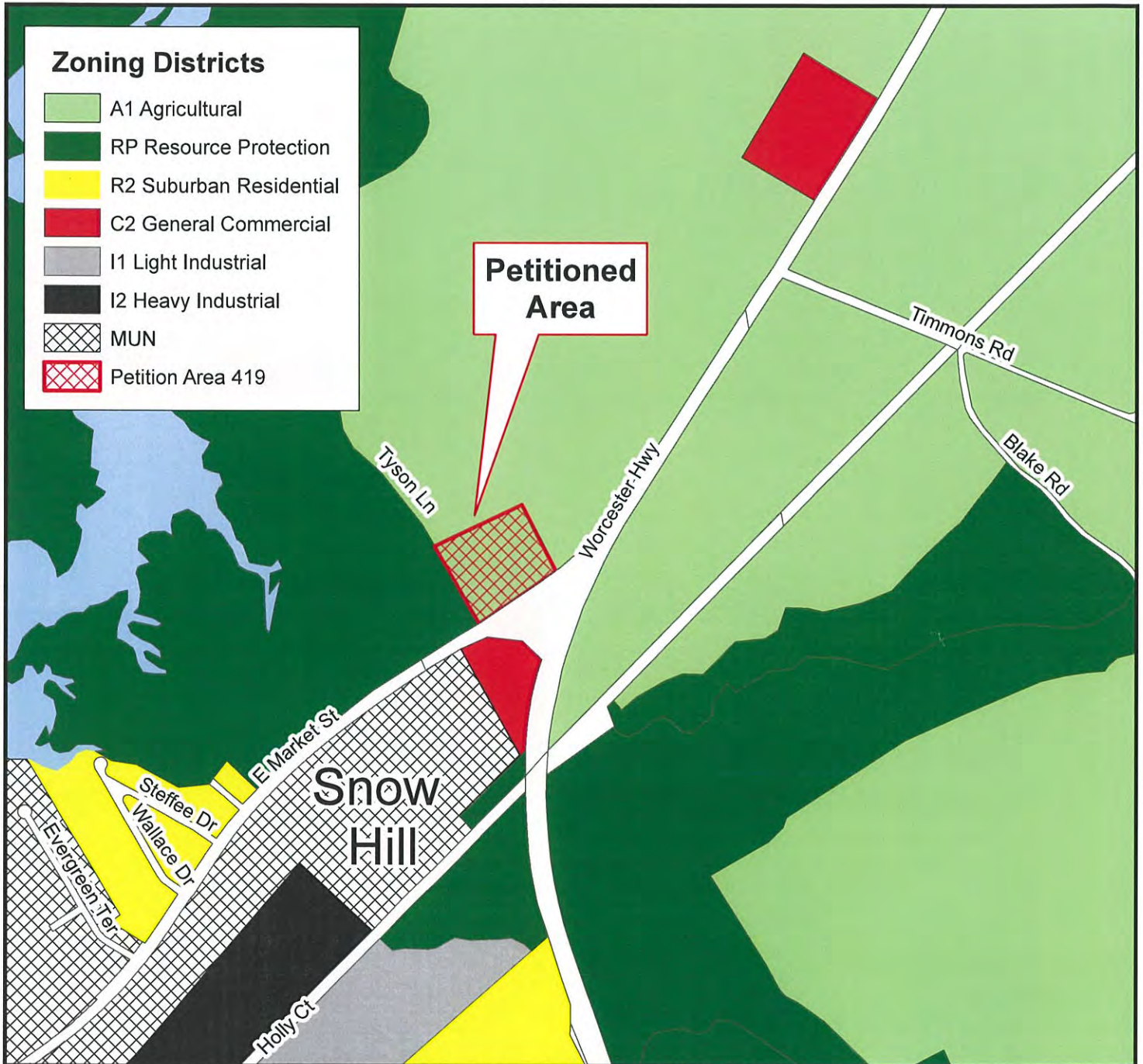


# WORCESTER COUNTY, MARYLAND

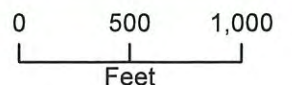


REZONING CASE NO. 419  
 A-1 Agricultural District to C-2 General Commercial District  
 Tax Map: 55, Parcel 22 (6 acre portion)

## ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
 Technical Services Division - Prepared February 2018



Source: 2006 Zoning District Map (current)

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

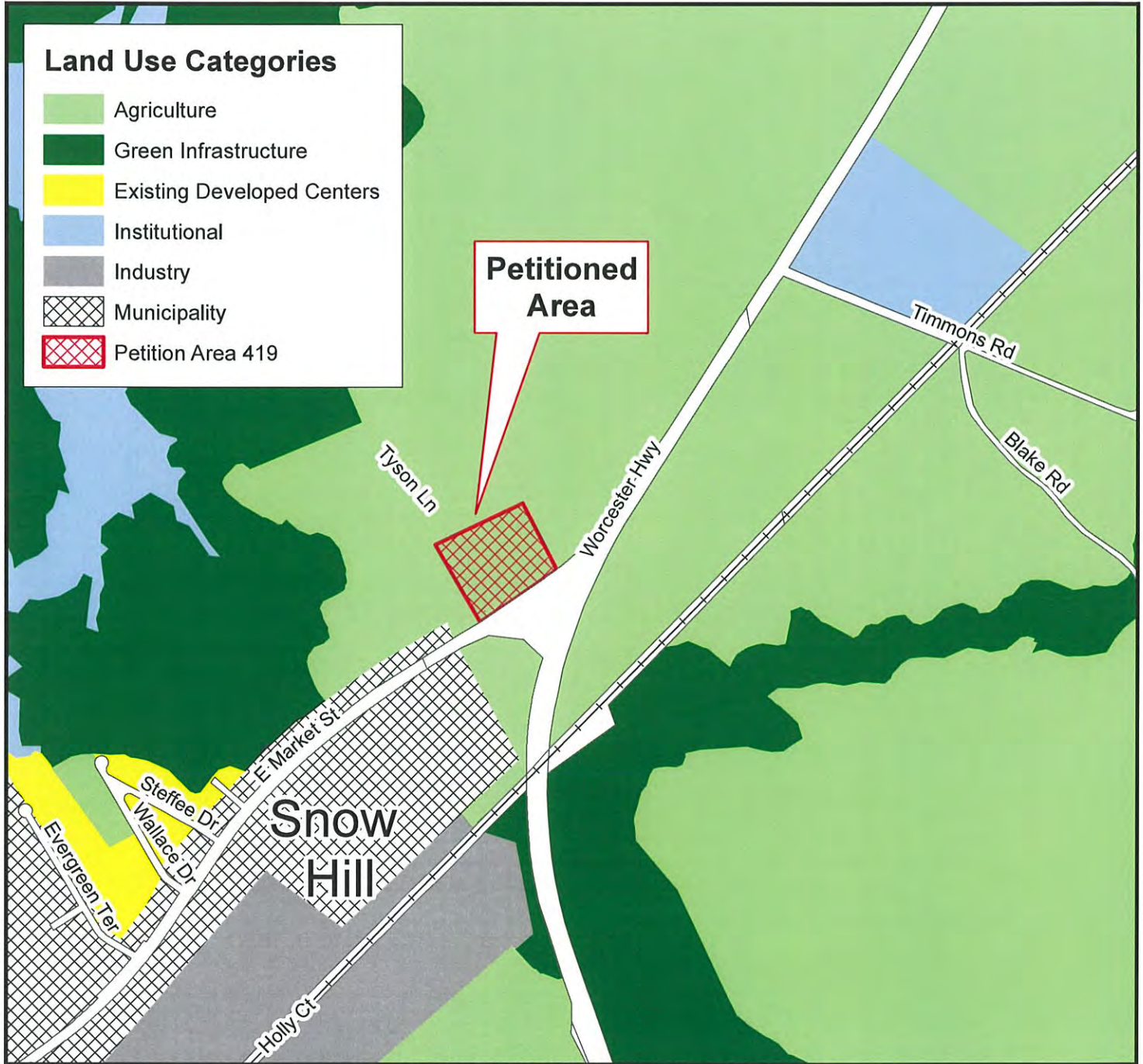


# WORCESTER COUNTY, MARYLAND

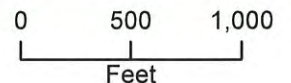


REZONING CASE NO. 419  
A-1 Agricultural District to C-2 General Commercial District  
Tax Map: 55, Parcel 22 (6 acre portion)

## LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division - Prepared February 2018



Source: 2006 Zoning District Map (current)

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Drawn By: KLH Reviewed By: PHW

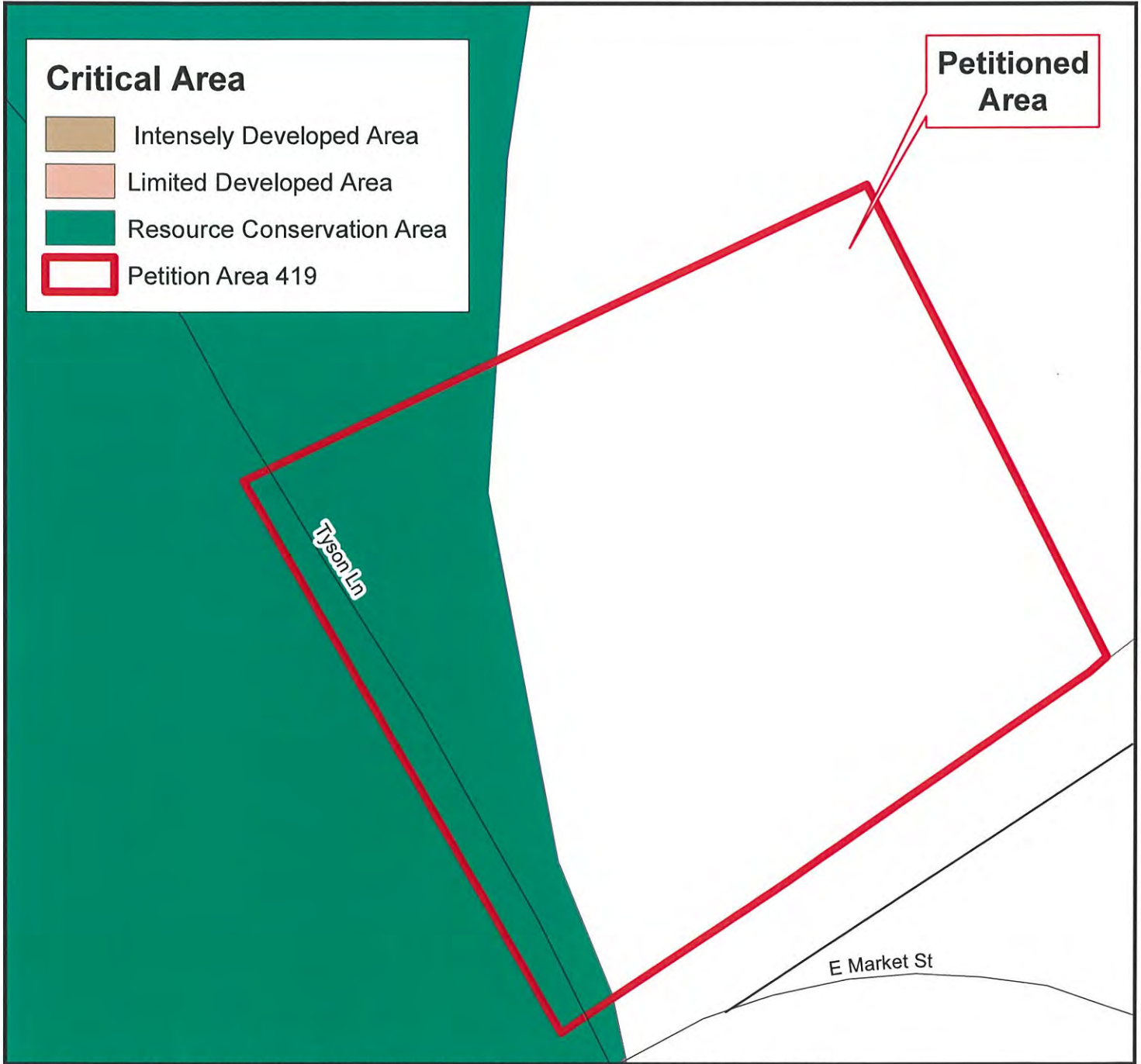


# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 419  
A-1 Agricultural District to C-2 General Commercial District  
Tax Map: 55, Parcel 22 (6 acre portion)

## CHESAPEAKE BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division - Prepared February 2018

Source: Chesapeake Bay Critical Area Plan

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



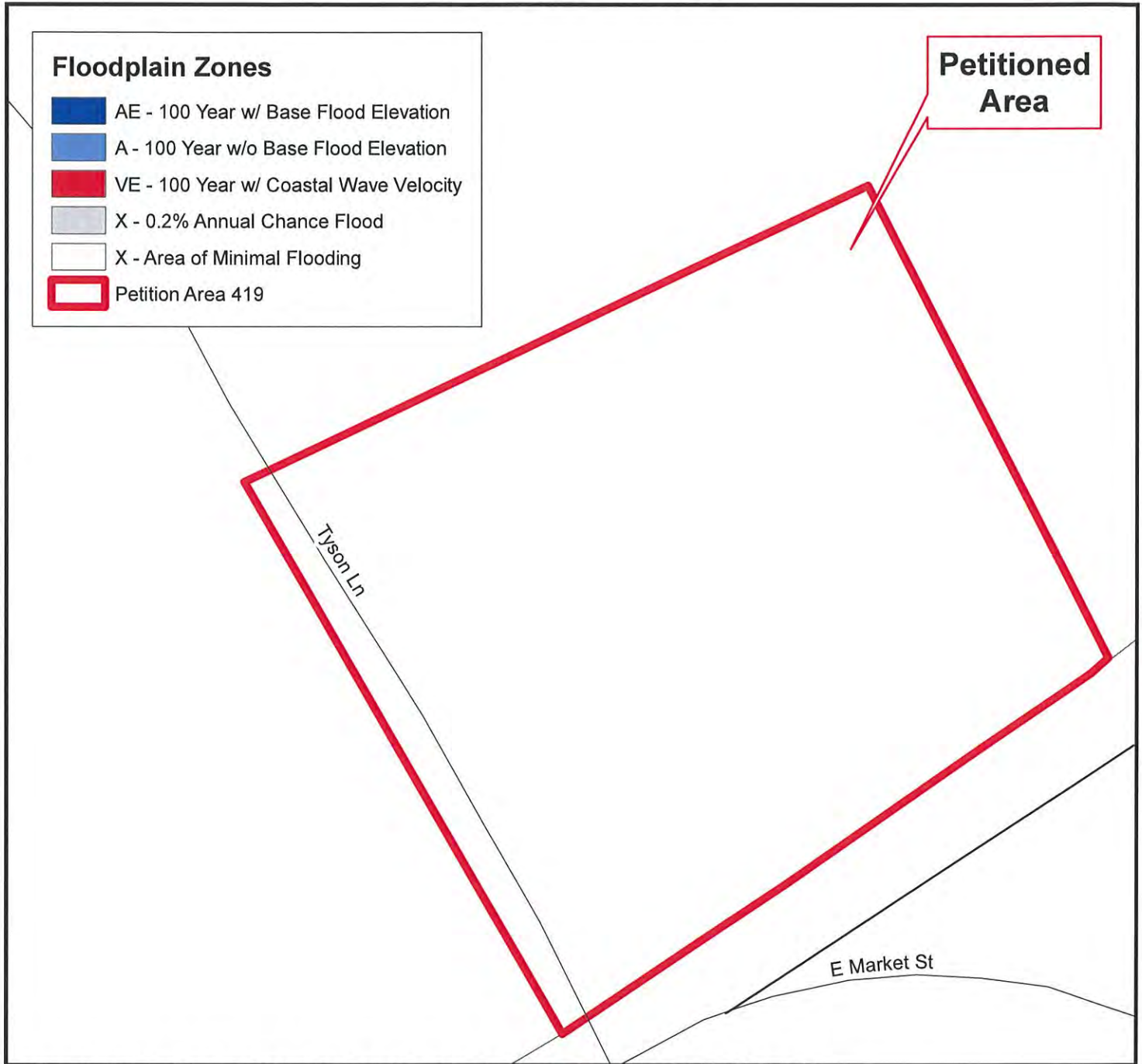


# WORCESTER COUNTY, MARYLAND



**REZONING CASE NO. 419**  
**A-1 Agricultural District to C-2 General Commercial District**  
**Tax Map: 55, Parcel 22 (6 acre portion)**

## FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
 Technical Services Division - Prepared February 2018

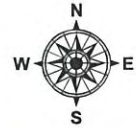
Source: 2007 Soil Survey

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

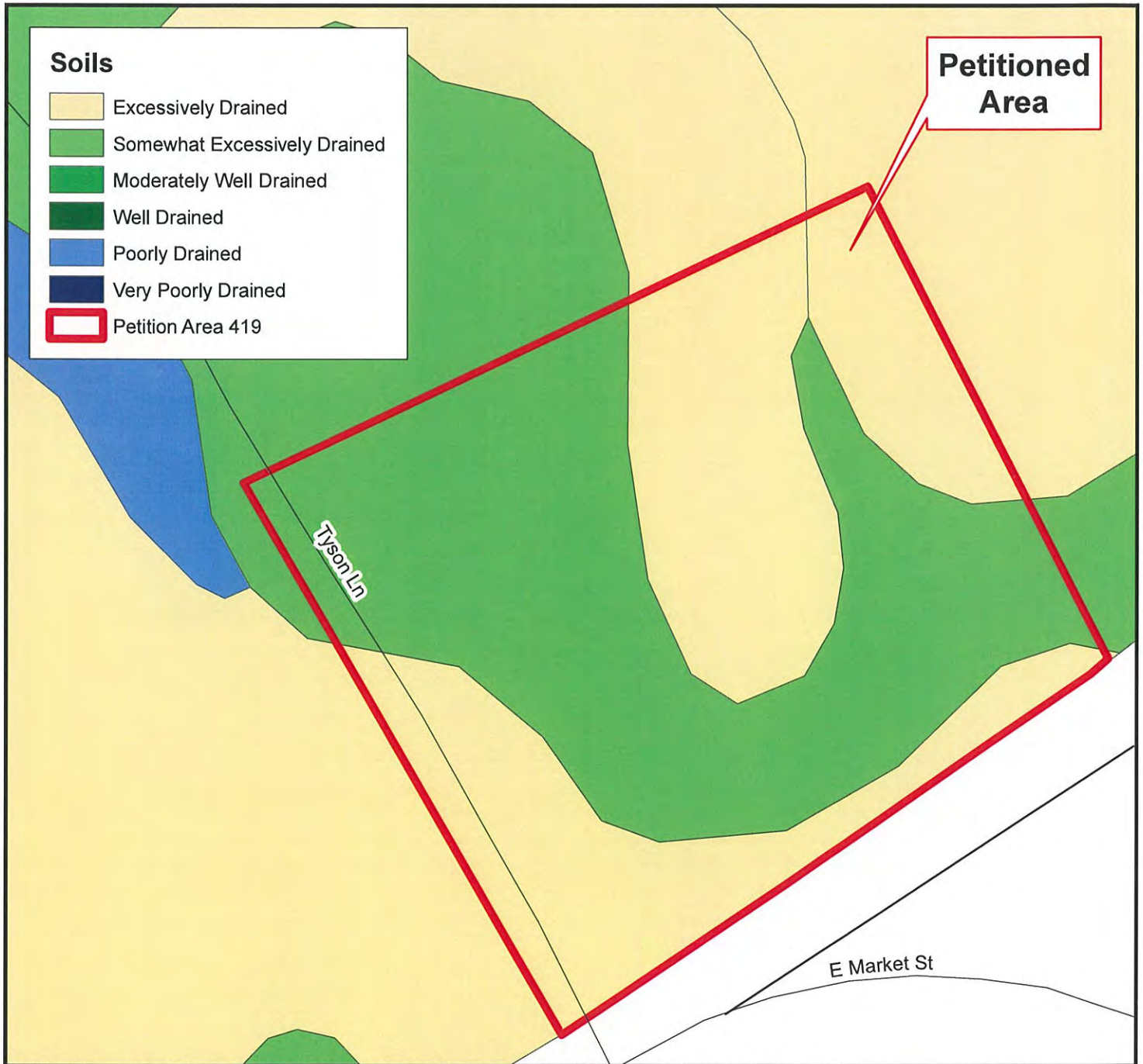


# WORCESTER COUNTY, MARYLAND

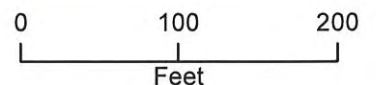


REZONING CASE NO. 419  
A-1 Agricultural District to C-2 General Commercial District  
Tax Map: 55, Parcel 22 (6 acre portion)

## SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division - Prepared February 2018



Source: 2007 Soil Survey

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Drawn By: KLH Reviewed By: PHW

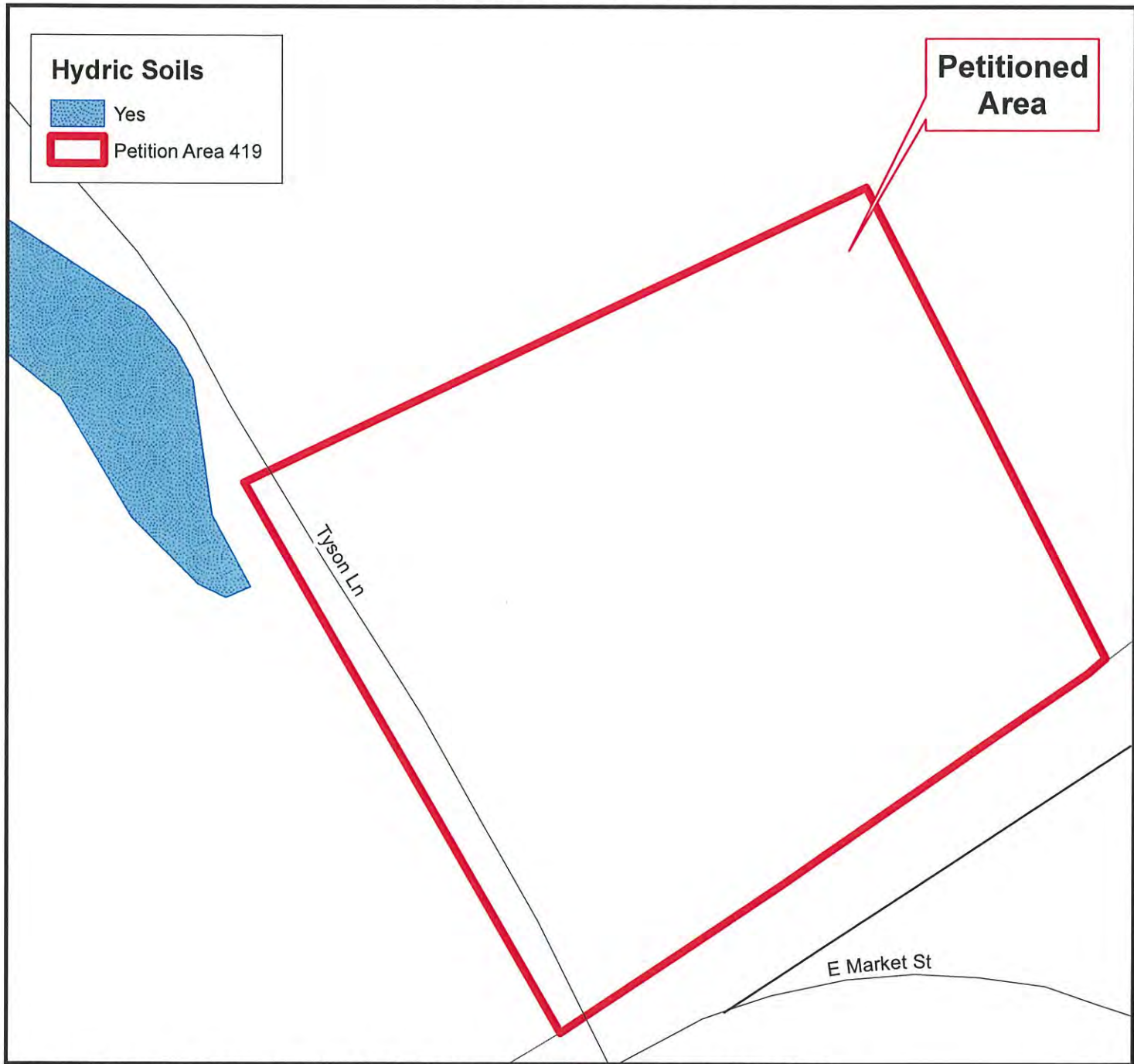


# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 419  
A-1 Agricultural District to C-2 General Commercial District  
Tax Map: 55, Parcel 22 (6 acre portion)

## HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division - Prepared February 2018

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

## Phyllis Wimbrow

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**From:** Kelly Pruitt [kpruitt@snowhillmd.com]  
**Sent:** Wednesday, June 13, 2018 3:33 PM  
**To:** Phyllis Wimbrow  
**Subject:** RE: Worcester County Rezoning Case No. 419 - Cedar Mountain Farms, LLC

Hi Phyllis,

The Town is ok with the zoning change.

Thank you,

Kelly

---

**From:** Phyllis Wimbrow [mailto:pwimbrow@co.worcester.md.us]  
**Sent:** Wednesday, June 13, 2018 11:22 AM  
**To:** kpruitt@snowhillmd.com  
**Subject:** Worcester County Rezoning Case No. 419 - Cedar Mountain Farms, LLC

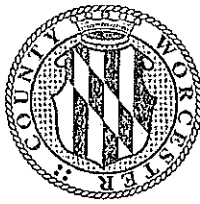
Good morning Kelly,

On February 9, 2018 I sent you a copy of the above referenced rezoning application and requested any comments you or the town officials may have. The application pertains to the former Tyson/liquor store site at the easterly end of Market Street and seeks a rezoning from A-1 Agricultural District to C-2 General Commercial District. I am preparing the staff report for presentation to the County's Planning Commission on July 5, 2018. I had requested comments by April 1, 2018. As I have not received any comments from you or the Mayor and Council as of today's date, I just want to verify that you do not intend to provide any.

Please let me know at your earliest convenience.

Thank you.

Phyllis H. Wimbrow  
Deputy Director  
Worcester County Development  
Review and Permitting  
1 West Market Street, Room 1201  
Snow Hill, Maryland 21863  
(410) 632-1200, ext. 1110




**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. 419  
Worcester County Tax Map 55, Parcel 22  
6 Acres A-1 Agricultural District to C-2 General Commercial District

**Date:** 3/28/18

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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. 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 Agricultural land use district. This district is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. It is expected that residential and other conflicting land uses although permitted, are discouraged within this district. Outside the municipal limits of the Town of Snow Hill, the *Comprehensive Plan* land use designation for the areas adjacent to this property are either in the Agricultural land use district or the Resource Conservation district.

Save for the vacant C-2 zoned land directly across Market Street from the subject property, the proposed map amendment property is surrounded by just two zoning designations of resource protection (RP) and agriculture (A1). Other than the aforementioned vacant C-2 land located across Market Street, the closest C-2 property outside town limits is a property about  $\frac{3}{4}$  of a mile north on U.S. Route 113. That property is similarly surrounded by agricultural zoning. The proposed map amendment property does site adjacent to commercially-zoned property within the Snow Hill Town limits and is located at the approach to an intersection with an arterial highway.

- 37 -

**Citizens and Government Working Together**

The Department of Environmental Programs has the following specific comments:

1. The subject property has an Agricultural land use designation in the Land Use Map in the *Comprehensive Plan*.
2. The subject property has designations for Water and Sewer Service Categories of W-6/S-6 (no Planned Service) in the *Master Water and Sewerage Plan*.
3. Our well and septic records show the property is improved with existing individual well and septic for the parcel. The existing structure within the portion of the property requested under this rezoning case is served by an existing septic system with a capacity of 600 gpd. Seasonal soil testing will be needed to increase the capacity of the existing system. Without expansion of the existing septic system, many of the uses permitted in the C-2 zone could not be supported utilizing the onsite capacity as it currently exists today. That would severely limit the potential of the proposed future use(s) should this reclassification be approved.
4. The proposed area is not within a Town of Snow Hill growth area as shown on Map 5 of the Town's Comprehensive Plan. The Town plan refers specifically to the properties across Market Street on page 62 as underlined below:

"A highway commercial district with limited uses is suggested for the property at the corner of Church Street and Rt 113. This highway district would also include the corner of Business Route 113 and U.S. Route 113 that encompasses McDonald's and Duck-In area. All of the aforementioned highway commercial districts would be served by access roads with no direct access on U.S. Route 113.

The property across Market Street from the area under this map amendment case and mentioned above is included in the future planning area for the Town and mapped as such.

5. This proposed rezoning is partially located within the Chesapeake Bay Critical Area (CBCA). The area within the CBCA is designated as a Resource Conservation Area (RCA). The RCA designated area of the parcel does not allow for new commercial activities to be established. Any proposed new commercial development must be located outside the RCA. Proposed future development will need to meet the requirements of the CBCA that are in place at the time of development. As required under COMAR 27.03.01.04, we forwarded the rezoning request to the Critical Area Commission (CAC) for review. Their comments are attached.
6. For areas of this proposed rezoning that are not located within the CBCA, compliance with the Forest Conservation Law will be required. Afforestation and conservation thresholds are at a lesser permit for commercially zoned land, compared to agricultural zoned land; therefore, if the rezoning was awarded, a lesser amount of forest will be needed to be planted and/or retained when development plans are proposed. A commercial zoning designation requires an afforestation threshold of 15 percent and reforestation threshold of 15 percent.
7. We have attached the comments from the CAC on this case. They have echoed our above comments regarding consistency with the existing Critical Area land classification (RCA) for part of the parcel. There is an estimated 1.2 acres of the approximately 6 acre rezoning request mapped as RCA that should not be included in any zoning reclassification the Planning Commission considers for this case.

- 38 -

Citizens and Government Working Together

If you have any questions on these comments, please do not hesitate to contact me.

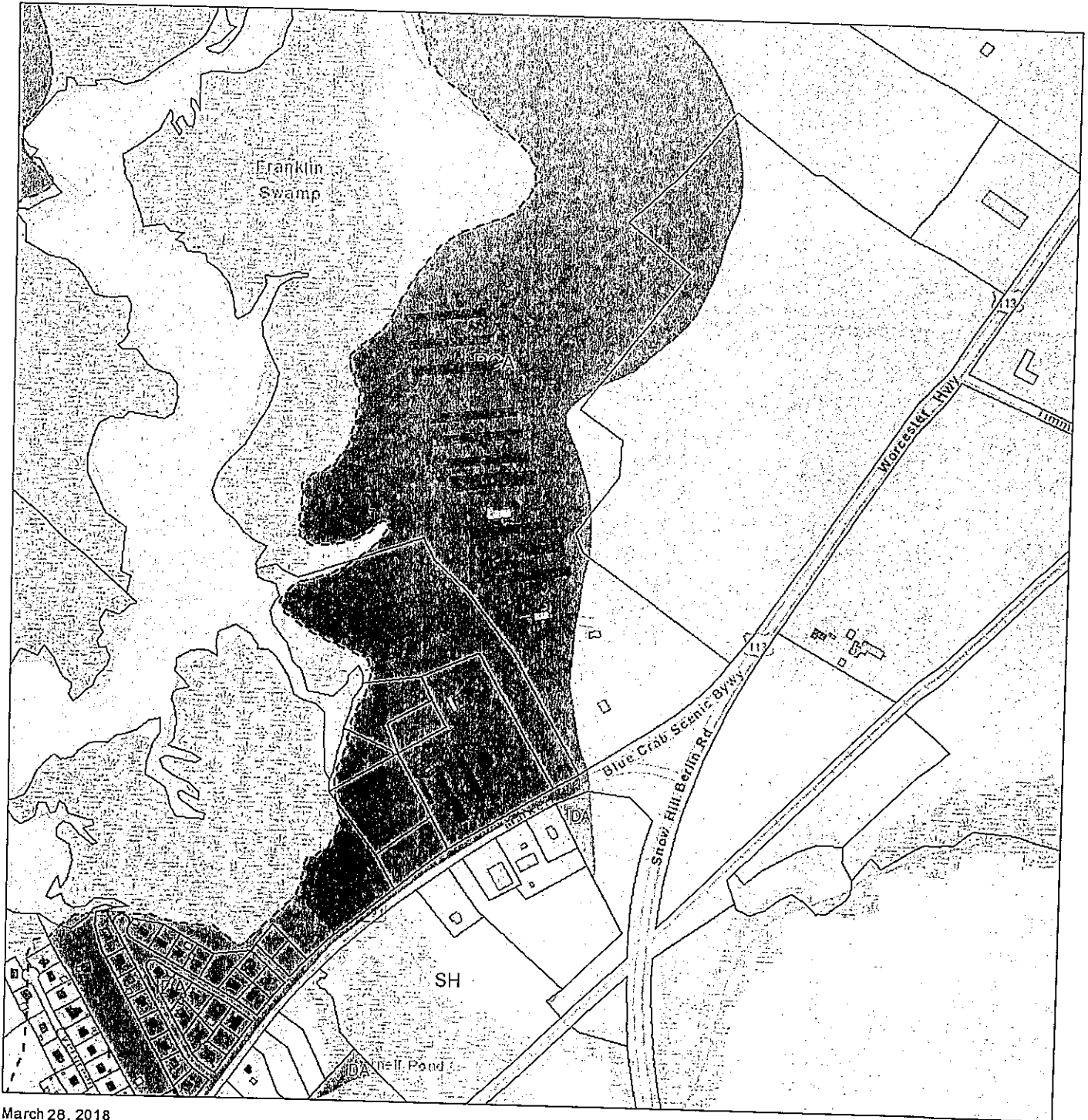
Attachments

- 39 -

**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

# Cedar Mountain Farms Case No. 419



March 28, 2018

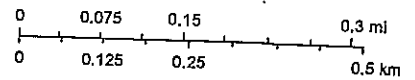
**Buildings**

- All Other Building Types
- Abandoned
- Government
- Ag Building
- Chicken House
- Commercial / Residential
- Commercial / Industrial
- Residential
- School
- Unknown
- Property Lines
- Ches Bay Tidal Bndy, Line

**Critical Area - Chespk Bay Watershed**

- IDA - Intensely Development Area
- LDA - Limited Development Area
- RCA - Resource Conservation Area

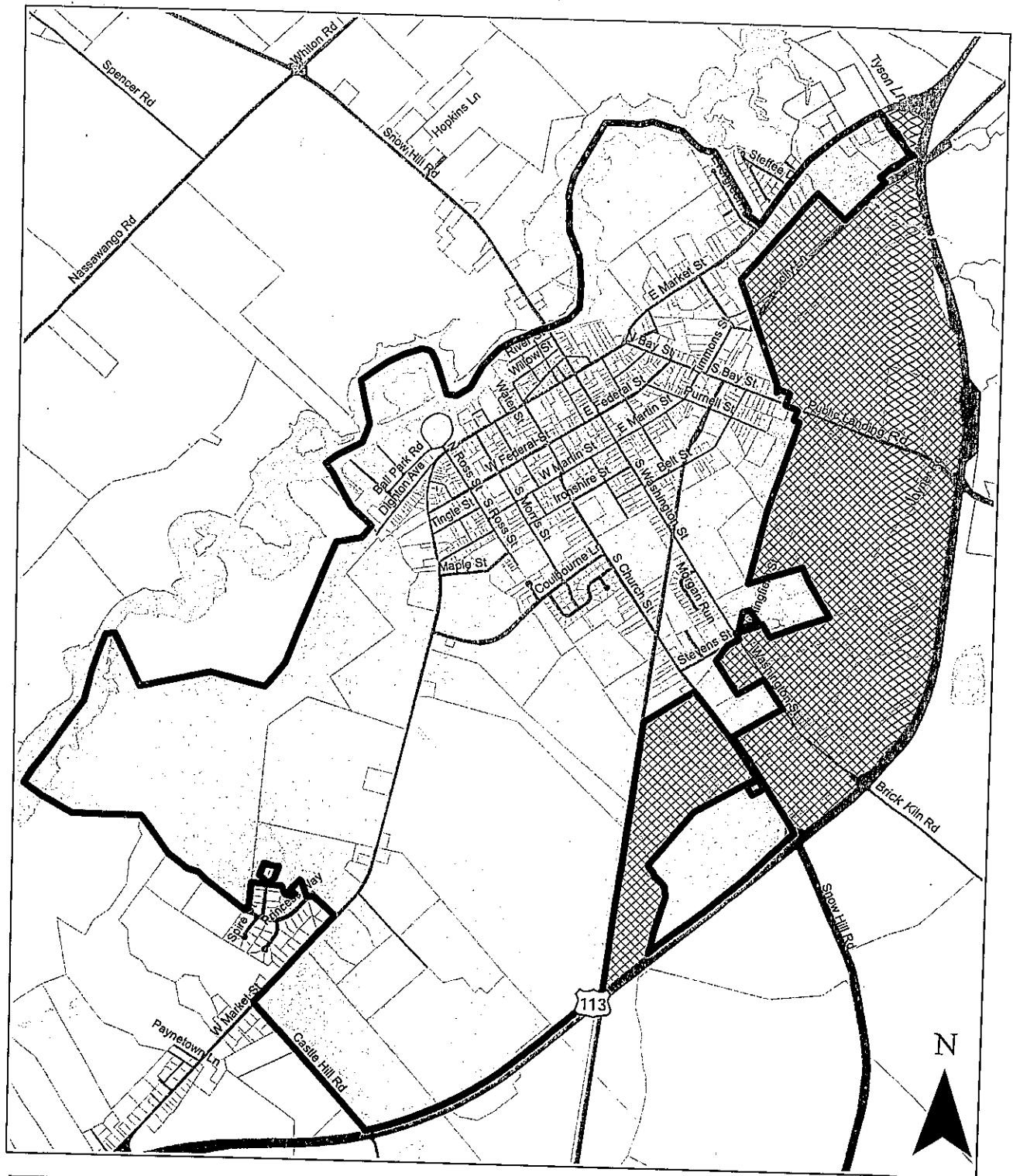
1:7,200






-40-

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community





Low Density Residential  
 Future Planning Area  
 Town of Snow Hill



2,700 Feet

Data Source: Roads, Base Data, Worcester County Department of Development Review and Permitting.  
 Growth Areas: Worcester County Commissioners in cooperation with the Town of Snow Hill.

Prepared by Worcester County Department of Development Review and Permitting.  
 Town of Snow Hill Comprehensive Plan, February 1, 2010.

Map 5: Growth Areas

Larry Hogan  
Governor  
Boyd K. Rutherford  
Lt. Governor



Charles C. Deegan  
Chairman  
Katherine Charbonneau  
Executive Director

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[dnr.maryland.gov/criticalarea/](http://dnr.maryland.gov/criticalarea/)

March 2, 2018

Ms. Jenelle Gerthoffer  
Dept. of Environmental Programs  
Worcester County Government  
Room 1306  
1 West Market St. Snow Hill, MD 21863

Re: Cedar Mountain Farms, LLC  
Rezoning Application #419

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of a six-acre parcel from Agricultural District (A-1) to General Commercial District. Of this, 1.2 acres is in the Critical Area and is designated as a Resource Conservation Area (RCA). The petitioned parcel is located at 6033 Tyson Lane in Snow Hill, Tax Map 55, Parcel 22.

The applicant is arguing that a mapping mistake was made in the Comprehensive Rezoning in 2009 and that there has been a substantial change in the character of the neighborhood. A zoning map amendment in the Critical Area can only be made in the Critical Area on the basis of mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification (Natural Resources Article 8-1809(h)(2)). The C-2 zone is clearly not consistent with the RCA classification as evidenced by the description of the General Commercial District in the County's zoning code as being *intended to provide for more intense commercial development*. The C-2 zone allows such uses as hotels, retail and service establishments, restaurants, convenience stores, funeral homes, and car washes. COMAR 27.01.02.05 (6) states that "*additional industrial or commercial facilities may not be located in the resources conservation area unless the use is authorized by a local program.*" Therefore, the proposed rezoning may not be approved within any area of RCA.

The application indicated a commercial use in this location; however, there was no information as to whether this use existed at the time of original program mapping. As you know, the character of the land surrounding the petitioned parcel was considered at the time of the original mapping for the Atlantic Coastal Bays Critical Area Program. The petitioned area was correctly mapped as RCA based on the mapping criteria. Zoning map changes in the RCA cannot be made

Ms. Jenelle Gerthoffer  
March 2, 2018  
Page Two

on the basis of any change in the character of the neighborhood. The Critical Area designation was based on existing land use at program inception.<sup>1</sup>

This office is of the opinion that a mapping mistake to change the petitioned parcel from Agricultural District to General Commercial District is prohibited based on the Critical Area Law and Critical Area regulations referenced above. It appears that the only option to increase the intensity of development on the Critical Area Portion of the property is through the use of growth allocation. If the property owner and the County want to pursue this avenue, all growth allocation standards would have to be met.

Please submit this letter to the Planning Commission as part of their record and notify the Commission in writing of the decision made in this case. You may contact me at 410-260-3475 with any questions or concerns.

Sincerely,



M. Claudia Jones  
Science Advisor  
WC 134-18

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<sup>1</sup>Worcester County was required to designate all lands as either Intensely Developed Area (IDA), Limited Development Area (LDA) or RCA based on existing land uses and development. The IDA mapping designation applied to developed areas where residential, commercial, institutional, and/or industrial uses predominated had a density of at least four dwellings per acres, or, public sewer with a lower density, relatively little natural habitat, and were at least 20 acres in size. A Limited Development designation applied to those areas that were developed in low or moderate intensity uses and were not dominated by agriculture wetlands, forests, etc. Resource Conservation Areas were specifically defined as those areas characterized by nature-dominated environments and resource utilization activities with a density of less than one dwelling unit per 5 acres. The RCA and LDA portions of the petitioned area were correctly mapped based on the mapping criteria.

MEREDITH M. MEARS  
Director  
[mmears@co.worcester.md.us](mailto:mmears@co.worcester.md.us)

100 Pearl Street Suite B  
Snow Hill, Maryland 21863  
Phone: 410-632-3112  
Fax: 410-632-5631



KATHRYN GORDON  
Deputy Director  
[kgordon@co.worcester.md.us](mailto:kgordon@co.worcester.md.us)

DEPARTMENT OF  
ECONOMIC DEVELOPMENT

## Worcester County

February 14, 2018

Worcester County Planning Commission  
1 West Market Street, Room 1201  
Snow Hill, Maryland 21863

RE: Rezoning Case No. 419- Cedar Mountain Farms, LLC/Hugh Cropper, IV

Dear Members of the Planning Commission:

Our office is in receipt of the documents for Rezoning Case No. 419- Cedar Mountain Farms, LLC/ Hugh Cropper, IV- northerly side of East Market Street, west of US Route 113. We understand there is currently a request to rezone approximately 6 acres of land from A-1, Agricultural District to C-2, General Commercial District.

Our office writes this letter in support of the rezoning request, as potential development at this site would transform the property from its current vacant status to a compatible use with existing development in the area (local restaurants and convenience store) and stimulate rural economic growth.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Kathryn Gordon  
Deputy Director

**MDOT**  
MARYLAND DEPARTMENT  
OF TRANSPORTATION  
STATE HIGHWAY  
ADMINISTRATION

Larry Hogan  
Governor  
Boyd K. Rutherford  
Lt. Governor  
Pete K. Rahn  
Secretary  
Gregory Stater  
Administrator

February 15, 2018

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 for Rezoning Case No. 419 – Cedar Mountain Farms, LLC, in Worcester County. The property is described as Tax Map 55, Parcel 22, being located on the northerly side of East Market Street, west of US Route 113. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

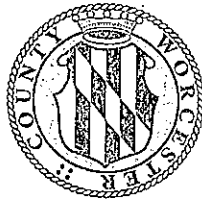
Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, MDOT SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network. Future development may also require an access 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 for the opportunity to provide a response. If you have any questions regarding our response, please feel free to contact Mr. Daniel Wilson, Access Management consultant, via email at [dwilson12@sha.state.md.us](mailto:dwilson12@sha.state.md.us) or by calling him directly at 410-677-4048.

Sincerely,

  
James W. Meredith,  
District Engineer

cc: Mr. Hicham Baassiri, Assistant District Engineer, Project Development, MDOT SHA  
Mr. Daniel 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: February 13, 2018  
RE: Rezoning Case No. 419

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 case, I offer the following comments:

Rezoning Case 419: No comments at this time.

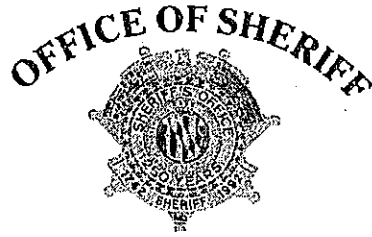
Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll  
\\wfile2\users\llawrence\Rezoning\Rezoning Case 419.doc

- 46 -

Reggie T. Mason  
Sheriff



Douglas A. Dods  
Colonel

*SINCE 1742*

WORCESTER COUNTY GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1001  
SNOW HILL, MARYLAND 21863-1072  
410-632-1111  
ADMIN. FAX: 410-632-3070

February 13, 2018

Phyllis H. Wimbrow  
Department of Development Review and Planning  
Worcester County Government Center  
Snow Hill, Md

REF: Rezoning Case No. 419

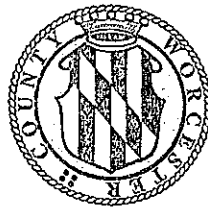
After reviewing the packet submitted, we do not see any impact on Sheriff's Office operations at this time.

Sincerely,

Douglas A. Dods

Colonel

Chief Deputy Sheriff



# Worcester County

HEALTH DEPARTMENT


P.O. Box 249 • Snow Hill, Maryland 21863-0249  
www.worcesterhealth.org

Snow Hill (Main Office)  
410-632-1100  
Fax 410-632-0906

Rebecca L. Jones, RN, BSN, MSN  
Health Officer

## MEMORANDUM

To: Phyllis H. Wimbrow, Deputy Director

From: Edward Potetz, Director   
Environmental Health

Date: February 22, 2018

Re: Rezoning Case No. 419

---

This office has no objection to the proposed above-referenced rezoning case.

- 48 -



**Phyllis Wimbrow**

---

**From:** April Mariner  
**Sent:** Monday, February 12, 2018 8:10 AM  
**To:** Phyllis Wimbrow  
**Subject:** FW: Rezoning Case #419

*April L. Mariner*

Office Assistant III  
Worcester County Development Review & Permitting  
[amariner@co.worcester.md.us](mailto:amariner@co.worcester.md.us)  
410-632-1200 x1172



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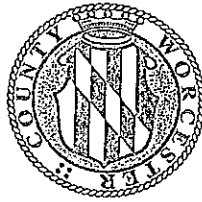
**From:** Rob Clarke -DNR- [<mailto:rob.clarke@maryland.gov>]  
**Sent:** Friday, February 09, 2018 4:31 PM  
**To:** April Mariner  
**Subject:** Re: Rezoning Case #419

April,

I have no comments on rezoning case #419.

Thanks,

 <p>CHANGING Maryland <i>for the Better</i></p>  <p><a href="http://dnr.maryland.gov">dnr.maryland.gov</a></p>	<p><b>Rob Clarke</b> Acting Project Manager Maryland Forest Service Department of Natural Resources 10990 Market Lane Princess Anne, MD 21853-2910 Office: 410-651-2004 Mobile: 443-235-1636 <a href="mailto:Rob.Clarke@Maryland.gov">Rob.Clarke@Maryland.gov</a></p>
--	---



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](http://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 McMahon, Fire Marshal, Worcester County Fire Marshal's Office  
Kathryn Gordon, Deputy 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  
Trey Heiser, Fire Chief, Snow Hill Volunteer Fire Department  
Kelly Brewington, Town Manager, Town of Snow Hill

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: February 9, 2018

RE: Rezoning Case No. 419- Cedar Mountain Farms, LLC/ Hugh Cropper, IV- Approximately 6 acres located on the northerly side of East Market Street, west of US Route 113

\*\*\*\*\*

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a meeting in Mid - 2018. This application seeks to rezone approximately 6 acres of land from A-1 Agricultural District to C-2 General Commercial District.

*Citizens and Government Working Together*

Uses allowed in the District include, but are not limited to, retail or service establishments, motels/hotels, restaurants, offices, contractors' shops, wholesale businesses, vehicle, watercraft, and equipment sales and service establishments, etc..

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 APRIL 1, 2018, 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](mailto:pwimbrow@co.worcester.md.us). On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

THIS DEED, made this 1<sup>st</sup> day of May, 2018, by Cedar Mountain Farms, LLC, a Maryland limited liability company, Sunwoo Nam and Kyunghi Nam, his wife, Maryland residents, hereinafter called Grantors, WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of Nine Hundred Twenty-Five Thousand Dollars (\$925,000.00), the receipt of which is hereby acknowledged, the said Grantors hereby grant and convey unto Mallard Landing, LLC, a Maryland limited liability company, its successors and assigns, forever in fee simple:

ITEM ONE - 6033 Tyson Lane Tax ID No. 02-027747

ALL that tract, part of a tract or parcel of land lying and being situate on the northwesterly side of the State Highway leading from Snow Hill to Newark and Berlin, in the Second Election District of Worcester County, Maryland, being bounded on the northeast by the lands of J.W. Shockley & Son, Inc., and those formerly of Jerome W. Johnson; on the northwest and west by Pocomoke River; on the southwest by the lands formerly of William O. Dickerson and the lands now or formerly of Thomas L. Sturgis, and on the southeast by the aforesaid State Highway and the Harrison lands, containing by estimation one hundred ninety (190) acres of land, more or less; EXCEPT SO MUCH THEREOF as conveyed by Deed dated December 31, 1948, and recorded among the Land Records of Worcester County, Maryland in Liber CWN No. 24, folio 543, and unto the State of Maryland to the use of the State Roads Commission of Maryland, for the aforesaid state road, by Deeds dated respectively February 23, 1951 and June 8, 1951 and respectively recorded among the said Land Records in Liber CWN No. 41, folio 386, Liber CWN No. 41, folio 388, and Liber CWN No. 42, folio 422.

BEING ALL THE SAME property conveyed unto Cedar Mountain Farms, LLC, a Maryland limited liability company, by Deed dated February 7, 2014 and recorded among the Land Records of Worcester County, Maryland in Liber SVH No. 6327, folio 483, et seq.

ITEM TWO - Worcester Highway Tax ID No. 02-005654

ALL that lot or parcel of land lying and being situate on the westerly side of the state highway leading from Snow Hill to Berlin, in the Second Election District of Worcester County, containing eighteen (18) acres and ninety-four (94) perches of land more or less; EXCEPT SO MUCH THEREOF as conveyed by Right of Way Deed dated March 30, 1951, and recorded among the Land Records of Worcester County, Maryland in Liber CWN No. 41, folio 550, et seq. and Deed dated October 30, 1956 and recorded among the said Land Records in Liber FWH No. 97, folio 141, et seq.

BEING ALL THE SAME property conveyed unto Sunwoo Nam and Kyunghi Nam, his wife, by Deed dated July 22, 2013 and recorded among the Land Records of Worcester County, Maryland in Liber SVH No. 6205, folio 075, et seq.

Ayres, Jenkins, Gordy & Almand, P.A.  
6200 Coastal Hwy., Suite 200  
Ocean City, MD 21842

420  
6105-1  
4225-1

TOGETHER with the improvements thereon and the rights, roads, ways, waters, privileges and appurtenances to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Mallard Landing, LLC, a Maryland limited liability company, its successors and assigns, forever in fee simple; SUBJECT, however, to the any covenants, restrictions, easements or rights of way of record.

AND the said Grantors hereby covenant to warrant specially the property hereby conveyed and to execute such other and further assurances of the same as may be requisite.

AS WITNESS the hands and seals of the Grantors herein the day and year first above written.

WITNESS:

[Signature]

Cedar Mountain Farms, LLC

By: [Signature] (SEAL)  
Kiju Deleon, Managing Member

[Signature]

[Signature] (SEAL)  
Sunwoo Nam

[Signature]

[Signature] (SEAL)  
Kyunghi Nam

STATE OF MARYLAND, COUNTY OF Montgomery to wit:

I HEREBY CERTIFY that on this 28 day of April, 2018, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Kiju Deleon who made oath in due form of law and under penalties of perjury that he/she is the Managing Member of Cedar Mountain Farms, LLC, a Maryland limited liability company, who acknowledged the foregoing Deed to be the act and deed of said limited liability company.

AS WITNESS my hand and Notarial Seal

[Signature]  
NOTARY PUBLIC

My Commission Expires: 06/07/2021

BRYAN ADAM MORRIS  
Notary Public  
Montgomery County  
Maryland  
My Commission Expires 06/07/2021



WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB-7204, p. 0069, MSA\_CE31\_7380. Date available 05/08/2018. Printed 07/05/2018.

STATE OF MARYLAND, COUNTY OF Montgomery, to wit:

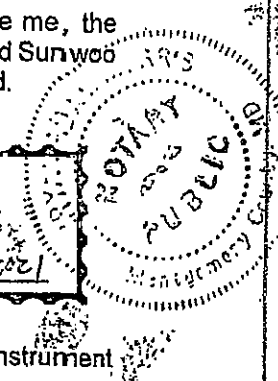
I HEREBY CERTIFY that on this 28 day of April, 2018, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Sunwoo Nam and Kyunghi Nam, who acknowledged the foregoing Deed to be their act and deed.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: 6/07/2021

BRYAN ADAM MORRIS  
Notary Public  
Montgomery County  
Maryland  
My Commission Expires 6/07/2021



I, an Attorney-at-Law of the State of Maryland, do hereby certify that the within instrument was either prepared by me or prepared under my supervision.

*[Signature]*  
Mark Spencer Cropper

After recording return to:  
Ayres, Jenkins, Gordy & Almand, P.A.  
6200 Coastal Highway, Suite 200  
Ocean City, MD 21842  
File No. 18-0185C

TAXES FOR WHICH ASSESSMENTS  
HAVE BEEN RECEIVED HAVE BEEN  
PAID AS OF THIS DATE. 5-3-18  
Worcester County Finance Officer  
By KTC  
EXCEPT PERSONAL PROPERTY

LR - Deed (w Taxes)  
Recording Fee no CT  
20.00

Name: cedar mountain/mallard landing  
Ref:  
LR - Surcharge - linked 40.00  
LR - Recordation Tax - linked 6,105.00  
LR - State Transfer Tax - linked 4,625.00  
LR - NR Tax - 1kd 0.00

SubTotal: 10,790.00

Total: 10,965.00  
05/03/2018 03:00  
CC23-MT

#10297090 CC0104 - Worcester County/CC01.04.01 - Register 01

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Worcester County

TRANSFER TAX PAID  
FINANCE OFFICER  
WORCESTER COUNTY MARYLAND  
By KTC Date 5-3-18  
Tax 4625.00

Kc  
By Date 5-3-18

Agricultural Transfer Tax in the  
Amount of \$ -0-  
SDAT Worcester County

Received Letter of Intent E/AAU

MAY - 3 2018 The foregoing instrument  
filed for record and is accordingly recorded  
among the land records of Worcester County,  
Maryland.

*[Signature]* Clerk

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 7204, p. 0071, MSA\_CE31\_7380, Date available 05/08/2018, Printed 07/05/2018.

**State of Maryland Land Instrument Intake Sheet**  
 County: Worcester County  
 Information provided is for use of the Clerk's Office, State Department of Assessments and Taxation and County Finance Office only.  
 Type or Print in Black Ink Only--All Copies Must Be Legible

Check Box if Addendum, Intake Form is Attached

1	Type(s) of Instruments	1 Deed		3 Assignment of Rents		Other			
		2 Deed of Trust		Lease					
2	Conveyance Type Check box	<input checked="" type="checkbox"/> Improved Sale Arms-Length[1]	<input type="checkbox"/> Unimproved Sale Arms-Length[2]	<input type="checkbox"/> Multiple Accounts Arms-Length[3]	<input type="checkbox"/> Not an Arms-Length Sale[9]				
3	Tax Exemptions (if Applicable) Cite or Explain Authority	Recordation							
		State Transfer							
4	Consideration And Tax Calculation	Consideration Amount		Purchase Price/Consideration		\$925,000.00			
		Any New Mortgage		Balance of Existing Mortgage		\$740,000.00			
		Other:		Other:					
		Full Cash Value		TOTAL DUE					
		Recording Charge		Surcharge					
		State Recordation Tax		State Transfer Tax					
		County Transfer Tax		Other					
5	Fees	Amount of Fees		Doc. 1		Doc. 2			
		Recording Charge		Surcharge		State Recordation Tax			
		State Transfer Tax		County Transfer Tax		Other			
		Recording Charge		Surcharge		State Recordation Tax			
		State Transfer Tax		County Transfer Tax		Other			
		Recording Charge		Surcharge		State Recordation Tax			
		State Transfer Tax		County Transfer Tax		Other			
		Recording Charge		Surcharge		State Recordation Tax			
		State Transfer Tax		County Transfer Tax		Other			
		Recording Charge		Surcharge		State Recordation Tax			
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i)	District	Property Tax ID No.(1)	Grantor Liber/Folio	Parcel No.	Var. L.O.G.			
		02	027747 and 005654	63277483 and 6205/075	0055	0022 and 0021	(5)		
		Subdivision Name		Lot(3a)		Block(3b)	Sec/AR(3c)	Plat Ref	SqFt/Acreage(4)
		Location/Address of Property Being Conveyed (2)							
		6033 Tyson Lane and Worcester Highway, Snow Hill, MD 21863							
		Other Property Identifiers (if applicable)							
		Water Meter Account No.							
		Residential? <input checked="" type="checkbox"/> Non-Residential? <input type="checkbox"/> Fee Simple? <input checked="" type="checkbox"/> Ground rent? <input type="checkbox"/> Amount:							
		Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Description/Amt. of SqFt/Acreage Transferred:							
		If Partial Conveyance, List Improvements Conveyed:							
7	Transferred From	Doc. 1: Grantor(s) Name(s)		Doc. 2: Grantor(s) Name(s)					
		Cedar Mountain Farms, LLC		Mallard Landing, LLC					
		Sunwoo Nam and Kyunghil Nam							
		Doc. 4: Owner(s) of Record if Different from Grantor(s)		Doc. 2: Owner(s) of Record if Different from Grantor(s)					
8	Transferred to	Doc. 1: Grantee(s) Name(s)		Doc. 2: Grantee(s) Name(s)					
		Mallard Landing, LLC							
9	Other Names To Be Indexed	Doc. 1: Additional Names to be Indexed (Optional)		Doc. 2: Additional Names to be Indexed (Optional)					
10	Contact/Mail Information	Instrument Submitted By or Contact Person		Name: Lynn C. Ransley		<input type="checkbox"/> Return to Contact Person			
		Firm: Ayres, Jenkins, Gordy & Almand, P.A.		Address: 6200 Coastal Highway, Suite 200, Ocean City, MD 21842		<input checked="" type="checkbox"/> Hold for Pickup			
		Phone: (410) 723-1400				<input type="checkbox"/> Return Address Provided			
<p><b>IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</b></p> <p>Assessment Information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will the property being conveyed be the grantee's principal residence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does transfer include personal property? If yes, identify:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).</p> <p>Assessment Use Only Do Not Write Below This Line</p> <p>Terminal Verification <input type="checkbox"/> Agricultural Verification <input type="checkbox"/> Whole Part <input type="checkbox"/> Part <input type="checkbox"/> Trans Process Verification <input type="checkbox"/></p> <p>Transfer Number: _____ Date Received: _____ Deed Reference: _____ Assigned Property No: _____</p> <p>Land: _____ Zoning: _____ Grid: _____ Plat: _____ Block: _____</p> <p>Buildings: _____ Use: _____ Parcel: _____ Section: _____ Loc. Cd: _____</p> <p>Town, Cd: _____ Ex. Sta: _____ Ex. Cd: _____</p> <p>REMARKS: _____</p>									

**Addendum  
State of Maryland Land Instrument Intake Sheet  
Baltimore City County: Worcester**

*The addendum form should be used when one transaction involves more than two instruments.  
Each instrument should be itemized in accordance with Section No. 1 of the Intake Sheet.  
(Type or Print in Black Ink Only—All Copies Must Be Legible)*

5  (Continued) Fees	Amount of Fees	Doc. 3	Doc. 4	Doc. 5	Doc. 6
	Recording Charge	\$ 20.00	\$	\$	\$
	Surcharge	\$ 40.00	\$	\$	\$
	State Recordation Tax	\$	\$	\$	\$
	State Transfer Tax	\$	\$	\$	\$
	County Transfer Tax	\$	\$	\$	\$
	Other	\$	\$	\$	\$
	Other	\$	\$	\$	\$
7  (Continued) Transferred From	Doc. 3 – Grantor(s) Names(s)		Doc. 4 – Grantor(s) Names(s)		
	Mallard Landing, LLC				
	Doc. 5 – Grantor(s) Names(s)		Doc. 6 – Grantor(s) Names(s)		
	Doc. 3 – Owners(s) of Record, if Different from Grantor(s)		Doc. 4 – Owners(s) of Record, if Different from Grantor(s)		
	Doc. 5 – Owners(s) of Record, if Different from Grantor(s)		Doc. 6 – Owners(s) of Record, if Different from Grantor(s)		
8  (Continued) Transferred To	Doc. 3 – Grantee(s) Names(s)		Doc. 4 – Grantee(s) Names(s)		
	Franklin Bank				
	Doc. 5 – Grantee(s) Names(s)		Doc. 6 – Grantee(s) Names(s)		
9  (Continued) Other Names to be Indexed	Doc. 3 – Additional Names to be Indexed (Optional)		Doc. 4 – Additional Names to be Indexed (Optional)		
	Doc. 5 – Additional Names to be Indexed (Optional)		Doc. 6 – Additional Names to be Indexed (Optional)		
Special Instructions	Special Recording Instructions (if any)				

WORCESTER COUNTY CIRCUIT COURT (Land Records) SRB 7204, p. 0072, MSA\_CE31\_7380, Date available 05/08/2018, Printed 07/05/2018.

Distribution: White – Clerk's Office  
Pink – Office of Finance  
AOC-CC 301 (5/2007)

Canary – SDAT  
Goldenrod – Preparer



AREA 11 AC

AREA 11 AC

51

TYPE OF WORK

- New Bldg.
- Addition
- Change of Use
- Relocation
- Use of Land Only
- Accessory Structure
- Sign
- Special Exception
- Variance
- Sediment Control

**APPLICATION FOR BUILDING PERMIT  
GRADING PERMIT AND/OR ZONING CERTIFICATE  
DEPARTMENT OF PLANNING, PERMITS AND INSPECTIONS**

111 N. Washington St. Snow Hill, Maryland 21863

Phone 632-1200

**WORCESTER COUNTY**

(PLEASE PRINT IN INK OR TYPE)

(OFFICE USE ONLY)

Application No. 14296  
 Date 3/13/86  
 Permit Issued 3/14/86  
 Denied \_\_\_\_\_  
 Zoning Certif. 6-2-86  
 Ordinance Section No. 9/2/86

**VERIFIED**

LOCATION OF PROPERTY: On Rt. 394 (Old Snow Hill/Berlin Road) and Holly Farms Access Road  (N) (S) (E) (W) Side  
200± (Ft.) (Miles)  (N) (S) (E) (W) of Rt. 394 & Rt. 113 Junction

(Other Description \_\_\_\_\_) Subdivision NA

Election Dist. Second Tax Map 55 Parcel 22 Sect. \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Area 130,600 131 (Acres) or (Sq. Ft.) Frontage 400+ Ft. Depth \_\_\_\_\_ Ft.

BUILDING OR STRUCTURE: Describe office building (pre-engineered metal Bldg w/ metal studs dry wall interior & brick metal exterior) No. of Families NA

Size: 40 By 50 Ft., ONE Stories, or NA Ft. Height

MINIMUM REQUIRED SETBACKS: Front 60' (min.) Ft. From ( ) Center Line of County Rd.,

(  Right of Way of State Rd. ( ) Front Property Line

Rear Yard 20' (min.) Ft. Left Side 20' (min.) Ft. Right Side 20' (min.) Ft.

Water Supply ( ) Public  Private Sewage Disposal ( ) Public  Private

Present Use Of Premises NA Zoning District M-1

Proposed Use Of Premises Business Office Estimated Construction Cost \$97,703.00

The Applicant hereby agrees to comply with all regulations applicable hereto, and further agrees that any misstatement or misrepresentation of facts or any change without approval of the agencies concerned, shall constitute grounds for denial of a permit. Applicant is responsible to notify this department for layout inspections and final inspections, giving 24 hours notice.

Owner Holly Farms, Inc. Address Rt. 365

Signature [Signature] Snow Hill, MD

Builder Mervin L. Blades & Son, Inc. Address P.O. Drawer 149

Applicant Phil Good Address POCOMOKE, MD 21851

Signature [Signature] Phone (301) 957-3515 Date \_\_\_\_\_

Electrical Permit No. \_\_\_\_\_  Health Department Permit No. 55-22-86

County Roads Engineer N/A

Sediment Plan [Signature] 3/13/86  Stormwater Plan [Signature] 3/13/86

Md. State Highway Administration District Engineer

Section I-325-Planning Commission Approval [Signature] 3/19/86

Applicant's Ex. #1  
 PC Mtg. 7/5/18

**LEGEND:** SCALE: 1" = 50'-0"

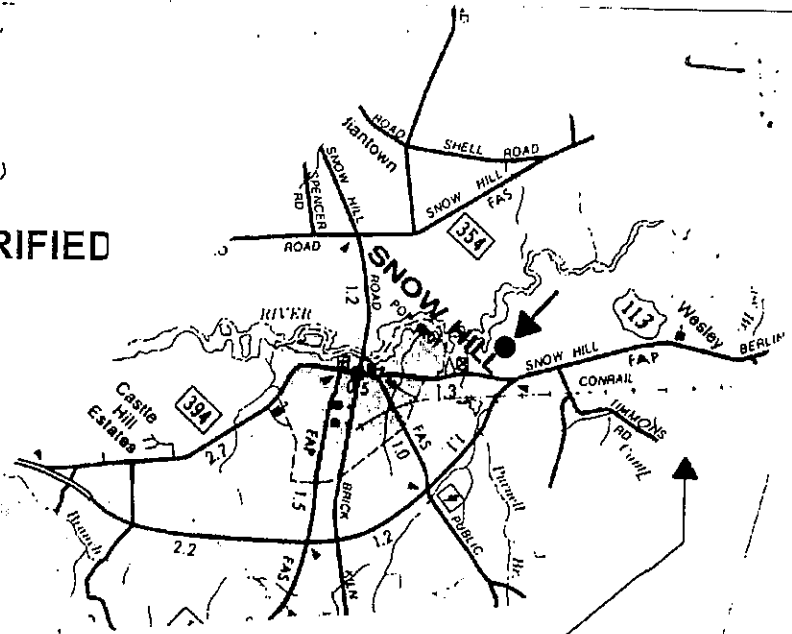
- ENTIRE PARCEL - 131 ac.
- BLDG. AREA - 2000 s/f
- PARKING AREA - 5200 s/f
- DRIVEWAY AREA - 3250 s/f (STONE)

SHRUBBERY  
 • HOLLY (BUSH)  
 • YEW (SPREAD)

ZONE M-1

**VERIFIED**

P/O App's Ex. # 1  
 PC Mtg. 7/5/18

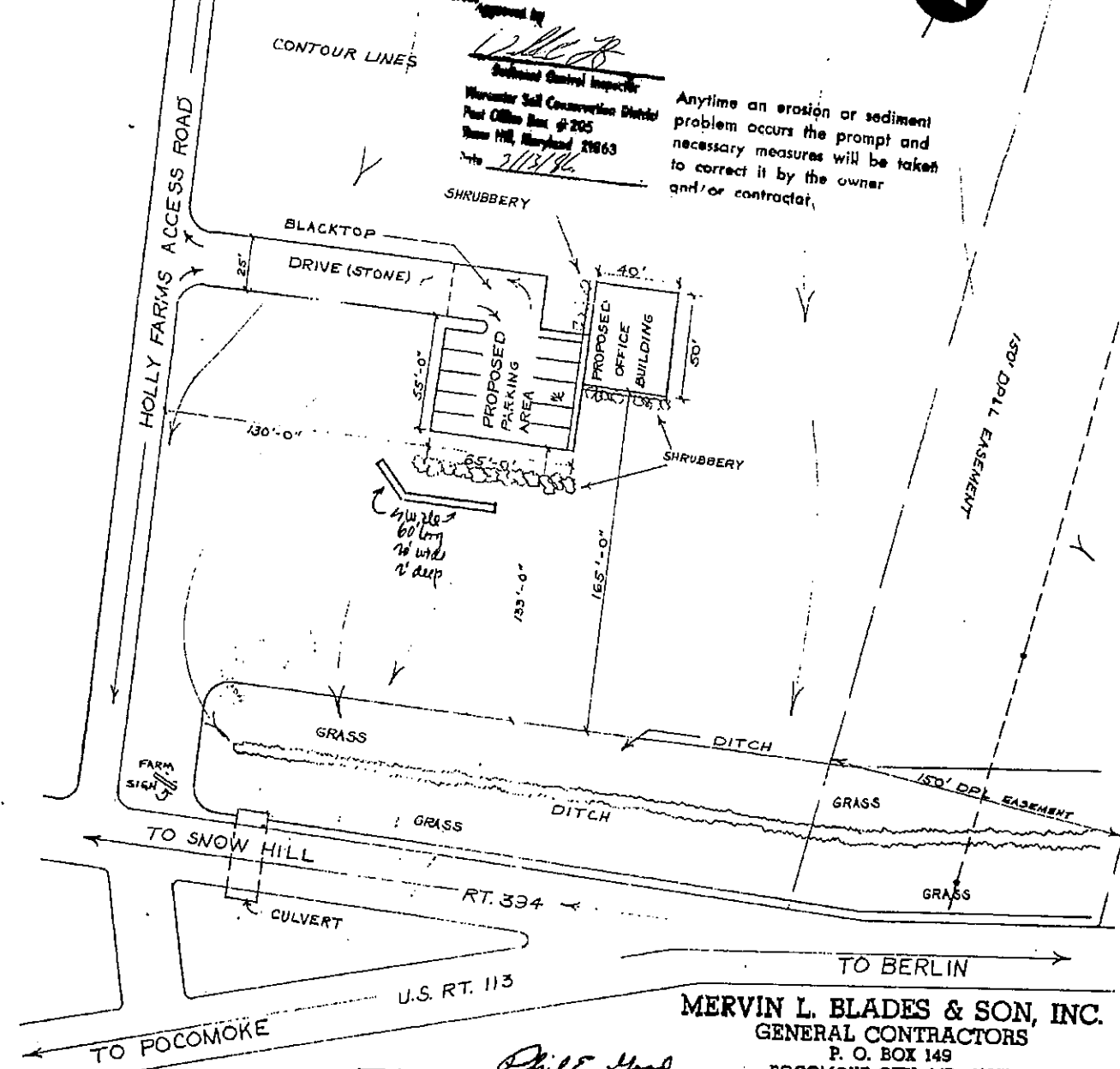


Following initial soil disturbances or redisturbances, permanent or temporary site stabilization shall be carried out within seven calendar days as to the surface of all permanent contours, dikes, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1) and fourteen days as to all other disturbed or graded areas on the project site.

**SWELLING / POULTRY HS. COMPLEX**  
 APPROX. 1200' FROM OFFICE

Approved by  
  
 Richard J. Blakes  
 Soil Conservation District  
 Post Office Box # 205  
 Snow Hill, Maryland 21863  
 Date 7/13/86

Anytime an erosion or sediment problem occurs the prompt and necessary measures will be taken to correct it by the owner and/or contractor.



DATE: 2-21-86

-59-

*Phil E. Good*  
 PHIL E. GOOD

**MERVIN L. BLADES & SON, INC.**  
 GENERAL CONTRACTORS  
 P. O. BOX 149  
 POCOMOKE CITY, MD. 21851  
 PHONE (301) 987 - 3518

# VERIFIED ZONING CERTIFICATE

DEPT. OF PLANNING, PERMITS and INSPECTIONS  
WORCESTER COUNTY, MARYLAND

Application No. 14296  
Permit No. 14296  
Zone M-1

APPROVAL: The Applicant Phil Good for Holly Farms, Inc.

being in conformance with the provisions of the Worcester County Zoning Ordinance, is hereby authorized permission to use the property and building(s) or structure(s) as described in Application No. 14296 dated 3/14 19, 86, and to the following special conditions (if any):

The issuance of this certificate is based upon information supplied by the applicant, and is in no way guaranteed to be accurate. No liability is incurred on account of errors either to the applicant or to third parties.

Note Office Building (Pre-Engineered Metal Bldg)

E.D. 2

Date 6/17, 19 86 Approved

Jerry B. Daulton

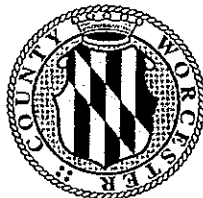
Chief of Inspections

P/O Applicant's Ex. # 1  
PC Mtg - 7/5/18

Applicant's Exhibit No. 2  
PC Mtg - 7/5/18



3/1988

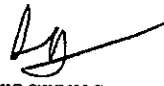


**Worcester County**  
Department of Environmental Programs

**Memorandum**

---

**To:** Phyllis Wimbrow, Deputy Director, DDRP

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

**Subject:** EP Staff Comments on Rezoning Case No. 419  
Worcester County Tax Map 55, Parcel 22  
6 Acres A-1 Agricultural District to C-2 General Commercial District  
Additional Comments Addressing Applicant's Proposed Revision

**Date:** 7/3/18

---

This is a follow up to our previous response to your request for comments for the map amendment application associated with the above referenced property. These comments address the applicant's proposal to delete the portion of the property that is designated as a Resource Conservation Area (RCA) within the Chesapeake Bay Critical Area (CBCA) from the rezoning request.

We have the following comments on that request:

If this request is accepted and reviewed by DDRP and the Planning Commission, we would note that the property will still need to utilize the existing roadway located in the RCA for access. The use of this access as it exists today to enter the petitioned area, however, should not present an issue under the Chesapeake Bay Critical Area Law. If future alterations or modifications to this roadway are necessary, that would require further review.

The petitioned area will still need to comply with the Forest Conservation Law as detailed in comments previously submitted for this case.

If you have any questions on these comments, please do not hesitate to contact me.

Attachment

- 62 -

**Citizens and Government Working Together**

AREA TO BE REZONED: 4.7 AC

EXISTING AREA: 13 AC

**Phyllis Wimbrow**

---

**From:** Hugh Cropper [hcropper@bbcmlaw.com]  
**Sent:** Monday, July 02, 2018 9:53 AM  
**To:** Claudia.Jones@maryland.gov  
**Cc:** Robert Mitchell; David M. Bradford; Jenelle Gerthoffer; Jennifer Keener; Phyllis Wimbrow; Chris McCabe; gregory wilkins  
**Subject:** Rezoning  
**Attachments:** MX-3550N\_20180702\_093549.pdf

Claudia:

As a follow up to my email regarding Rezoning Case Number 419, a copy of our revised exhibit is attached. I propose to delete the RCA portion, which is 1.3 acres.

As you can see from the attached, a small portion of the driveway passes through the RCA, which is what I mentioned in my earlier email.

Would you please confirm to me that we can still use the driveway for access?

Thank you, and have a great day. Hugh

P.S. I realize the RCA is the RCA, and I cannot challenge that designation. On the other hand, the 1.3 acres is in the RCA in only the most technical sense. The State Highway Administration's storage yard is between this property and the Pocomoke River. A huge expanse of Pocomoke River swamp is designated as tidal wetlands, which is why the RCA extends to the main road coming in to Snow Hill. Thank you, and have a great day.

Hugh

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](http://www.bbcmlaw.com)

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AREA TO BE REFINED: 4.7 AC

SECTION 14

LAW OFFICES

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

9923 STEPHEN DECATUR HIGHWAY, #D-2  
OCEAN CITY, MARYLAND 21842  
(410) 213-2681  
EMAIL: [hcropper@bbcmlaw.com](mailto:hcropper@bbcmlaw.com)

EASTON OFFICE

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

WEBSITE

[www.bbcmlaw.com](http://www.bbcmlaw.com)

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

July 10, 2018

Phyllis H. Wimbrow, Deputy Director  
Worcester County Department of  
Development, Review & Permitting  
One West Market Street  
Snow Hill, Maryland 21863

RE: Rezoning Case No.: 419  
Mallard Landing, LLC

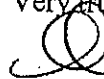
Dear Mrs. Wimbrow:

As a follow up to my hearing before the Planning Commission regarding the above referenced rezoning, please find attached a copy of the Lease which was in effect as of November 3, 2009.

Would you please place a copy of this Lease in the Planning Commission's administrative record?

Thank you, and have a great day.

Very truly yours,



Hugh Cropper IV

HC/tgb

Enclosure

CC: Anthony Matarese, Mallard Landing, LLC  
Jennifer Keener  
Maureen F.L. Howarth, Esquire

## LEASE

THIS LEASE, (hereinafter referred to as the "Lease"), made as of this 1<sup>st</sup> day of April, 2008, by and between WORCESTER COUNTY LIQUOR BOARD, (hereinafter referred to as "Tenant") and SUNWOO NAM and KYUNGGHI NAM, his wife (hereinafter referred to as "Landlord").

### WITNESSETH:

THAT FOR AND IN CONSIDERATION of the rent hereinafter reserved, Landlord does hereby lease and demise unto Tenant and Tenant does hereby rent from Landlord the real property located on Market Street Extended, Snow Hill, Maryland consisting of a 2,000 square foot building and adjacent parking lot (hereinafter referred to as the "Premises").

### ARTICLE I-TERM OF LEASE

The term of this Lease shall be five (5) years, commencing on April 1, 2008 (the "Commencement Date"), and shall expire on March 31, 2013 (hereinafter referred to as the "Original Term").

Tenant shall have the right to renew this Lease for one (1) additional term of five (5) years (hereinafter, a "Renewal Term"), by giving Landlord written notice thereof not less than ninety (90) days prior to the end of the Original Term.

### ARTICLE II-RENT

During the Original Term, the first year rent shall be \$1,000.00 per month, to be increased 15 percent in the second and third year consecutively and to be increased 10 percent in the fourth and fifth year consecutively. Tenant shall pay to Landlord as rent ("Rent") according to the following schedule:

- First year of the Lease (4/1/08-3/31/2009): \$1,000.00 per month.
- Second year of the Lease (4/1/09-3/31/2010): \$1,150.00 per month.
- Third year of the Lease (4/1/2010-3/31/2011): \$1,322.50 per month.
- Fourth year of the Lease (4/1/2011-3/31/2012): \$1,454.75 per month.
- Fifth year of the Lease (4/1/2012-3/31/2013): \$1,600.22 per month.

Tenant shall pay the Rent on the first day of each month without deduction, set-off or prior demand. If any installment of Rent is not paid within ten (10) days after it is due, Landlord, at its option, may assess a late charge equal to five percent (5%) of the past due amount. The first monthly installment of Rent was paid in advance. The Rent for any Renewal Term shall be renegotiated by the parties.

## ARTICLE III-AXES, INSURANCE, MAINTENANCE AND UTILITIES

1. Insurance. Tenant shall maintain during the Original Term, and any renewals thereof, at its own expense: (I) a comprehensive general liability insurance with combined coverage minimum limits of Five Hundred Thousand Dollars (\$500,000.00) on account of bodily injuries or death and property damage as the result of any one accident and disaster and naming Landlord as an additional insured; and (ii) a property (the building) insurance policy in the amount of Three Hundred Thousand Dollars (\$300,000.00), which will be replacement cost and naming Landlord as an additional insured. Insurance required hereunder shall be in companies duly licensed to transact business in the State of Maryland. Tenant shall cause to be delivered to Landlord certificates evidencing such insurance, together with proof of payment. Such policies shall provide that cancellation shall not be made without thirty (30) days prior written notice to Landlord.

### 2. Maintenance.

2.1. By Tenant. Tenant, at its sole cost and expense, shall keep and maintain the Premises, including the sidewalks, parking lot and surrounding grounds, in a clean and sanitary condition, free from trash and debris. Tenant, at its sole expense, shall also be responsible for the maintenance and repair of the interior of the Premises, including repair or replacement of any plate glass windows.

2.2. By Landlord. Unless damaged by an act of Tenant, Landlord, at its sole expense, shall maintain and repair the roof, gutters, exterior walls and foundations.

2.3. HVAC Maintenance. Tenant shall be responsible for routine maintenance and for minor repairs of the HVAC system, ~~not exceeding Five Hundred Dollars (\$500.00) for any one occurrence. Landlord shall be responsible for the cost of any repairs exceeding Five Hundred Dollars (\$500.00).~~

IN FULL  
ok. per [Signature]

3. Utilities. Landlord shall furnish water to the Premises. Tenant shall be responsible and pay for all costs associated with any other utilities furnished to Premises.

4. Taxes. Landlord shall pay or cause to be paid all taxes levied against the land and the building and improvements situated thereon. Tenant agrees to pay all taxes levied upon personal property, including trade fixtures and inventory kept on the Premises by Tenant. Tenant shall pay the same in the name of Landlord at least ten (10) days prior to the last date the same may be paid without interest or penalties.

#### ARTICLE IV-ALTERATIONS

Tenant shall have the right to make such alterations and/or improvements to the Premises, as Tenant shall determine, provided that no such alterations or improvements shall impair the structural integrity of the building or substantially diminish its value. Any equipment and fixtures, of whatsoever nature, placed or installed in or upon the Premises by Tenant shall remain its property and Tenant shall have the right, upon expiration of this Lease, either to remove any or all of such equipment and fixtures, or to leave the same to be surrendered with the Premises as a part thereof. To the extent the Tenant shall remove any equipment or fixtures at the expiration of the Lease, Tenant shall be obligated to repair any damage caused by such removal.

#### ARTICLE V - USE AND OCCUPANCY

The Tenant shall use the Premises exclusively for retail liquor store and for no other purpose.

#### ARTICLE VI- POSSESSION

Intentionally deleted: Tenant has been the tenant on the premises since 2002.

#### ARTICLE VII- INDEMNIFICATION

1. Tenant agrees to indemnify and save harmless the Landlord from and against any and all claims, suits, actions or damages resulting from Tenant's negligence or willful misconduct, and arising during the Original Term of this Lease, and any renewals thereof for any personal injury, loss of life or damage to property or to the Premises sustained in and about the Premises and from and against all reasonable costs, reasonable counsel fees, reasonable expenses and reasonable liability incurred in connection with any such claim and from and against any orders, judgments or decrees that may be entered with respect thereto.

2. Landlord agrees to indemnify and save harmless the Tenant from and against any and all claims, suits, actions or damages resulting from Landlord's negligence or willful misconduct, for any personal injury, loss of life or damage to property or to the Premises sustained in and about the Premises and from and against all reasonable costs, counsel fees, expenses, and liabilities incurred in connection with any such claim and from and against any orders, judgments or decrees that may be entered with respect thereto.

#### ARTICLE VII-DEFAULT

It is agreed by and between the parties that if default be made by the Tenant in the

payment of rent above reserved or any part thereof, which remains unpaid for fifteen (15) or more days after receipt of written notice thereof from Landlord, or in the event of default in any of the covenants and agreements herein contained, which default shall not be cured within thirty (30) days after receipt from the Landlord of written notice thereof or if the Tenant's leasehold estate shall be taken in execution, or if the Tenant shall be declared bankrupt or insolvent according to law, or shall make an assignment for the benefit of creditors, or if any petition shall be filed by or against Tenant under any of the provisions of the Federal Bankruptcy Act and shall not be vacated within thirty (30) days thereafter, then in such case, the Landlord may lawfully, immediately, or at any time thereafter and without notice or demand, and without liability for any damage that may be done to the property of the Tenant, enter into and upon the premises and repossess the same and declare this Lease and the tenancy hereby created terminated, and expel the Tenant and those claiming under the Tenant, and Landlord shall be entitled to the benefit of all provisions of any public local laws and ordinances, if any, appertaining to the premises and the public general laws of Maryland respecting the speedy recovery of lands and tenements held over by tenants or proceeding in forcible entry and detainer, and all without prejudice to any remedies which might otherwise be used by the Landlord for arrearage of rent or for any breach of Tenant covenants herein contained.

Tenant further agrees that notwithstanding such re-entry, Tenant shall remain liable for any rent or damages which may be due or sustained prior thereto, and Tenant shall further be liable for the payment of the amount of the rent reserved under this Lease at the times herein stipulated for payment or rent for the balance of the Original Term, and any renewals thereof, less any amount received by Landlord during such period from others to whom the Premises may be rented on such terms and conditions and at such rentals as Landlord, in its sole discretion, shall deem proper.

No assent, expressed or implied, by Landlord to any breach by the Tenant or any of the clauses, stipulations or covenants of this Lease shall be deemed to be taken to be a waiver of, or assent to, any succeeding breach of the same clause or stipulation or covenant, or any preceding or succeeding breach of any clause, stipulation or covenant.

#### ARTICLE IX- ASSIGNMENT OF LEASEHOLD ESTATE

Tenant may not assign this Lease or sublet the Premises, or any portion thereof, without first obtaining, in each such instance, the written consent of Landlord, which consent Landlord agrees not unreasonably to withhold.

#### ARTICLE X - QUIET ENJOYMENT

So long as Tenant pays the rent and other sums herein set forth and shall perform and observe all the terms, covenants and conditions on their part to be performed and

observed hereunder, Tenant shall peacefully and quietly enjoy the Premises during the Original Term of this Lease, and any renewals thereof, without hindrance or disturbance by Landlord or anyone claiming by, from or under Landlord, subject to the terms, covenants and conditions of this Lease. Tenant covenants and agrees further to surrender the Premises at the expiration of the original term hereof, or at the expiration of any renewal period hereof, in the same condition as when leased, ordinary wear and tear excepted.

#### ARTICLE XI- NOTICES

Any notice to be given hereunder shall be in writing and may be either personally delivered or sent by first class, certified or registered mail, return receipt requested, or sent by recognized overnight delivery service to the parties at their last known address. Any notice or communication shall be deemed to have been delivered (i) if by hand delivery, on the date received; (ii) if mailed as provided for herein, on the date which is three (3) business days after the date of mailing; or (iii) if sent by commercial overnight courier, on the date which is one (1) business day after dispatching.

#### ARTICLE XII- DESTRUCTION BY FIRE OR OTHER CASUALTY

If the Premises are damaged by fire, the elements, accident or other casualty, Tenant shall have the option by giving notice thereof to Landlord, to (a) terminate this Lease, or (b) use the proceeds from any insurance policy Tenant owns insuring the Premises against casualty loss to repair or replace the building(s) on the Premises. If Tenant shall elect to terminate this Lease, all rents and obligations of Tenant shall be paid to the date the casualty loss occurred.

#### ARTICLE XIII- MISCELLANEOUS

1. Waivers. No waiver by a party hereto of the default or breach of any term, covenant or condition hereof by the other party hereto shall be deemed a waiver of any other term, covenant or condition hereof, or of any subsequent default or breach by such party of the same or of any other term, covenant or condition hereof.

2. Recording. Neither Tenant nor Landlord may record this Lease. The party requesting recordation shall be responsible for payment of any fees or taxes applicable thereto.

3. No Right To Holdover. Tenant has no right to retain possession of the Premises or any part thereof beyond the expiration or earlier termination of this Lease.

4. Cumulative Remedies. No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in

equity.

5. Choice of Law. This Lease shall be governed by the laws of the State of Maryland.

6. Consents. Wherever in this Lease the consent of a party is required to an act by or for the other party, such consent shall not be unreasonably withheld or delayed.

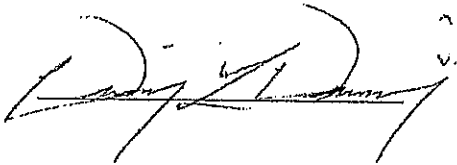
7. Authority. If either Party hereto is a corporation, trust, or general or limited partnership, each individual executing this Lease on behalf of such entity represents and warrants that he or she is duly authorized to execute and deliver this lease on its behalf. Lessor intends that this Lease be a written contract that an official or employee of Lessee has executed while acting in the scope of his or her authority for the purposes of Sub title 2 of Title 12 of the State Government Article of the Annotated Code of Maryland (1993 Replacement Volume and 1994 Cumulative Supplement).

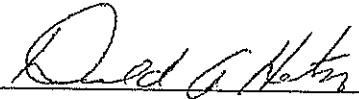
8. Amendments. This Lease may be modified only in writing, signed by the parties in interest at the time of the modification.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed under seal on the date first above written.

WITNESS/ATTEST

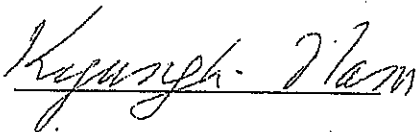
WORCESTER LIQUOR CONTROL BOARD

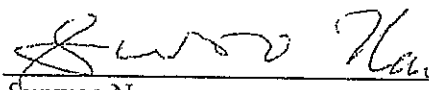


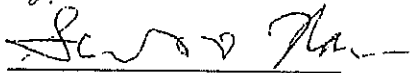
By:  (SEAL)

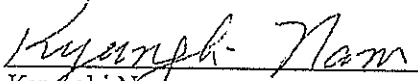
Name DONALD A. HASTINGS

Title CHAIRMAN



 (SEAL)  
Sunwoo Nam



 (SEAL)  
Kyungh Nam