

AGENDA

WORCESTER COUNTY COMMISSIONERS

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

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>
Meeting Attendees are required to wear face coverings and practice social distancing.

January 19, 2021

| | Item # |
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| 10:30 AM - Call to Order, Prayer (Pastor Ken Elligson), Pledge of Allegiance | |
| 10:31 - Report on January 5, 2021 Closed Session; Review and Approval of Minutes of January 5, 2021 Meeting | |
| 10:35 - Proclamation honoring the life of Martin Luther King, Jr. | 1 |
| 10:40 - Chief Administrative Officer: Administrative Matters (Pending Board Appointments, Eastern Shore Sheriff Mutual Aid MOU, CDBG Grant on Diakonia Shelter Renovations, Surplus of State Property, Public Hearing Request on Rezoning Case 431, FY21 MALPF Funding Cycle, Rural Legacy FY22 Grant Applications, Trademark Request, STEM/STAT Program Changes, Bid Waiver Request on Vehicle Lifts, Bid Award for Ocean Pines WWTP Operation Center, Ocean City Tax Differential Request) | 2-13 |
| 10:50 - | |
| 11:00 - Work Session with Fire Departments | 14 |
| 11:20 - Questions from the Press; County Commissioner's Remarks | |
| 11:30 - Closed Session: Discussion on hiring an Emergency Services Supervisor in the Department of Emergency Services, and certain personnel matters; receiving legal advice from Counsel; and performing administrative functions | |
| 12:00 - | |
| Lunch | |
| 1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary) | 2-13 |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

Hearing Assistance Units Available - see Weston Young, 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

January 5, 2021

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

Following a motion by Commissioner Bertino, seconded by Commissioner Purnell, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Library Director Jennifer Ranck, and Sheriff Matthew Crisafulli. Topics discussed and actions taken included hiring Jeff Kyger as the Risk Management Specialist in Human Resources, Stuart White as a Specialist in Development Review and Permitting, Nathan Yales as a Landfill Equipment Operator I within the Solid Waste Division and John Northeimer as a Grounds Worker II in Public Works; rehiring Lea Cataggio as a Recreation Program Manager II and hiring Michele Burke as the Business Development and Retention Specialist in Recreation, Parks, Tourism and Economic Development; transferring former Liquor Control employees Tanya Niblet from Liquor Control Clerk II to Transfer Station Attendant within the Solid Waste Division and Debra Lambertson from Store Manager to full-time Document Imager III within the Document Imaging Division of the Treasurer's Office; promoting Anthony Donofrio from temporary to permanent Emergency Communications Supervisor and hiring Tyler Baylous as an Emergency Communications Trainee in Emergency Services; acknowledging their December 16, 2020 email approval to hire Taylor Hartman as a Correctional Officer Trainee to fill one of four critical vacancies within the County Jail; promoting Craig Koerner from Landfill Operator I within the Solid Waste Division of Public Works to Correctional Officer Trainee, and hiring Rebekah James as a Correctional Officer Trainee Cook and Iesha Smith as a Correctional Officer Trainee to fill the remaining three critical positions within the County Jail; hiring Mary Poudel as the Youth Service Specialist at the Library, and reclassifying the position of Local History Librarian from part-time to full-time and transferring Alec Staley to this position; reinstating one Lieutenant's position and acknowledging other personnel changes within the Sheriff's Office; receiving legal advice from counsel; and performing administrative functions, including receiving the FY21 monthly financial update, and discussing potential board appointments.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bertino, the Commissioners unanimously voted to adjourn their closed session at 9:51 a.m.

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After the closed session, the Commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Pastor Kenneth Elligson of Spence Baptist Church in Snow Hill and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the open and closed session minutes of their December 1, 2020 meeting and minutes of special session of December 9 as presented.

The Commissioners presented a proclamation marking January as the 19th anniversary of National Mentoring Month to Commissioner Josh Nordstrom, who serves on the Big Brothers Big Sisters of the Eastern Shore (BBBS) Board of Directors. Mentoring programs, like BBBS, equip young people with the tools they need to make responsible choices.

Upon a motion by Commissioner Elder, the Commissioners unanimously approved as a consent agenda item numbers 2-5 and 7-8 as follows: accepting an FY21 Emergency Medical Dispatch Funding Grant from the Maryland Institute for Emergency Medical Services Systems (MIEMSS) of \$859,76 for training and recertification of the EMD program; a request for proposals (RFP) to procure a mobile emergency generator, materials, and services to install mobile generator docks at three facilities that support 911 to be reimbursed by the State of Maryland 911 Board (formerly the Emergency Number Systems Board); a request for proposals to procure air purifying respirators with Homeland Security Grant funds of \$24,000 for first responders operating in contaminated environments; accepting a State of Maryland 911 Board grant of \$185,650 for protocol licensing supporting 911 call-taking and procurement for additional positions at the 911 Center, Backup 911 Center, and Secondary Public Safety Answering Points in the County; accepting a proposal from EA Engineering, Science, and Technology for engineering services in the amount of \$21,410.00 for the West Ocean City pump station rehabilitation project; and accepting two proposals totaling \$16,925, from J.W. Salm Engineering in the amount of \$11,475 and Russell Hammond Surveying of \$5,475, for design and survey work for the sewer extension along Gum Point Road.

The Commissioners met with Public Works Director John Tustin and Deputy Director John Ross to discuss bid documents for a farm lease, as part of the Newark spray irrigation project to harvest crops and thus remove the nutrients from the spray field. Commissioner Bunting noted that this lease needs to be updated, as it includes conditions that would make it very difficult to farm the property and does not include a nutrient management plan. Commissioner Elder recommended staff work with one of the County agricultural boards to draft updates to the lease to include modern farming techniques. Following some discussion, the Commissioners directed staff to reconfigure the lease and to identify area farmers that may meet the qualifications to bid on the project.

Pursuant to the request of Superintendent of Schools Lou Taylor and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to allocate \$200,000 from the County Fund Balance, rather than from the HVAC approved project fund, to complete an emergency project to replace the roof at the Stephen Decatur Middle School. Commissioner Bertino commended Mr. Taylor and his team's efforts to reopen all of the public schools. Mr.

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Taylor thanked the Commissioners for their support and reconfirmed that it is his goal to return all students to the classroom as soon as possible. Mr. Taylor then introduced Sam Slate, the new Maintenance Coordinator for the Board of Education, and commended his success in helping to bring down energy costs.

Pursuant to the request of Library Director Jennifer Ranck and upon a motion by Commissioner Nordstrom, the Commissioners unanimously authorized President Mitrecic to sign the License Agreement between the Commissioners and M E J Investments, LLC to allow the Waystead Inn to use up to 40 of the 60 parking spaces at the Berlin Branch Library for guest parking for special events under certain conditions as outlined in the agreement. In response to a question by Commissioner Bunting, Ms. Ranck confirmed that the Waystead Inn may only utilize the parking outside of standard operating hours.

The Commissioners reviewed and discussed various board appointments.

Upon nominations by Commissioner Nordstrom, the Commissioners unanimously agreed to reappoint Jerry Barbierri to the Planning Commission for a five-year term expiring December 31, 2025; Kevin Holland to the Building Code of Appeals Board, Marc Scher to the Economic Development Advisory Board, and Mike Hooks to the Recreation Advisory Board for four-year terms each expiring December 31, 2024; Kenneth Lambertson to the Board of Electrical Examiners, Tamara White to the Commission for Women, and Brandy Trader, LuAnn Siler, Jack Ferry, and Thomas Donoway to the Adult Public Guardianship Board for three-year terms each expiring December 31, 2023.

Upon nominations by Commissioner Bertino, the Commissioners unanimously agreed to reappoint James Spicknall to the Building Code Appeals Board and Jeff Knepper to the Ethics Board for four-year terms each expiring December 31, 2024; and Joseph Green, Jr. to the Board of Zoning Appeals for a three-year term expiring December 31, 2023.

Upon nominations by Commissioner Bunting, the Commissioners unanimously agreed to reappoint Steve Ashcraft to the Local Development Council for the Ocean Downs Casino and Stacey Esham and Brooks Clayville to the Agricultural Reconciliation Board for four-year terms each expiring December 31, 2024; and to appoint Susan Childs to the Commission for Women for a three-year term expiring December 31, 2023.

Upon nominations by Commissioner Purnell, the Commissioners unanimously agreed to appoint Kris Heiser and to reappoint Terri Shockley, Laura Morrison, and Kelly O'Keane to the Commission for Women for three-year terms each expiring December 31, 2023.

The Commissioners met with Emergency Services Director Billy Birch and Assistant Director James Hamilton to discuss the following two issues: a proposal from Federal Signal of University Park, Illinois of \$14,050, including travel of \$5,800, to complete a baseline assessment, which would include general maintenance wherever applicable, of the County's outdoor public warning sirens; and whether the County should assume overall responsibility for maintaining all County emergency sirens. This responsibility to date has been shared between the County, the individual volunteer fire companies, and some jurisdictions. In response to a question by Commissioner Mitrecic, Mr. Birch stated that the proposal from Federal Signal is for a preventative maintenance inspection of all County sirens, with the exception of those located within the Town of Ocean City, as the town maintains its own sirens.

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Upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the proposal from Federal Signal as presented using Fund Balance monies for this expense.

In response to questions by Commissioner Nordstrom, Mr. Hamilton stated that if approved the vendor will be onsite for one week to evaluate the sirens, an evaluation that would allow staff to develop a plan to centralize the siren system and repair or replace the sirens. Mr. Birch noted that this is an old system that includes sirens that were installed in 1925, 1955, and 1975 and are in mechanically poor shape. Furthermore, there are no local vendors to assist with this project. If approved today, staff advised that Federal Signal could be onsite to evaluate the system within 60 to 90 days.

In response to a question by Commissioner Bunting, Mr. Hamilton stated that County staff is actively working with Public Works to hook up two sirens in Ocean Pines that were unhooked following the refurbishing of a water tower and the upgrade of a pump station that left one siren with no power source. Commissioner Elder stated that bid documents involving infrastructure to which emergency sirens or other technology are connected should include a requirement to replace said systems, so this situation does not occur in the future. Commissioner Bertino concurred, noting that it is vital that the emergency systems be repaired and monthly testing resumed.

Following further discussion and upon a motion by Commissioner Bunting, the Commissioners voted unanimously to assume sole responsibility for the maintenance of emergency sirens at the County volunteer fire departments, with the exception of the volunteer fire departments located in Ocean City.

The Commissioners met in legislative session.

The Commissioners conducted a public hearing on Bill 21-1 (Zoning – Height Regulations in the A-1 and A-2 Agricultural Districts), which was introduced by Commissioners Bertino, Church, Elder, Nordstrom, and Purnell on November 17, 2020. Mr. Tudor stated that this bill would amend the height regulations on residential accessory structures in the A-1 and A-2 Agricultural Districts. Specifically, it would allow the height restrictions for accessory structures to increase from 25 feet to 35 feet by special exception only. He advised that the Planning Commission gave the application a favorable recommendation.

In response to a question by Commissioner Bunting, Mr. Tudor advised that this would only apply in instances in which an accessory structure was being built on a property with a principal structure, noting that if someone built an agricultural structure on a vacant property it would become the principal structure and subject to district regulations. He further noted that it would be required to meet the same setback requirements as the principal structure. Commissioner Bunting expressed concern that this bill creates a way around the current height restrictions.

Commissioner Mitrecic opened the floor to receive public comment.

Donna West of Snow Hill, applicant for the text amendment, asked the Commissioners to look favorably on her request and adopt Bill 21-1 as presented. Commissioner Nordstrom noted that the purpose of this bill is not to approve a blanket increase to the existing height limitation. Rather, it would allow an individual to apply to the Board of Zoning Appeals for a special exception.

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

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Upon a motion by Commissioner Elder, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition, to adopt Bill 21-1 (Zoning – Height Regulations in the A-1 and A-2 Agricultural Districts) as presented.

The Commissioners met with Mr. Tudor to review a text amendment application submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association (OPA) to amend Section ZS 1-324 of the County Code to add a provision to allow up to six internal community signs within an established community or subdivision.

Following some discussion, Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell introduced the aforementioned text amendment as Bill 21-2 (Zoning - Signs) and agreed to schedule a public hearing on the bill.

Commissioner Mitrecic closed the legislative session.

In response to a question by Commissioner Mitrecic, Mr. Tudor confirmed that electrical retesting has been conducted and the licenses approved.

The Commissioners met with Mr. Birch to review proposals to purchase a ¾-ton truck to tow emergency response trailers and transport mobile equipment, with Homeland Security grant funds available for this purpose. In response to a question by Commissioner Nordstrom, Fleet Management Superintendent Derrick Babcock advised that the wait time when ordering a new vehicle that meets the required specifications is nine to 14 months. He further noted that there is no State bid for the County to piggyback on at this time. In response to questions by Commissioners Bertino and Bunting, Mr. Babcock confirmed that he will work to negotiate the very best prices possible for the County if authorized to purchase this and three additional vehicles being considered by the Commissioners today. Commissioner Nordstrom stressed to County staff to make every effort to identify vendors within the County when making future vehicle and equipment purchases to help support and protect local businesses.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved the purchase of a ¾-ton truck at a cost not to exceed \$40,069 from Pittsville Ford or another vendor.

Pursuant to the request of Mr. Birch and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications to purchase personal protective equipment (PPE) for use by public safety personnel within the County, with staff to apply for a Federal Emergency Management Agency grant to reimburse up to 75% of PPE costs.

Pursuant to the recommendation of Information Technology Director Brian Jones and CTC, the County's broadband consultant, and a motion by Commissioner Elder, the Commissioners unanimously accepted the proposal from Talkie Communications of Chestertown, Maryland to serve as the County's broadband vendor at no monetary cost to the County.

In response to a question by Commissioner Bunting, Mr. Jones advised that contracts with Bloosurf of Salisbury (such as the State contract designating that vendor as the rural utility service borrower in the County) have now expired, so the proposal being discussed today does not pose a conflict to any State contracts. He advised that Talkie has developed an aggressive

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plan to invest funding to extend broadband in the County, including the following three locations: \$652,224 on Stockton Road, \$534,174 on Dun Swamp Road, and \$1.1 million on Sheepphouse Road in the Stockton area. He advised that the County should apply as soon as possible for grant funds of \$200,000 from the State for this purpose, as an available grant is set to expire. Commissioner Bunting urged Talkie to look at opportunities to extend broadband to rural areas in northern Worcester as well.

Pursuant to the request of Mr. Ross and the written recommendation of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously accepted the best proposal from Hydro Design, Inc. of Frederick, Maryland at a cost of \$8,800 for consulting services for the Ocean Pines Golf Course irrigation project. Mr. Ross stated that this bidder has done a lot of work on golf courses in the area, including the Eagles Landing Golf Course. He noted that the irrigation project will be a long-term project, with anticipated costs of roughly \$3 million. In response to concerns raised by Commissioner Bertino, Mr. Ross advised that while the specific means of funding has not yet been determined, ratepayers in the Ocean Pines Sanitary Service Area only will cover the cost of this project in one of three ways, via water and sewer bills, Ocean Pines Association (OPA) annual dues, or golf course fees. He confirmed that this project may be eligible for some grant funding, as it will result in a reduction of nutrient discharges into the St. Martin River.

Pursuant to the recommendation of Mr. Ross and upon a motion by Commissioner Church, the Commissioners unanimously awarded the low bid to Lywood Electric, Inc. of Federalsburg, Maryland at a cost of \$350,726 to rehabilitate pump stations 2-5 in the West Ocean City (WOC) Sanitary Service Area (SSA). He stated that the consultant and Lywood Electric both expressed initial concern regarding the substantial difference in price between their low bid and the \$612,240 bid submitted by Bilbrough's Electric, Inc. However, after reviewing the scope of work both reconfirmed that the bid price was sufficient for the scope of work to be completed. The cost for this project exceeds project funding of \$190,000, as the project has been ongoing for two years, while the cost estimate had not been updated, and additional work was added to the scope of this project. Mr. Ross advised that the SSA has more than enough cash on hand to cover this overage.

Pursuant to the request of Mr. Ross and upon a motion by Commissioner Bunting, the Commissioners unanimously authorized staff to negotiate to replace three aged trucks within the Water and Wastewater Division of Public Works from Pittsville Ford as follows: one ¾-ton 4x2 2020 Ram 1500 regular cab chassis with utility body at \$41,469; and two ½-ton 4x2 2020 Ford F150 regular cab pickup trucks at a cost of \$25,135 each.

Commissioner Nordstrom expressed concern that none of the replacement vehicles are being purchased from dealerships in the County. He reiterated that in the future the County should strive to purchase vehicles and equipment from businesses operating in the County. In response, Mr. Ross stated that the County does contact dealerships in the County, but noted that low-cost vehicles do not remain on the lot very long and are typically sold before County staff receive approval to purchase them.

The Commissioners recessed for five minutes.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to waive the standard bid process and accepted the proposal of \$69,034 from Modern Controls of New Castle, Delaware to replace the existing 19-year-old heating, ventilating, and air conditioning (HVAC) system in Emergency Services within the Worcester County Government Center with a dual circuit system.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Bertino the Commissioners unanimously agreed to extend the County's contract with Atlantic Pumping of Bishopville, Maryland for an additional year through January 31, 2022 for the rental and service of portable restrooms for Part A - Boat Landings, Solid Waste Homeowner's Convenience Centers, and the County Firing Range for the Maintenance Division of Public Works at a total cost of \$4,032.00 and for Part B - passive and active recreational parks for Recreation and Parks at a total cost of \$16,692.00 for a grand total annual cost of \$20,724.00.

Pursuant to the recommendation of Mr. Tustin in response to the written request of Attorney Hugh Cropper, on behalf of Barbara Taylor (trustee of the Revocable Trust Agreement of Clarence and Louise Hammond), and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the proposed quitclaim deed between the County Commissioners (Grantors) and Ms. Taylor (Grantee), conveying a portion of a platted but unimproved paper street in Ocean City known as Bayshore Drive. Mr. Tustin stated that there are no plans to improve this paper street, nor is the street listed within the Inventory of Public Roads of Worcester County.

The Commissioners discussed a request from Circuit Court Administrative Judge Brian Shockley to waive the standard bid process and declare Value Carpet One of Salisbury, Maryland as the sole source provider for the carpet replacement project in the Court House at a total cost of \$58,725, with the County to pay \$29,362.50 or 50% of the State/County match. Chief Administrative Officer Harold Higgins advised that these funds have been set aside within the County's Fund Balance.

Commissioner Bertino made a motion, which he later withdrew, to approve the request as presented. Commissioner Nordstrom questioned why the request before the Commissioners did not include any County vendors and stated that staff should do their due diligence to identify contractors within the County that can provide these services. Judge Shockley stated that Maintenance Superintendent Ken Whited advised that the County had an existing relationship with Value Carpet One.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners voted unanimously to reject the proposal from Value Carpet One and agreed to place this project out to bid.

Pursuant to the recommendation of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Purnell, the Commissioners voted 6-1, with Commissioner Elder voting in opposition, to authorize Commission President Mitrecic to sign the Agreement of Sale for the purchase of a Rural Legacy Area (RLA) easement between Porter Mill Properties, LLC (Sellers) and the County Commissioners of Worcester County, Maryland (Buyer), with

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FY20/21 Coastal Bays RLA funds to cover the cost of an easement on approximately 81.6 acres located on the west side of Snow Hill Road in Stockton and identified on Tax Map 94 as Parcel 252. This property is to be purchased at a cost of \$1,850.50 per acre for a total cost of \$151,000. Mr. Mitchell advised that the land is within the Coastal Bays watershed, adjacent to protected farm and forest lands (half of the property contains prime farmland), and protecting this land will help protect water quality and the scenic viewshed for the surrounding neighborhood. The owner is surrendering all subdivision and development rights except for one residence. He advised that farming will be allowed on this property, but the owner must abide by impervious surface limits, which include no confined animal feeding operations (CAFOs), and limits will be placed on agricultural buildings.

The Commissioners met with Mr. Mitchell to consider an application from Regan Smith, Esquire, on behalf of Papa and Nana Buas, LLC to establish a shared facility for an existing onsite sewage system and well that serve a residential structure on a property identified on Tax Map 26 as Parcel 116, to also serve the adjacent property identified, which is identified on Parcel 114. Mr. Mitchell stated that the applicant desires to construct a mini storage on the two parcels and subdivide Parcel 114 to maximize the building potential, demolish and properly abandon the septic and well serving that property, and utilize the improved sewage system on Parcel 116 to serve the office and bathrooms for the storage center. Mr. Mitchell stated that staff recommends approving the application. In response to a question by Commissioner Bunting, Development Review and Permitting Deputy Director Jennifer Keener stated that under the zoning regulations for C-2 Commercial there is a maximum cap on the total square footage for mini storage on an individual parcel, so the owner is proposing a subdivision to maximize the development potential on all three lots under the same ownership.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 6-1, with Commissioner Mitrecic voting in opposition, to adopt Resolution No. 21-1, establishing a shared sanitary facility serving lots owned by Papa and Nana Buas, LLC (developer) as shown on Tax Map 26, Parcels 114 and 116.

The Commissioners met with Mr. Mitchell to discuss a request from Paul Carlotta for a 120-day extension to the required December 31, 2020 completion date for conditions 2-11, which were contingent upon the County's January 22, 2019 approval of his request for the allocation of six equivalent dwelling units (EDUs) of sewer service from the Mystic Harbour Sanitary Service Area (SSA) for an existing roadside stand and proposed restaurant on the property of Assateague Farms, LLC and identified on Tap Map 33 as Parcel 29. Mr. Mitchell stated that the County has previously granted extensions to complete plat work and other technical details, and there are currently several outstanding zoning, building, and plumbing code issues that staff are working to resolve for this property. Therefore, County staff recommends granting the request.

Following some discussion and upon a motion by Commissioner Elder, the Commissioners voted unanimously to approve the requested 120-day extension. Commissioner Bunting expressed hope that the project would move forward to completion in a timely manner to avoid the need for future extensions.

In response to a question by Commissioner Mitrecic regarding zoning challenges at

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Assateague Farms, Ms. Keener advised that County staff are waiting for the applicant to submit a revised site plan that addresses comments from the April 2020 meeting of the Technical Review Committee.

Pursuant to the request of Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo and upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to table a request to implement operational changes within Economic Development for the science, technology, engineering and math (STEM) and the skilled trades, agriculture, and tourism (STAT) programs until January 19, 2021.

Mr. Perlozzo advised the Commissioners that efforts to recruit landowners and private venture companies to build a sports complex in the southern end of the County over the past year have been unsuccessful. Chief Administrative Officer Harold Higgins advised that the proposed sports complex could provide positive fiscal enhancements to the County. Commissioner Nordstrom concurred, noting that this would be an economic boon for the County. In response to a question by Commissioner Nordstrom, Mr. Perlozzo stated that County staff have exhausted all options during the past two years to identify land and attract a private venture company to develop a sports complex in southern Worcester County. He confirmed that the best opportunity for such a venture would be to develop a sports complex in a location where infrastructure is already in place. Commissioner Nordstrom stated that he would like to expedite this process, put this project back on the table and look at all options, including funding and location. Commissioner Church concurred, noting that this would be a golden opportunity to enhance the quality of life for school students and the greater community and to enhance County revenues if the Commissioners can get this project off the ground.

Commissioner Bertino stated that he could support a motion to consider available options, but little or no taxpayer money should be used to support the project. Commissioner Bunting concurred, noting that economic development initiatives do not always pay off as expected, so he could not support using taxpayer funds for such a project. However, if staff can identify a private vendor to develop the project, he will happily support it.

Commissioner Purnell stated that such a project would include a playground, parks, and recreation facilities that would greatly benefit youth in Berlin and all of Worcester County. In response to a question by Commissioner Bertino, Mr. Perlozzo confirmed that the conceptual plan for a sports complex, which would support tourism and economic development by generating revenues for the County, includes fields for multiple sporting opportunities in a public park setting with playground facilities, walking tracks, pickleball, and other recreation amenities. He further noted that he would only recommend supporting a sports complex provided that it would enhance the quality of life for County residents.

Commissioner Mitrecic noted that the only way to generate additional revenues without increasing property taxes is through economic development opportunities like the proposed sports complex, which is one of his bucket-list projects. He stated that regardless of what anyone might say about a project initially, Mr. Perlozzo is to bring all of his ideas to the Commissioners for their consideration because that is what he was hired to do. In response to concerns raised by Commissioner Bunting, Mr. Perlozzo stated that this project would create unique funding opportunities through the State of Maryland, the County, Board of Education, and Town of Berlin. First, per recent discussions he was able to confirm that Maryland Department of Natural

Resources (DNR) Program Open Space (POS) funding can be used to fund 90% of development costs for the proposed sports complex, with a County commitment of 10%. Furthermore, POS funds could be used to cover 100% of acquisition costs. He stated that the County receives an annual allocation of roughly \$600,000. Up to 75% of those funds can be used for development and 25% for acquisition in perpetuity, or as long as the program exists, to pay for the facility. If staff could identify and enter into a memorandum of understanding with a private partner that allows the County to use the facilities at any time, this could be a zero-cost project to the County. He stated, for example, that a \$12 million facility could result in a one-time cost to the County of \$1.2 million. Furthermore, he explained that the County could deed a portion of the property to the Town of Berlin for use as a park, and the town could then apply for a \$250,000 Community Parks and Playground grant to fully fund park development.

Following some discussion and upon a motion by Commissioner Nordstrom, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition, for staff to identify potential locations for a sports complex in the County, with the south end of the County to continue receiving the strongest consideration, and to explore both public and private funding options to support this venture.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review the nuisance abatement request for a property located at 11827 Grays Corner Road and identified on Tax Map 26 as Parcel 13. Mr. Tudor stated that the specific nature of the nuisance includes an old mobile home with a brick façade and a stick-built addition on the westerly side of the structure, which has partially collapsed. He stated that DRP staff have notified the property owner by certified and regular mail regarding the conditions, but the owner has done nothing to abate the nuisance. If the Commissioners are inclined to find that the structure is beyond any reasonable hope of rehabilitation or restoration and therefore constitutes a public nuisance in accordance with the Code, he recommended that the owner be given no more than 30 days to apply for the necessary permits to demolish the structure or request a public hearing before the Commissioners.

Upon a motion by Commissioner Nordstrom, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition, to declare the structure on the property to be beyond reasonable hope of rehabilitation or restoration, which constitutes a nuisance and ordered the abatement of such nuisance pursuant to Section PH 1-101(a)(11) of the Public Health Article of the County Code and specifically to remove the structure if not repaired.

The Commissioners reviewed a letter from Lachelle Scarlato, Executive Director of the Greater Ocean City Chamber of Commerce to enact local emergency legislation that would place a cap on the amount of fees third-party food delivery services can collect in Worcester County to give restaurants more money and provide at least a temporary opportunity to seek additional revenue streams and resources. Mr. Higgins advised that the County does not currently have such legislation in place. Commissioner Nordstrom asked if anyone from the chamber was in attendance to speak to this request, but received no response. Upon a motion by Commissioner Bertino, the Commissioners unanimously denied the request.

The Commissioners met with Finance Officer Phil Thompson and Chris Hall of TGM Group, LLC, Certified Public Accountants to review the County's Comprehensive Annual

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Financial Report (CAFR) for the Fiscal Year ending June 30, 2020. Mr. Thompson stated that County staff send the CAFR, which represents the County's fiscal report card, stat sheet, and fiscal state of the County all in one document, to more than 100 entities the County does business with, as well as international bond rating firms, Moody's, Fitch, and Standard & Poors, which use this data to assign the County's credit rating, the financial analysts and institutions that currently hold or bid on the County's bond offerings, and most importantly make it available to the public on the County website at www.co.worcester.md.us.

Mr. Thompson announced that the County was awarded the Certificate of Achievement for Excellence in Financial Reporting for the twelfth consecutive year by the Government Finance Officers Association (GFOA) of the United States and Canada for its CAFR for FY19. This award is the highest form of recognition awarded to local governments in the areas of accounting and financial reporting and assures the users of the County's financial statements that the County is complying with the most recent accounting and finance pronouncements in a format that is widely acceptable. He recognized Budget Officer Kathy Whited, Assistant Finance Officer Jessica Wilson, Enterprise Fund Controller Michelle Carmean, and Senior Budget Accountant Kim Reynolds for their dedication and guidance in preparing this document.

Mr. Hall noted that due to COVID-19 the process of developing the CAFR was a hybrid, with some on-site and some remote work. He then reviewed the Independent Auditors' Report, issuing Worcester County an unmodified opinion (previously referred to as a "clean opinion"), which represents the highest assurance TGM can give. He then reviewed the Management's Discussion and Analysis, which provides private citizens with an understanding of what happened during the current fiscal year; Balance Sheet for Governmental Funds totaling \$84,624,735, with a Fund Balance of \$66,010,534 (\$55 million in the General Fund and \$35 million in Unassigned, which includes \$20 million in reserve for contingencies); Revenues of \$210,998,558 and Expenditures of \$233,763,016 (with a portion of the Fund Balance going toward capital projects, including the new Showell Elementary School); Business-Type Activities, including enterprise funds; and Other Post Employment Benefits Trust Fund. Overall, Mr. Hall gave a snapshot of the General Fund final adopted budget; Statement of Revenues, Expenses, and Changes in Fund Balance - Budget and Actual General Fund, with amendments and final results, property taxes, local income taxes; and Statistical Section. He stated that the CAFR is the most important document the County's financial team produces, and he commended them for the job they do and for partnering with TGM auditors to complete this project.

In response to concerns raised by Commissioner Bertino regarding the County's net OPEB liability as a percentage of 6.24%, Mr. Thompson stated that in the current year County staff kept the OPEB level flat, as they did not adjust the income tax rate as proposed in FY21 due to the COVID-19 pandemic. Rather they kept it flat. He stated that the ½ percent increase from the year before was factored into the OPEB payment that same year. He stated that the Commissioners should expect to see a drop in the OPEB liability within the next three to five years. Following some discussion, Commissioner Mitrecic thanked Mr. Hall and his team for all their work.

The Commissioners reviewed additional board appointments.

Upon nominations by the Worcester County Youth Council (WCYC) and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to reappoint the following individuals to the WCYC: Abby Boyce and Tamari Cutler of Pocomoke High School for one-

DRAFT

year terms each expiring April 30, 2021; and Aaron Cohen of Stephen Decatur High School for a two-year term expiring April 30, 2022.

The Commissioners answered questions from the press, after which they adjourned to meet in closed session.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 12:45 p.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton; Warden Donna Bounds; and applicants for the position of Warden. Topics discussed and actions taken included conducting interviews for the position of Warden at the County Jail.

The Commissioners adjourned at 1:22 p.m. to meet again on January 19, 2021.



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

PROCLAMATION

WHEREAS, today we pause to honor the life of Dr. Martin Luther King, Jr., one of the most influential figures in American history. Dr. King recognized that, "Whatever affects one directly affects all indirectly...This is the interrelated structure of reality." Through peaceful means, Dr. King led a civil rights revolution that helped reshape the laws of the United States of America and the character of its citizenry; and

WHEREAS, Dr. King's actions challenged injustice, stirred the government to abolish segregation and racial discrimination, and spurred those of all ages and backgrounds to play a meaningful role in society, stating that, "All labour that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence."

NOW, THEREFORE, we the County Commissioners of Worcester County, Maryland, do hereby reaffirm the ideals for which **Dr. Martin Luther King, Jr.** stood and call on all residents to consider what labour they may undertake to help strengthen our communities and thus promote friendship and goodwill.

Executed under the Seal of the County of Worcester, State of Maryland, this 19th day of January, in the Year of Our Lord Two Thousand and Twenty-One.



Joseph M. Mitrecic, President

Theodore J. Elder, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Joshua C. Nordstrom

Diana Purnell

Citizens and Government Working Together

TEL: 410-632-1194
 FAX: 410-632-3131
 E-MAIL: admin@co.worcester.md.us
 WEB: www.co.worcester.md.us



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GOVERNMENT CENTER
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SNOW HILL, MARYLAND

21863-1195

January 11, 2021

TO: Worcester County Commissioners
 FROM: Karen Hammer, Administrative Assistant V
 SUBJECT: Upcoming Board Appointments - Terms Beginning January 1, 2021

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (12), which have current or upcoming vacancies (24 total). I have circled the members whose terms have expired or will expire on each of these boards.

Action Items- Please Note:

- 1) **Page 2, List of Pending Board Appointments under each Commissioners name.**
- 2) **New: Water and Sewer Advisory Council- Ocean Pines has a resignation – Bob Poremski**
- 3) **Prior: 5 Open Positions - Solid Waste Advisory Committee – 3 resignations from 2019, Michael Pruitt, Town of Snow Hill, Jamey Latchum – Town of Berlin and Bob Augustine, Church**
Term End (Dec. 2020) – Michelle Beckett-El Soloh – Town of Pocomoke City
Position Vacancy – 2019, James Rosenberg

Most of these Boards and Commissions specify that current members' terms will expire on December 31st. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments during January.

Pending Board Appointments - By Commissioner**District 1 - Nordstrom**

All District Appointments Received. Thank you!

District 2 - Purnellp. 7 - Housing Review Board (Ms. Teagle - Request by Jo Ellen Bynum)
3 - year**District 3 - Church**

p. 12 - Solid Waste Advisory Committee (Bob Augustine) - 4-year

District 4 - Elderp. 5 - Agricultural Preservation Advisory Board (Kelley Gravenor) - 4-year
p. 6 - Ethics Board (Joseph Stigler) - 4-year
p. 7 - Housing Review Board (Scott Tingle) - 3-year
p. 8 - Local Development Council for Ocean Downs Casino (Gary Weber)-4 yr
p. 13 - Tourism Advisory Committee (Michael Day) - 4-year**District 5 - Bertino**p. 7 - Housing Review Board (Donna Dillon) - 3-year
p. 9 - Recreation Advisory Board (Missy Denault) - 4-year
p. 10 - Social Services Advisory Board (Cathy Gallagher) - 3-year
p. 12 - Solid Waste Advisory Committee (James Rosenberg) - 4-year
p. 14 - Water & Sewer Advisory Council - Ocean Pines (Frederick Stiehl and Bob Poremski) - 4-year
p. 16 - Commission for Women (Vanessa Alban) - 3-year**District 6 - Bunting**

All District Appointments Received. Thank you

District 7 - Mitrecicp. 10 - Social Services Advisory Board (Marie Campione-Lawrence) - 3-year
p. 18 - Board of Zoning Appeals (Glenn Irwin)-3-year**All Commissioners**p. 3 - (3) Commission on Aging Board (Cynthia Malament, Lloyd Parks and Clifford Gannett -
Representation needed from Districts 3 & 6)
p. 8 - (2) Local Development Council for Ocean Downs Casino (Mark Wittmyer and Mayor Rick Meehan
- At-Large - business or institution representative in immediate proximity to Ocean Downs) - 4-year
p. 12 - (3) Solid Waste Advisory Committee (Michael Pruitt -Town of Snow Hill, Michelle Beckett-El
Soloh - Town of Pocomoke and Jamey Latchum -Town of Berlin) 4-year
p. 14 - (2) Water and Sewer Advisory Council - Ocean Pines (Frederick Stiehl and Bob Poremski) - 4-year

COMMISSION ON AGING BOARD

Reference: By Laws of Worcester County Commission on Aging
- As amended July 2015

Appointed by: Self-Appointing/Confirmed by County Commissioners

Function: Supervisory/Policy Making

Number/Term: Not less than 12; 3 year terms, may be reappointed
Terms Expire September 30

Compensation: None

Meetings: Monthly, unless otherwise agreed by a majority vote of the Board

Special Provisions: At least 50% of members to be consumers or volunteers of services provided by Commission on Aging, with a representative of minorities and from each of the senior centers; one County Commissioner; and Representatives of Health Department, Social Services and Board of Education as Ex-Officio members

Staff Contact: Worcester County Commission on Aging, Inc. - Snow Hill
John Dorrough, Executive Director or Rob Hart, Acting Deputy Director
(410-632-1277)

Current Members:

| Member's Name | Resides/Represents | Years of Term(s) |
|-------------------------|---|----------------------|
| Cynthia Malament | Berlin | 07-19 |
| Lloyd Parks | Girdletree | 08-11-14-17, 17-20 |
| Clifford Gannett | Pocomoke City | *12-14-17, 17-20 |
| Tommy Tucker | Snow Hill | 09-12-15-18, 18-21 |
| Tommy Mason | Pocomoke | 15-18, 18-21 |
| Helen Whaley | Berlin | *16-18, 18-21 |
| Rebecca Cathell | Agency - Maryland Job Service | |
| Lou Taylor | Agency - Worcester County Board of Education | |
| Roberta Baldwin | Agency - Worcester County Department of Social Services | |
| Rebecca Jones | Agency - Worcester County Health Department | |
| Madison J. Bunting, Jr. | Worcester County Commissioners' Representative | |
| Fred Grant | Snow Hill | *15-16, 16-19, 19-22 |
| Joyce Cottman | Berlin | *16, 16-19, 19-22 |
| James Covington | Pocomoke City | *18-20, 20-23 |
| Bonita Ann Gisriel | Ocean City | *18-20, 20-23 |
| Carolyn Dryzga | Ocean Pines | *18-20, 20-23 |

* = Appointed to fill an unexpired term

Prior Members: Since 1972

| | |
|---------------------------|----------------------------------|
| Virginia Harmon | William Talton (89-95) |
| Maude Love | Sunder Henry (89-95) |
| Dr. Donald Harting | Josephine Anderson |
| John C. Quillen | Saunders Marshall (90-96) |
| Violet Chesser | Louise Jackson (93-96) |
| William Briddell | Carolyn Dorman (93-98) |
| Harrison Matthews | Constance Sturgis (95-98) |
| John McDowell | Connie Morris (95-99) |
| Mildred Brittingham | Jerry Wells (93-99) |
| Maurice Peacock | Robert Robertson (93-99) |
| Father S. Connell | Margaret Davis (93-99) |
| Rev. Dr. T. McKelvey | Dr. Robert Jackson (93-99) |
| Samuel Henry | Patricia Dennis (95-00) |
| Rev. Richard Hughs | Rev. C. Richard Edmund (96-00) |
| Dorothy Hall | Viola Rodgers (99-00) |
| Charlotte Pilchard | Baine Yates (97-00) |
| Edgar Davis | James Shreeve (99-00) |
| Margaret Quillen | Tad Pruitt (95-01) |
| Lenore Robbins | Rev. Walter Reuschling (01-02) |
| Mary L. Krabill | Armond Merrill, Sr. (96-03) |
| Leon Robbins | Gene Theroux |
| Claire Waters | Blake Fohl (98-05) |
| Thelma Linz | Constance Harmon (98-05) |
| Oliver Williams | Catherine Whaley (98-05) |
| Michael Delano | Wayne Moulder (01-05) |
| Father Gardiner | Barbara Henderson (99-05) |
| Iva Baker | Gus Payne (99-05) |
| Minnie Blank | James Moeller (01-05) |
| Thomas Groton III | Rev Stephen Laffey (03-05) |
| Jere Hilbourne | Anne Taylor (01-07) |
| Sandy Facinoli | Jane Carmean (01-07) |
| Leon McClafin | Alex Bell (05-07) |
| Mabel Scott | Inez Somers (03-08) |
| Wilford Showell | Joanne Williams (05-08) |
| Rev. T. Wall | Ann Horth (05-08) |
| Jeaninne Aydelotte | Helen Richards (05-08) |
| Richard Kasabian | Peter Karras (00-09) |
| Dr. Fred Bruner | Vivian Pruitt (06-09) |
| Edward Phillips | Doris Hart (08-11) |
| Dorothy Elliott | Helen Heneghan (08-10) |
| John Sauer | Jack Uram (07-10) |
| Margaret Kerbin | Robert Hawkins (05-11) |
| Carolyn Dorman | Dr. Jon Andes |
| Marion Marshall | Lloyd Pullen (11-13) |
| Dr. Francis Ruffo | John T. Payne (08-15) |
| Dr. Douglas Moore | Sylvia Sturgis (07-15) |
| Hibernia Carey | Gloria Blake (05-15) |
| Charlotte Gladding | Dr. Jerry Wilson (Bd. of Ed.) |
| Josephine Anderson | Peter Buesgens (Social Services) |
| Rev. R. Howe | Deborah Goeller (Health Dept.) |
| Rev. John Zellman | George "Tad" Pruitt (05-17) |
| Jessee Fassett | Bonnie C. Caudell (09-17) |
| Delores Waters | Larry Walton (13-18) |
| Dr. Terrance A. Greenwood | |
| Baine Yates | |
| Wallace T. Garrett | |
| William Kuhn (86-93) | |
| Mary Ellen Elwell (90-93) | |
| Faye Thomes | |
| Mary Leister (89-95) | |

* = Appointed to fill an unexpired term

AGRICULTURAL PRESERVATION ADVISORY BOARD

Reference: PGL Agriculture 2-504.1, Annotated Code of Maryland

Appointed by: County Commissioners

Functions: Advisory
Advise the County Commissioners and State Agricultural Preservation Foundation on establishment of agricultural districts and priorities for purchase of easements; promote preservation of agriculture in the County.

Number/Term: 7/4 years***
Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: 4 members to be owner-operators of commercial farms
Membership limited to two consecutive full terms

Staff Contact: Katherine Munson, Dept. of Environmental Programs (410-632-1220)

Current Members: (O-O = Commercial Farm Owner-Operator)

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Terms (Year)</u> |
|----------------------|---------------------|------------------|-----------------------|
| Kelley Gravenor | Elder | D-4, Snow Hill | *14-16, 16-20 |
| Glen Holland (O-O) | Lockfaw | D-1, Pocomoke | 13-17, 17-21 |
| Kathy Drew | Bunting | D-6, Bishopville | ** 06-09-13-17, 17-21 |
| Ed Phillips (O-O) | Elder | D-4, Whaleyville | 05-10-14-18, 18-22 |
| Alan Hudson (O-O) | Elder | D-4, Berlin | 14-18, 18-22 |
| Billy Thompson (O-O) | Purnell | D-2, Berlin | 19 -23 |
| Curt Lambertson | Elder | D-4, Snow Hill | 15-19, 19-23 |

Prior Members:

- | | |
|------------------------------|------------------------------|
| Norman Ellis | Ed Anderson (98-03) |
| Richard Bradford | Robert Gray (00-05) |
| Charles Fulton | Orlando Bishop (01-06) |
| Elmer Hastings | Roger Richardson (96-07) |
| David Stevens | Anne Hastings (06-11) |
| Curtis Shockley | Earl Ludey (07-13) |
| Gerald Redden | George Lee Clayville (00-14) |
| William Sirman, Jr. | Sandra Frazier (03-14) |
| Harold Purnell | Donnie Powell (06-15) |
| Chauncy Henry (96-97) | Bill Bruning(O-O) (11-19) |
| Lieselotte Pennewell (93-98) | |
| Carlton Magee (90-00) | |
| Harry Mitchell (90-00) | |
| Frank Baker (98-01) | |

* = Appointed to fill an unexpired term

** = Appointed to partial term to create proper staggering of terms

***=Membership expanded from 5 to 7 members and terms reduced from 5 to 4-years each in 2006

ETHICS BOARD

Reference: Public Local Law, Section CG 5-103

Appointed by: County Commissioners

Function: Advisory
 Maintain all Ethics forms; develop procedures and policies for advisory opinions to persons subject to the Ethics Law and for processing complaints alleging violations of the Ethics Law; conduct a public information program regarding the purpose and application of the Ethics Law; annually certify compliance to the State; and recommend any changes to the Commissioners in order to comply with State Ethics Law.

Number/Term: 7/4 years
 Terms expire December 31st

Compensation: \$50 per meeting

Meetings: As Necessary

Special Provisions:

Staff Contact: Roscoe Leslie, County Attorney (410-632-1194)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|----------------|-------------------------|
| Joseph Stigler | D-4, Elder | Berlin | 16-20 |
| Bruce Spangler | D-3, Church | Berlin | *02-05-09-13-17, 17-21 |
| David Deutsch | D-6, Bunting | Ocean Pines | 17-21 |
| Faith Mumford | D-2, Purnell | Snow Hill | 14-18, 18-22 |
| Mickey Ashby | D-1, Nordstrom | Pocomoke | 14-18, 18-22 |
| Frank Knight | D-7, Mitrecic | Ocean City | *14-19, 19-23 |
| Jeff Knepper | D-5, Bertino | Ocean Pines | 16-20, 20-24 |

Prior Members: (Since 1972)

- | | |
|-----------------------------|-------------------------------|
| J.D. Quillin, III | Wallace D. Stein (02-08) |
| Charles Nelson | William Kuhn (90-09) |
| Garbriel Purnell | Walter Kissel (05-09) |
| Barbara Derrickson | Marion Chambers (07-11) |
| Henry P. Walters | Jay Knerr (11-14) |
| William Long | Robert I. Givens, Jr. (98-14) |
| L. Richard Phillips (93-98) | Diana Purnell (09-14) |
| Marigold Henry (94-98) | Kevin Douglas (08-16) |
| Louis Granados (94-99) | Lee W. Baker (08-16) |
| Kathy Philips (90-00) | Richard Passwater (09-17) |
| Mary Yenny (98-05) | |
| Bill Ochse (99-07) | |
| Randall Mariner (00-08) | |

* = Appointed to fill an unexpired term

HOUSING REVIEW BOARD

Reference: Public Local Law §BR 3-104

Appointed by: County Commissioners

Function: Regulatory/Advisory
 To decide on appeals of code official's actions regarding the Rental Housing Code. Decide on variances to the Rental Housing Code.
 Review Housing Assistance Programs.

Number/Term 7/3 year terms
 Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: Immediate removal by Commissioners for failure to attend meetings.

Staff Support: Development Review & Permitting Department
 Jo Ellen Bynum, Housing Program Administrator - 410-632-1200, x 1171

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Terms(s)</u> |
|----------------------|---------------------|----------------|--------------------------|
| Scott Tingle | D-4, Elder | Snow Hill | 14-17, 17-20 |
| Donna Dillon | D-5, Bertino | Ocean Pines | 08-11-14-17, 17-20 |
| Sharon Teagle | D-2, Purnell | Ocean Pines | 00-12-15-18, 18-21 |
| Jake Mitrecic | D-7, Mitrecic | Ocean City | 15-18, 18-21 |
| C. D. Hall | D-1, Nordstrom | Pocomoke | 10-13-16-19, 19-22 |
| Debbie Hileman | D-6, Bunting | Ocean Pines | 10-13-16-19, 19-22 |
| Chase Church | D-3, Church | Ocean Pines | *19-20, 20-23 |

Prior Members:

- | | |
|----------------------------|----------------------------|
| Phyllis Mitchell | Albert Bogdon (02-06) |
| William Lynch | Jamie Rice (03-07) |
| Art Rutter | Howard Martin (08) |
| William Buchanan | Marlene Ott (02-08) |
| Christina Alphonsi | Mark Frostrom, Jr. (01-10) |
| Elsie Purnell | Joseph McDonald (08-10) |
| William Freeman | Sherwood Brooks (03-12) |
| Jack Dill | Otho Mariner (95-13) |
| Elbert Davis | Becky Flater (13-14) |
| J. D. Quillin, III (90-96) | Ruth Waters (12-15) |
| Ted Ward (94-00) | John Glorioso (*06-19) |
| Larry Duffy (90-00) | |
| Patricia McMullen (00-02) | |
| William Merrill (90-01) | |
| Debbie Rogers (92-02) | |
| Wardie Jarvis, Jr. (96-03) | |

* = Appointed to fill an unexpired term

**LOCAL DEVELOPMENT COUNCIL
FOR THE OCEAN DOWNS CASINO**

Reference: Subsection 9-1A-31(c) - State Government Article, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory
Review and comment on the multi-year plan for the expenditure of the local impact grant funds from video lottery facility proceeds for specified public services and improvements; Advise the County on the impact of the video lottery facility on the communities and the needs and priorities of the communities in the immediate proximity to the facility.

Number/Term: 15/4-year terms; Terms Expire December 31

Compensation: None

Meetings: At least semi-annually

Special Provisions: Membership to include State Delegation (or their designee); one representative of the Ocean Downs Video Lottery Facility, seven residents of communities in immediate proximity to Ocean Downs, and four business or institution representatives located in immediate proximity to Ocean Downs.

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194
Roscoe Leslie, County Attorney, 410-632-1194

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Represents/Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|---------------------------|-------------------------|
| Mark Wittmyer | At-Large | Business - Ocean Pines | 15-19 |
| Gary Weber | Dist. 4 - Elder | Resident - Snow Hill | *19-20 |
| Mayor Rick Meehan ° | At-Large | Business - Ocean City | *09-12-16, 16-20 |
| Gee Williams ° | Dist. 3 - Church | Resident - Berlin | 09-13-17, 17-21 |
| Bob Gilmore | Dist. 5 - Bertino | Resident - Ocean Pines | *19-21 |
| David Massey ° | At-Large | Business - Ocean Pines | 09-13-17, 17-21 |
| Bobbi Sample | Ocean Downs Casino | Ocean Downs Casino | 17-indefinite |
| Cam Bunting ° | At-Large | Business - Berlin | *09-10-14-18, 18-22 |
| Matt Gordon | Dist. 1 - Nordstrom | Resident - Pocomoke | 19-22 |
| Mary Beth Carozza | | Maryland Senator | 14-18, 18-22 |
| Wayne A. Hartman | | Maryland Delegate | 18-22 |
| Charles Otto | | Maryland Delegate | 14-18, 18-22 |
| Roxane Rounds | Dist. 2 - Purnell | Resident - Berlin | *14-15-19, 19-23 |
| Michael Donnelly | Dist. 7 - Mitrecic | Resident - Ocean City | *16-19, 19-23 |
| Steve Ashcraft | Dist. 6 - Bunting | Resident - Ocean Pines | *19-20, 20-24 |

Prior Members:

J. Lowell Stoltzfus ° (09-10)
Mark Wittmyer ° (09-11)
John Salm ° (09-12)
Mike Pruitt ° (09-12)
Norman H. Conway ° (09-14)
Michael McDermott (10-14)
Diana Purnell ° (09-14)

Since 2009

Linda Dearing (11-15)
Todd Ferrante ° (09-16)
Joe Cavilla (12-17)
James N. Mathias, Jr. ° (09-18)
Ron Taylor ° (09-14)
James Rosenberg (09-19)
Rod Murray ° (*09-19)

Charlie Dorman (12-19)

* = Appointed to fill an unexpired term/initial terms staggered
° = Charter Member

RECREATION ADVISORY BOARD

Reference: County Commissioners' Action 6/13/72 and Resolution of 12/27/83 and Resolution 97-51 of 12/23/97 and Resolution 03-6 of 2/18/03

Appointed by: County Commissioners

Function: Advisory
 Provide the County with advice and suggestions concerning the recreation needs of the County and recommendations regarding current programs and activities offered.
 Review and comment on proposed annual Recreation Department budget.

Number/Term: 7/4-year term
 Terms expire December 31st

Compensation: \$50 per meeting expense allowance, subject to funding

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

Staff Support: Recreation and Parks Department - Lisa Gebhardt (410) 632-2144

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|----------------|-------------------------|
| Missy Denault | D-5, Bertino | Berlin | *15-16, 16-20 |
| Norman Bunting, Jr. | D-3, Church | Berlin | *16-17, 17-21 |
| Chris Klebe | D-6, Bunting | Bishopville | *11-13-17, 17-21 |
| Alvin Handy | D-2, Purnell | Ocean City | 06-10-14-18, 18-22 |
| John Gehrig | D-7, Mitrecic | Ocean City | 14-18, 18-22 |
| Devin Bataille | D-4, Elder | Snow Hill | 19-23 |
| Mike Hooks | D-1, Nordstrom | Pocomoke | 12-16-20, 20-24 |

Prior Members: Since 1972

| | | | |
|--------------------|------------------------|------------------------------|-------------------------|
| Howard Taylor | Cyrus Teter | Gregory Purnell (83-96) | Sonya Bounds (12-15) |
| Arthur Shockley | Warren Mitchell | Vernon Redden, Jr. (83-98) | Burton Anderson (05-15) |
| Rev. Ray Holsey | Edith Barnes | Richard Ramsay (93-98) | William Regan (02-16) |
| William Tingle | Glen Phillips | Mike Daisy (98-99) | Shawn Johnson (15-19) |
| Mace Foxwell | Gerald Long | Cam Bunting (95-00) | |
| Nelson Townsend | Lou Ann Garton | Charlie Jones (98-03) | |
| J.D. Townsend | Milton Warren | Rick Morris (03-05) | |
| Robert Miller | Ann Hale | Gregory Purnell (97-06) | |
| Jon Stripling | Claude Hall, Jr. | George "Eddie" Young (99-08) | |
| Hinson Finney | Vernon Davis | Barbara Kissel (00-09) | |
| John D. Smack, Sr. | Rick Morris | Alfred Harrison (92-10) | |
| Richard Street | Joe Lieb | Janet Rosensteel (09-10) | |
| Ben Nelson | Donald Shockley | Tim Cadotte (02-12) | |
| Shirley Truitt | Fulton Holland (93-95) | Craig Glovier (08-12) | |
| | | Joe Mitrecic (10-14) | |

* = Appointed to fill an unexpired term

SOCIAL SERVICES ADVISORY BOARD

Reference: Human Services Article - Annotated Code of Maryland - Section 3-501

Appointed by: County Commissioners

Functions: Advisory
 Review activities of the local Social Services Department and make recommendations to the State Department of Human Resources.
 Act as liaison between Social Services Dept. and County Commissioners.
 Advocate social services programs on local, state and federal level.

Number/Term: 9 to 13 members/3 years
 Terms expire June 30th

Compensation: None - (Reasonable Expenses for attending meetings/official duties)

Meetings: 1 per month (Except June, July, August)

Special Provisions: Members to be persons with high degree of interest, capacity & objectivity, who in aggregate give a countywide representative character.
 Maximum 2 consecutive terms, minimum 1-year between reappointment
 Members must attend at least 50% of meetings
 One member (ex officio) must be a County Commissioner
 Except County Commissioner, members may not hold public office.

Staff Contact: Roberta Baldwin, Director of Social Services - (410-677-6806)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|-----------------------|---------------------------|----------------|------------------------------|
| Cathy Gallagher | D-5, Bertino | Ocean Pines | *13-14-17, 17-20 |
| Faith Coleman | D-4, Elder | Snow Hill | 15-18, 18-21 |
| Harry Hammond | D-6, Bunting | Bishopville | 15-18, 18-21 |
| Diana Purnell | ex officio - Commissioner | | 14-18, 18-22 |
| Sharon Dryden | D-1, Nordstrom | Pocomoke City | *20-21 |
| Voncelia Brown | D-3, Church | Berlin | 16-19, 19-22 |
| Mary White | At-Large | Berlin | *17-19, 19-22 |
| Maria Campione-Lawren | D-7, Mitrecic | Ocean City | 16-19, 19-22 <i>Resigned</i> |
| Nancy Howard | D-2, Purnell | Ocean City | 09-16-17-20, 20-23 |

* = Appointed to fill an unexpired term

SOCIAL SERVICES BOARD
(Continued)

Prior Members: (Since 1972)

| | |
|-------------------------------|----------------------------|
| James Dryden | Jeanne Lynch (00-02) |
| Sheldon Chandler | Michael Reilly (00-03) |
| Richard Bunting | Oliver Waters, Sr. (97-03) |
| Anthony Purnell | Charles Hinz (02-04) |
| Richard Martin | Prentiss Miles (94-06) |
| Edward Hill | Lakeshia Townsend (03-06) |
| John Davis | Betty May (02-06) |
| Thomas Shockley | Robert "BJ" Corbin (01-06) |
| Michael Delano | William Decoligny (03-06) |
| Rev. James Seymour | Grace Smearman (99-07) |
| Pauline Robertson | Ann Almand (04-07) |
| Josephine Anderson | Norma Polk-Miles (06-08) |
| Wendell White | Anthony Bowen (96-08) |
| Steven Cress | Jeanette Tressler (06-09) |
| Odetta C. Perdue | Rev. Ronnie White (08-10) |
| Raymond Redden | Belle Redden (09-11) |
| Hinson Finney | E. Nadine Miller (07-11) |
| Ira Hancock | Mary Yenney (06-13) |
| Robert Ward | Dr. Nancy Dorman (07-13) |
| Elsie Bowen | Susan Canfora (11-13) |
| Faye Thomes | Judy Boggs (02-14) |
| Frederick Fletcher | Jeff Kelchner (06-15) |
| Rev. Thomas Wall | Laura McDermott (11-15) |
| Richard Bundick | Emma Klein (08-15) |
| Carmen Shrouck | Wes McCabe (13-16) |
| Maude Love | Nancy Howard (09-16) |
| Reginald T. Hancock | Judy Stinebiser (13-16) |
| Elsie Briddell | Arlette Bright (11-17) |
| Juanita Merrill | Tracey Cottman (15-17) |
| Raymond R. Jarvis, III | Ronnie White (18-19) |
| Edward O. Thomas | Wayne Ayer *(19-20) |
| Theo Hauck | |
| Marie Doughty | |
| James Taylor | |
| K. Bennett Bozman | |
| Wilson Duncan | |
| Connie Quillin | |
| Lela Hopson | |
| Dorothy Holzworth | |
| Doris Jarvis | |
| Eugene Birckett | |
| Eric Rauch | |
| Oliver Waters, Sr. | |
| Floyd F. Bassett, Jr. | |
| Warner Wilson | |
| Mance McCall | |
| Louise Matthews | |
| Geraldine Thweat (92-98) | |
| Darryl Hagy (95-98) | |
| Richard Bunting (96-99) | |
| John E. Bloxom (98-00) | |
| Katie Briddell (87-90, 93-00) | |
| Thomas J. Wall, Sr. (95-01) | |
| Mike Pennington (98-01) | |
| Desire Becketts (98-01) | |
| Naomi Washington (01-02) | |
| Lehman Tomlin, Jr. (01-02) | |

* = Appointed to fill an unexpired term

Updated: November 17, 2020
Printed: January 8, 2021

SOLID WASTE ADVISORY COMMITTEE

ITEM 2

Reference: County Commissioners' Resolution 5/17/94 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory
Review and comment on Solid Waste Management Plan, Recycling Plan, plans for solid waste disposal sites/facilities, plans for closeout of landfills, and to make recommendations on tipping fees.

Number/Term: 11/4-year terms; Terms expire December 31st.

Compensation: \$50 per meeting expense allowance, subject to annual appropriation

Meetings: At least quarterly

Special Provisions: One member nominated by each County Commissioner; and one member appointed by County Commissioners upon nomination from each of the four incorporated towns.

Staff Support: Solid Waste - Solid Waste Superintendent - Mike Mitchell - (410-632-3177)
Solid Waste - Recycling Coordinator - Mike McClung - (410-632-3177)
Department of Public Works - John Tustin - (410-632-5623)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|---------------------------|-----------------------|----------------|-------------------------------------|
| Michael Pruitt | Town of Snow Hill | | *15, 15-19 |
| Michelle Beckett-El Soloh | Town of Pocomoke City | | *19-20 |
| Vaughn White | D-2, Purnell | Berlin | *19-21 |
| Jamey Latchum | Town of Berlin | | *17, 17-21 |
| Hal Adkins | Town of Ocean City | | *20-21 |
| George Linvill | D-1, Nordstrom | Pocomoke | 14-18, 18-22 |
| James Rosenberg | D-5, Bertino | Ocean Pines | *06-10-14-18, 18-22 <i>Resigned</i> |
| George Dix | D-4, Elder | Snow Hill | *10-10-14-18, 18-22 |
| Mike Poole | D-6, Bunting | Bishopville | 11-15-19, 19-23 |
| Bob Augustine | D-3, Church | Berlin | 16-20, 20-24 <i>Resigned</i> |
| Granville Jones | D-7, Mitrecic | Berlin | *15-16-20, 20-24 |

Prior Members: (Since 1994)

- | | | |
|-----------------------------------|-----------------------------|----------------------------|
| Ron Cascio (94-96) | Richard Malone (94-01) | John C. Dorman (07-10) |
| Roger Vacovsky, Jr. (94-96) | William McDermott (98-03) | Robert Hawkins (94-11) |
| Lila Hackim (95-97) | Fred Joyner (99-03) | Victor Beard (97-11) |
| Raymond Jackson (94-97) | Hugh McFadden (98-05) | Mike Gibbons (09-14) |
| William Turner (94-97) | Dale Pruitt (97-05) | Hank Westfall (00-14) |
| Vernon "Corey" Davis, Jr. (96-98) | Frederick Stiehl (05-06) | Marion Butler, Sr. (00-14) |
| Robert Mangum (94-98) | Eric Mullins (03-07) | Robert Clarke (11-15) |
| Richard Rau (94-96) | Mayor Tom Cardinale (05-08) | Bob Donnelly (11-15) |
| Jim Doughty (96-99) | William Breedlove (02-09) | Howard Sribnick (10-16) |
| Jack Peacock (94-00) | Lester D. Shockley (03-10) | Dave Wheaton (14-16) |
| Hale Harrison (94-00) | Woody Shockley (01-10) | Wendell Purnell (97-18) |
| | | George Tasker (*15-20) |
| | | Rodney Bailey *19 |
| | | Steve Brown *10-19 |

* = Appointed to fill an unexpired term

Reference: County Commissioners' Resolution of May 4, 1999 and 03-6 of 2/18/03

Appointed by: County Commissioners

Function: Advisory
 Advise the County Commissioners on tourism development needs and recommend programs, policies and activities to meet needs, review tourism promotional materials, judge tourism related contests, review applications for State grant funds, review tourism development projects and proposals, establish annual tourism goals and objectives, prepare annual report of tourism projects and activities and evaluate achievement of tourism goals and objectives.

Number/Term: 7/4-Year term - Terms expire December 31st

Compensation: \$50 per meeting expense allowance

Meetings: At least bi-monthly (6 times per year), more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

Staff Contact: Tourism Department – Melanie Pursel, Director of Tourism 410-632-3110

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)²</u> |
|----------------------|---------------------|-----------------|-------------------------------------|
| Michael Day | D-4, Elder | Snow Hill | *19 |
| Josh Davis | D-5, Bertino | Berlin | *19-21 |
| Lauren Taylor | D-7, Mitrecic | Ocean City | 13-17, 17-21 |
| Gregory Purnell | D-2, Purnell | Berlin | 14-18, 18-22 |
| Barbara Tull | D-1, Nordstrom | Pocomoke | 03-11-15-19, 19-23 |
| Ruth Waters | D-6, Bunting | Bishopville | 19-23 |
| Elena Ake | D-3, Church | West Ocean City | *16-20, 20-24 |

Prior Members: Since 1972

- | | | |
|-----------------------------------|-----------------------------|-------------------------|
| Isaac Patterson ¹ | Barry Laws (99-03) | Molly Hilligoss (15-18) |
| Lenora Robbins ¹ | Klein Leister (99-03) | Denise Sawyer (*18-19) |
| Kathy Fisher ¹ | Bill Simmons (99-04) | Isabel Morris (11-19) |
| Leroy A. Brittingham ¹ | Bob Hulburd (99-05) | |
| George "Buzz" Gering ¹ | Frederick Wise (99-05) | |
| Nancy Pridgeon ¹ | Wayne Benson (05-06) | |
| Marty Batchelor ¹ | Jonathan Cook (06-07) | |
| John Verrill ¹ | John Glorioso (04-08) | |
| Thomas Hood ¹ | David Blazer (05-09) | |
| Ruth Reynolds (90-95) | Ron Pilling (07-11) | |
| William H. Buchanan (90-95) | Gary Weber (99-03, 03-11) | |
| Jan Quick (90-95) | Annemarie Dickerson (99-13) | |
| John Verrill (90-95) | Diana Purnell (99-14) | |
| Larry Knudsen (95) | Kathy Fisher (11-15) | |
| Carol Johnsen (99-03) | Linda Glorioso (08-16) | |
| Jim Nooney (99-03) | Teresa Travatello (09-18) | |

* = Appointed to fill an unexpired term

1 = Served on informal ad hoc committee prior to 1990, Committee abolished between 1995-1999

2 = All members terms reduced by 1-year in 2003 to convert to 4-year terms

**WATER AND SEWER ADVISORY COUNCIL
OCEAN PINES SERVICE AREA**

Reference: County Commissioners’ Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget.

Meetings: Monthly

Special Provisions: Must be residents of Ocean Pines Service Area

Staff Support: Department of Public Works - Water and Wastewater Division
John Ross - (410-641-5251)

Current Members:

| <u>Name</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|-----------------------------|----------------|-------------------------|
| Frederick Stiehl | Ocean Pines | *06-08-12-16, 16-20 |
| Gregory R. Sauter, P.E. | Ocean Pines | 17-21 |
| John F. (Jack) Collins, Jr. | Ocean Pines | *18-21 |
| James Spicknall | Ocean Pines | 07-10-14-18, 18-22 |
| Bob Poremski | Ocean Pines | *17-19, 19-23 |

*Resigned
See next page*

Prior Members: (Since 1993)

- Andrew Bosco (93-95)
- Richard Brady (96-96, 03-04)
- Michael Robbins (93-99)
- Alfred Lotz (93-03)
- Ernest Armstrong (93-04)
- Jack Reed (93-06)
- Fred Henderson (04-06)
- E. A. “Bud” Rogner (96-07)
- David Walter (06-07)
- Darwin “Dart” Way, Jr. (99-08)
- Aris Spengos (04-14)
- Gail Blazer (07-17)
- Mike Hegarty (08-17)
- Michael Reilly (14-18)

* = Appointed to fill an unexpired term

Karen M. Hammer

From: John Tustin
Sent: Friday, January 8, 2021 8:17 AM
To: Weston S. Young
Cc: Karen M. Hammer
Subject: FW: Bob Poremski resignation

Good Morning :

Ocean Pines water /wastewater Advisory Board resignation

John H.Tustin P.E.
Director, Worcester County DPW
6113 Timmons Road
Snow Hill , Md 21863
Office 410-632-5623
Fax 410-632-1753

-----Original Message-----

From: Poremski Homes <bob@poremskihomes.com>
Sent: Thursday, January 7, 2021 9:53 PM
To: Meg Etzler <metzler@co.worcester.md.us>
Subject: Re: Emailing: Minutes November 10, 2020

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi Meg,

I will not be able to attend next Tuesday's meeting as I will be at the national institute of health in Bethesda all day. In fact I will be at NIH pretty much every Tuesday for a while. Considering my schedule and all that I have on my plate at present I think I would be best to resign from the committee and have someone else take my place.

Bob

Bob Poremski
443-497-1642
Berkshire Hathaway HomeServices
PenFed Realty
Your referrals are always appreciated!

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message.

COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

Number/Term: 11/3-year terms; Terms Expire December 31

Compensation: None

Meetings: At least monthly (3rd Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: 7 district members, one from each Commissioner District
 4 At-large members, nominations from women's organizations & citizens
 4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety
 No member shall serve more than six consecutive years

Contact: Liz Mumford and Tamara White, Co-Chair
 Worcester County Commission for Women - P.O. Box 1712, Berlin, MD 21811

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|-----------------------|---------------------------------------|----------------|-------------------------|
| Vanessa Alhan | D-5, Bertino | Ocean Pines | 17-20 |
| Darlene Bowen | D-2, Purnell | Pocomoke | *19-21 |
| Elizabeth Rodier | D-3, Church | Bishopville | 18-21 |
| Kimberly List | D-7, Mitrecic | Ocean City | 18- 21 |
| Gwendolyn Lehman | At-Large | OP, Berlin | *19-21 |
| Mary E. (Liz) Mumford | At-Large | W. Ocean City | *16, 16-19, 19-22 |
| Coleen Colson | Dept of Social Services | | 19-22 |
| Hope Carmean | D-4, Elder | Snow Hill | *15-16-19, 19-22 |
| Windy Phillips | Board of Education | | 19-22 |
| Tamara White | D-1, Nordstrom | Pocomoke City | 17-20, 20-23 |
| Kris Heiser | Public Safety – State Attorney Office | | 21-24 |
| Susan Childs | D-6, Bunting | Berlin | 21-24 |
| Terri Shockley | At-Large | Snow Hill | 17-20, 20-23 |
| Laura Morrison | At-Large | Pocomoke | *19-20, 20-23 |
| Kelly O'Keane | Health Department | | 17-20, 20-23 |

Prior Members: Since 1995

- | | | |
|---|-------------------------------------|------------------------------|
| Ellen Pilchard ^c (95-97) | Carole P. Voss (98-00) | Gloria Bassich (98-03) |
| Helen Henson ^c (95-97) | Martha Bennett (97-00) | Carolyn Porter (01-04) |
| Barbara Beaubien ^c (95-97) | Patricia Ilczuk-Lavanceau (98-99) | Martha Pusey (97-03) |
| Sandy Wilkinson ^c (95-97) | Lil Wilkinson (00-01) | Teole Brittingham (97-04) |
| Helen Fisher ^c (95-98) | Diana Purnell ^c (95-01) | Catherine W. Stevens (02-04) |
| Bernard Bond ^c (95-98) | Colleen McGuire (99-01) | Hattie Beckwith (00-04) |
| Jo Campbell ^c (95-98) | Wendy Boggs McGill (00-02) | Mary Ann Bennett (98-04) |
| Karen Holck ^c (95-98) | Lynne Boyd (98-01) | Rita Vaeth (03-04) |
| Judy Boggs ^c (95-98) | Barbara Trader ^c (95-02) | Sharyn O'Hare (97-04) |
| Mary Elizabeth Fears ^c (95-98) | Heather Cook (01-02) | Patricia Layman (04-05) |
| Pamela McCabe ^c (95-98) | Vyoletus Ayres (98-03) | Mary M. Walker (03-05) |
| Teresa Hammerbacher ^c (95-98) | Terri Taylor (01-03) | Norma Polk Miles (03-05) |
| Bonnie Platter (98-00) | Christine Selzer (03) | Roseann Bridgman (03-06) |
| Marie Velong ^c (95-99) | Linda C. Busick (00-03) | Sharon Landis (03-06) |

* = Appointed to fill an unexpired term

^c = Charter member

Prior Members: Since 1995 (continued)

| | |
|----------------------------------|----------------------------------|
| Dr. Mary Dale Craig (02-06) | Michelle Bankert *(14-18) |
| Dee Shorts (04-07) | Nancy Fortney (12-18) |
| Ellen Payne (01-07) | Cristi Graham (17-18) |
| Mary Beth Quillen (05-08) | Alice Jean Ennis (14-17) |
| Marge SeBour (06-08) | Lauren Mathias Williams *(16-18) |
| Meg Gerety (04-07) | Teola Brittingham *(16-18) |
| Linda Dearing (02-08) | Jeannine Jerscheid *(18-19) |
| Angela Hayes (08) | Shannon Chapman (*17-19) |
| Susan Schwarten (04-08) | Julie Phillips (13-19) |
| Marilyn James (06-08) | Bess Cropper (15-19) |
| Merilee Horvat (06-09) | Kelly Riwniak *(19-20) |
| Jody Falter (06-09) | |
| Kathy Muncy (08-09) | |
| Germaine Smith Garner (03-09) | |
| Nancy Howard (09-10) | |
| Barbara Witherow (07-10) | |
| Doris Moxley (04-10) | |
| Evelyne Tyndall (07-10) | |
| Sharone Grant (03-10) | |
| Lorraine Fasciocco (07-10) | |
| Kay Cardinale (08-10) | |
| Rita Lawson (05-11) | |
| Cindi McQuay (10-11) | |
| Linda Skidmore (05-11) | |
| Kutresa Lankford-Purnell (10-11) | |
| Monna Van Ess (08-11) | |
| Barbara Passwater (09-12) | |
| Cassandra Rox (11-12) | |
| Diane McGraw (08-12) | |
| Dawn Jones (09-12) | |
| Cheryl K. Jacobs (11) | |
| Doris Moxley (10-13) | |
| Kutresa Lankford-Purnell (10-12) | |
| Terry Edwards (10-13) | |
| Dr. Donna Main (10-13) | |
| Beverly Thomas (10-13) | |
| Caroline Bloxom (14) | |
| Tracy Tilghman (11-14) | |
| Joan Gentile (12-14) | |
| Carolyn Dorman (13-16) | |
| Arlene Page (12-15) | |
| Shirley Dale (12-16) | |
| Dawn Cordrey Hodge (13-16) | |
| Carol Rose (14-16) | |
| Mary Beth Quillen (13-16) | |
| Debbie Farlow (13-17) | |
| Corporal Lisa Maurer (13-17) | |
| Laura McDermott (11-16) | |
| Charlotte Cathell (09-17) | |
| Eloise Henry-Gordy (08-17) | |

* = Appointed to fill an unexpired term

c = Charter member

BOARD OF ZONING APPEALS

Reference: Public Local Law - ZS §1-116

Appointed by: County Commissioners

Function: Regulatory
 Hear and decide on applications for special exceptions, variances from the setback or area provisions of the Zoning Ordinance, and on appeals where there is an alleged error in the application of the Zoning Ordinance; grant expansions of nonconforming uses.

Number/Term: 7 members (as of 1-31-97 per Bill 96-14)/3 years
 Terms expire December 31st

Compensation: \$50 per meeting, plus mileage for site inspections (policy)

Meetings: 2 per month

Special Provisions: None

Staff Contact: Department of Development Review & Permitting
 Jennifer Keener -Deputy Director, DRP (410-632-1200, ext. 1123)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|----------------|---------------------------|
| Glenn Irwin | D-7, Mitrecic | Ocean City | 14-17, 17-20 |
| Thomas Babcock | D-4, Elder | Whaleyville | 15-18, 18-21 |
| Robert M. Purcell | D-6, Bunting | Bishopville | *11-12-15-18, 18-21 |
| Larry Fykes | D-1, Nordstrom | Pocomoke | *16-19, 19-22 |
| James Purnell | D-2, Purnell | Berlin | 19-22 |
| David Dypsky | D-3, Church | Ocean City | *11-14-17-20, 20-23 |
| Joseph W. Green, Jr. | D-5, Bertino | Ocean Pines | *05-08-11-14-17-20, 20-23 |

Prior Members: (Since 1972)

- | | | |
|-----------------------|------------------------------|-------------------------------|
| Robert B. Jackson | George Ward, Jr. (92-95) | Dale Smack (01-06) |
| Ruth Spinak | Doris Glover (91-95) | Lou Taylor (05-08) |
| Merrill Lockfaw | Marion Marshall (90-96) | Jerre F. Clauss (98-10) |
| Winnie Williams | Madison Bunting (90-96) | Mike Diffendal (08-10) |
| Randolph F. Wilkerson | Howard "Buzz" Taylor (97-98) | James E. Clubb, Jr. (06-11) |
| Cashar J. Hickman | Edward Bounds (90-99) | Joe Fehrer, Jr. (06-12) |
| E. Paige Boston | Marion Butler, Sr. (96-99) | Beth Gismondi (96-14) |
| Elbridge Murray | Dwight Campbell (95-00) | Bill Bruning (12-15) |
| Gary McCabe | Larry Widgeon (94-00) | Robert L. Cowger, Jr. (10-16) |
| Harley Day | Robert Ewell (95-01) | Rodney C. Belmont (07-17) |
| Charles Lynch | Lester Shockley (99-02) | Larry Duffy (*17-19) |
| Dwight E. Campbell | Robert Mitchell (02-05) | |
| T. Clay Groton | Janice Foley (99-05) | |
| Albert Berger | Richard Outten (00-06) | |
| Clifford Dypsky | Doug Parks (00-06) | |
| Donald Jones | Brian Roberts (06) | |

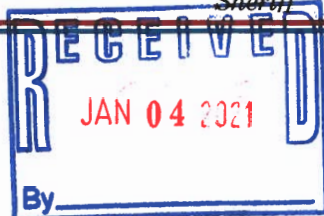
* = Appointed to fill an unexpired term

Worcester County Sheriff's Office

Matthew Crisafulli
Sheriff



Mark C. Titanski
Chief Deputy



January 4, 2021

Worcester County Commissioners,

The Eastern Shore Sheriffs feel that it is in the public interest that law enforcement agencies throughout the State of Maryland cooperate to the greatest extent possible to provide prompt, effective, and professional law enforcement services; and these agencies experience similar law enforcement problems. All law enforcement officers, are trained in current law enforcement techniques and have completed a course of training prescribed by the Maryland Police Training Commission and are certified pursuant to Md. Code Ann., §3-209, et seq., Public Safety Article.

Law enforcement officials are aware from time to time that situations have developed at locations and times in either jurisdiction when sufficient police resources were not immediately available to enable police to render prompt, effective, and professional service to the public.

Wicomico County and Wicomico County Sheriff, and Worcester County and Worcester Sheriff, and Dorchester County and Dorchester Sheriff, and Talbot County and Talbot Sheriff, and Caroline County and Caroline Sheriff, and Queen Anne's County and Queen Anne's Sheriff, and Kent County and Kent Sheriff, and Cecil County and Cecil Sheriff are desirous of extending prompt, effective, and professional police service to the public to the extent that police resources are available.

I am requesting that our county participate in this multi-jurisdictional effort to keep our respective counties safe.

“Proud to Protect, Ready to Serve”

Worcester County Sheriff's Office
One West Market Street, Room 1001
Snow Hill, MD 21863
410-632-1111- phone / 410-632-3070- fax
www.WorcesterSheriff.com

RESOLUTION NO. 21-__

Resolution on Mutual Aid Agreement among Sheriffs

Recitals:

- A. Public Safety § 7-101 et seq. of the Worcester County Code recognizes that mutual aid agreements are beneficial to law enforcement activities conducted by the Sheriff of Worcester County;
- B. The Sheriff and the sheriffs and governing bodies of Wicomico County, Somerset County, Dorchester County, Talbot County, Caroline County, Queen Anne’s County, Kent County, and Cecil County have approved a Mutual Aid Agreement for execution;
- C. The County Commissioners of Worcester County, Maryland have determined that the adoption of the Mutual Aid Agreement will be beneficial to law enforcement activities conducted by the Sheriff of Worcester County.

Now, Therefore, Be It Resolved by the County Commissioners of Worcester County, Maryland that the attached Mutual Aid Agreement between Worcester County, Wicomico County, Somerset County, Dorchester County, Talbot County, Caroline County, Queen Anne’s County, Kent County, and Cecil County, Maryland and their sheriffs is approved for execution by the appropriate public officials

And Be It Further Resolved that this Resolution shall be effective immediately upon its passage.

Passed and Adopted this _____ day of _____, 2021.

**MUTUAL AID AGREEMENT
BETWEEN**

**WICOMICO COUNTY, MARYLAND,
THE SHERIFF OF WICOMICO COUNTY, MARYLAND**

AND

**SOMERSET COUNTY, MARYLAND
THE SHERIFF OF SOMERSET COUNTY, MARYLAND**

AND

**WORCESTER COUNTY, MARYLAND,
THE SHERIFF OF WORCESTER COUNTY, MARYLAND**

**DORCHESTER COUNTY, MARYLAND,
THE SHERIFF OF DORCHESTER COUNTY, MARYLAND**

AND

**TALBOT COUNTY, MARYLAND,
THE SHERIFF OF TALBOT COUNTY, MARYLAND**

AND

**CAROLINE, MARYLAND,
THE SHERIFF OF CAROLINE COUNTY, MARYLAND**

AND

**QUEEN ANNE'S COUNTY, MARYLAND,
THE SHERIFF OF QUEEN ANNE'S COUNTY, MARYLAND**

AND

**KENT COUNTY, MARYLAND,
THE SHERIFF OF KENT COUNTY, MARYLAND**

AND

**CECIL COUNTY, MARYLAND,
THE SHERIFF OF CECIL COUNTY, MARYLAND**

THIS MUTUAL AID AGREEMENT, made this the ____ day of _____, 2020, by and between **WICOMICO COUNTY, MARYLAND**, a body corporate and politic of the State of Maryland, by and through the **COUNTY EXECUTIVE OF WICOMICO COUNTY, MARYLAND** and the **COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND**, (collectively, “**Wicomico County**”), the **SHERIFF OF WICOMICO COUNTY**, a State Constitutional Officer, (“**Wicomico Sheriff**”), and;

WORCESTER COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND**, (collectively, “**Worcester County**”), the **SHERIFF OF WORCESTER COUNTY**, a State Constitutional Officer, (“**Worcester Sheriff**”), and;

SOMERSET COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY COMMISSIONERS OF SOMERSET COUNTY, MARYLAND**, (collectively, “**Somerset County**”), the **SHERIFF OF Somerset COUNTY**, a State Constitutional Officer, (“**Somerset Sheriff**”), and

DORCHESTER COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNCIL MEMBERS OF DORCHESTER COUNTY, MARYLAND**, (collectively, “**Dorchester County**”), the **SHERIFF OF DORCHESTER COUNTY**, a State Constitutional Officer, (“**Dorchester Sheriff**”), and;

TALBOT COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNCIL MEMBERS OF TALBOT COUNTY, MARYLAND**, (collectively, “**Talbot County**”), the **SHERIFF OF TALBOT COUNTY**, a State Constitutional Officer, (“**Talbot Sheriff**”), and;

CAROLINE COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND**, (collectively, "**Caroline County**"), the **SHERIFF OF CAROLINE COUNTY**, a State Constitutional Officer, ("**Caroline Sheriff**"), and;

QUEEN ANNE'S COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY COMMISSIONERS OF QUEEN'S ANNE COUNTY, MARYLAND**, (collectively, "**Queen Anne's County**"), the **SHERIFF OF QUEEN ANNE'S COUNTY**, a State Constitutional Officer, ("**Caroline Sheriff**"), and;

KENT COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND**, (collectively, "**Kent County**"), the **SHERIFF OF KENT COUNTY**, a State Constitutional Officer, ("**Kent Sheriff**"), and;

CECIL COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, by and through the **COUNTY EXECUTIVE OF CECIL COUNTY, MARYLAND** and the **COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, (collectively, "**Cecil County**"), the **SHERIFF OF Cecil COUNTY**, a State Constitutional Officer, ("**Cecil Sheriff**"),

(Collectively each aforementioned corporate and politic of the State and Sheriff herein referred to as "**The Parties**")

WHEREAS, it is in the public interest that law enforcement agencies throughout the State of Maryland cooperate to the greatest extent possible to provide prompt, effective, and professional police services; and

WHEREAS, these agencies experience similar law enforcement problems; and

WHEREAS, all law enforcement officers, (hereinafter sometimes called "police" or "officers"), are trained in current law enforcement techniques and have completed a course of training prescribed by the Maryland Police Training Commission and are certified pursuant to Md. Code Ann., §3-209, *et seq.*, Public Safety Article; and

WHEREAS, police officials of both jurisdictions are aware from time to time situations have developed at locations and times in either jurisdiction when sufficient police resources were not immediately available to enable police to render prompt, effective, and professional service to the public; and

WHEREAS, Wicomico County and Wicomico County Sheriff, and Worcester County and Worcester Sheriff, and Dorchester County and Dorchester Sheriff, and Talbot County and Talbot Sheriff, and Caroline County and Caroline Sheriff, and Queen Anne's County and Queen Anne's Sheriff, and Kent County and Kent Sheriff, and Cecil County and Cecil Sheriff are desirous of extending prompt, effective, and professional police service to the public to the extent that police resources are available; and

WHEREAS, pursuant to the authority conferred in Md. Code Ann., § 2-105, Criminal Procedure Article, the Parties enter into this Mutual Aid Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, **THE PARTIES** do hereby agree as follows:

1. Whenever, in the judgment of the **Wicomico Sheriff, Somerset Sheriff, Worcester Sheriff, Dorchester Sheriff, Talbot Sheriff, Caroline Sheriff, Queen Anne's Sheriff, Kent Sheriff, Cecil Sheriff** or, in the event of their absence or unavailability, an officer designated by one of the aforementioned Sheriffs, a situation occurs and the police in the County where the situation occurs determines that assistance from another Party or Parties is necessary, an aforementioned Sheriff, or designated officer, may request assistance in the form of police personnel or equipment from the other jurisdiction. The request shall be directed to one of the aforementioned Sheriffs, or, in the event of their absence or unavailability, an officer that has been previously designated. If, in the judgment of one of the aforementioned Sheriff's or their designees, whom the request has been made, a situation does exist, and the police or equipment requested are available, such resources may be dispatched as requested. A participating agency will provide operational assistance only to the extent that the police and equipment are not required for the adequate protection of that jurisdiction. Additionally, an aforementioned Sheriff shall have the authority to terminate their

participation in the situation at any time when circumstances are such that continued participation is deemed not in the best interest of the providing or assisting Agency. One of the aforementioned Sheriffs, or his or her designee, shall have the sole authority to determine the personnel and equipment, if any, available for operational assistance. Notwithstanding anything to the contrary herein, this Agreement shall not be construed to authorize any Sheriff to "deputize" the law enforcement officers of participating Parties to this Agreement as deputies within their respective jurisdictions.

2. When this Agreement is triggered and while any County police officer traverses, while on official duty, any highway, road, street, or alley in the other jurisdiction and observes any crime in progress, the police officer is authorized to act as a police officer pursuant to this Agreement.

3. The term "situation," as used in this Agreement, may include, but is not limited to, an emergency as defined under Md. Code Ann., §2-101, Criminal Procedure Article, including but not limited to, an unruly person or group which demonstrates the potential for violence, a hostage situation, a fire, a national disaster, an accident or other circumstance where prompt police action requiring more than one officer or specialized equipment is required.

4. The manner of providing assistance, as set forth in this Agreement, shall not limit the authority granted police officers in matters involving fresh pursuit as provided in Md. Code Ann., § 2-301, *et seq.*, Criminal Procedure Article, or the powers granted by §§5-802, 5-807, 5-808, and 5-901 of the Criminal Law Article.

5. Pursuant to Md. Code Ann., § 2-105(c), *et seq.*, Criminal Procedure Article, the Parties acknowledge that the acts performed in furtherance of this Agreement by law enforcement officers, or other officers, agents, or employees and the expenditures made by the Parties shall be deemed conclusively to be for a public and governmental purpose.

6. The Parties acknowledge that all of the immunities from liability enjoyed by a Party's jurisdiction when acting through its officers, agents, or employees for a public or governmental purpose within its boundaries shall be enjoyed by the jurisdictions to the same extent when acting pursuant to other lawful authority and/or agreement beyond the boundaries of the Parties in which they are commissioned or employed.

7. Pursuant to Md. Code Ann., § 2-105(c)(3), Criminal Procedure Article, the Parties acknowledge that when their police officers or other officers, agents, or employees are acting under this Agreement or other lawful authority beyond the boundaries of the jurisdiction within the State in which they are commissioned or employed, those persons have the same immunity from liability described in Md. Code Ann., §5-612, Courts and Judicial Proceedings Article and exemptions from laws, ordinances, and regulations, and the same pension, relief, disability, workers' compensation, and other benefits, in addition to any other immunities and exemptions to which they are otherwise entitled while performing their respective duties within the boundaries of the jurisdiction in which they are commissioned or employed.

8. The Parties to this Agreement shall be responsible for the workers' compensation and death claims of its own employees that may arise out of its employees' activities outside their respective jurisdictions under the Agreement.

9. A police officer who acts under the authority granted by this Agreement remains at all times and for all purposes an employee of the employing unit.

10. Pursuant to Md. Code Ann., § 2-105, *et seq.*, Criminal Procedure Article, each of the Parties to this Agreement agree:

(a) To waive any and all claims that are against the other Parties to the Agreement and that may arise out of their activities outside their respective jurisdictions under the Agreement; and

(b) To indemnify and hold harmless the Parties to the Agreement from all claims by third parties that are for property damage or personal injury and that may arise out of the activities of the other Parties to the Agreement outside their respective jurisdictions under the Agreement.

11. The Agreement to indemnify shall in no way be construed to constitute a waiver of any immunity or limited liability, which may be claimed as set forth in Md. Code Ann., § 5-639, Courts and Judicial Proceedings Article, and Md. Code Ann., § 12-101, *et seq.*, State Government Article. Nothing contained in this Agreement shall be construed to waive, in part or in whole, any immunity (statutory, common law or other) enjoyed by any Party hereto or by any officer, agent or employee of any such Party. This Agreement does not purport to create any “special relationship” between any law enforcement officer and any other person, when a law enforcement

officer is conducting law enforcement activities pursuant to this Agreement.

12. The Parties agree to cooperate fully with each other in the defense of claims, pursuant to the indemnifications of Paragraph 10(b). This cooperation will include the following:
 - (a) Prompt notification to the other Party of any accident, incident or enforcement action resulting in personal injury, property damage, or having the potential for liability;
 - (b) Permit a Party to this Agreement to conduct a parallel independent investigation of any accident or incident;
 - (c) Make reports, records, and equipment available for purposes of the defense of any claim or suit.

13. Pursuant to Md. Code Ann., § 2-105, *et seq.*, Criminal Procedure Article, all personnel provided by the other jurisdiction shall report to the senior ranking commissioned police officer of the jurisdiction requesting aid.

14. Radio communication between the jurisdictions shall be coordinated through the Communications Section of each Party. In addition, requests for aid in mass processing of arrestees, transportation of prisoners or operation of a temporary detention facility shall be coordinated through the Sheriff for the

- jurisdiction requesting the aid, or, in their absence, the senior ranking commissioned police officer.
15. This Agreement shall commence upon execution by all of the Parties and shall remain in effect for each Party until a Party hereto cancels its participation in this Agreement by sending a written notice thirty (30) calendar days prior to the cancellation from the Sheriff of the jurisdiction that wishes to withdraw from this Agreement.
 16. Notice by a Party to withdraw from this Agreement does not act to void the Agreement between the remaining Parties to this Agreement, and only acts to sever the Party that withdraws. As such, following the written withdrawal of a Party to this Agreement, an addendum to this agreement will be executed by the Parties within forty-five (45) days following the withdrawing Party's withdrawal, indicating that said Party has withdrawn from this Agreement and that the Parties are amended to only include those remaining Parties to this Agreement. Notice would be affected to each county attorney listed in this Agreement.
 17. Copies of this Agreement will be provided to the Parties and The Office of the State's Attorney for each jurisdiction in which a Party to this Agreement is located, and upon request of the Office for The State's Attorney for any Party's jurisdiction at any time that they may make such a request that is necessary for the prosecution of any case that requires this Agreement.

18. This Agreement shall supersede any prior agreements, verbal or written, that may have been previously executed, controlling the matters set forth herein.

19. This Agreement shall be governed by the laws of the State of Maryland.

AS WITNESS the hands and seals of the Parties the day, month and year first above written.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

WICOMICO COUNTY, MARYLAND

WITNESS/ATTEST

WICOMICO COUNTY, MARYLAND

By: _____

(NAME)

Wicomico County Executive

SHERIFF OF WICOMICO COUNTY

By: _____

Mike Lewis

Sheriff of Wicomico County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

Wicomico County Council

(NAME)
Council Attorney

By: (NAME), Council President

CECIL COUNTY, MARYLAND

WITNESS/ATTEST

CECIL COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF CECIL COUNTY

By: _____

Scott Adams
Sheriff of Cecil County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

CECIL COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

KENT COUNTY, MARYLAND

WITNESS/ATTEST

KENT COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF CECIL COUNTY

By: _____

Buck Price
Sheriff of Kent County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

KENT COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

QUEEN ANNE COUNTY, MARYLAND

WITNESS/ATTEST

QUEEN ANNE COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF QUEEN ANNE COUNTY

By: _____

Gary Hofman
Sheriff of Queen County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

QUEEN ANNE COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

CAROLINE COUNTY, MARYLAND

WITNESS/ATTEST

CAROLINE COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF CAROLINE COUNTY

By: _____

Randy Bounds
Sheriff of Caroline County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

CAROLINE COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

TALBOT COUNTY, MARYLAND

WITNESS/ATTEST

TALBOT COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF CECIL COUNTY

By: _____

Joseph Gamble
Sheriff of Talbot County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

TALBOT COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

DORCHESTER COUNTY, MARYLAND

WITNESS/ATTEST

DORCHESTER COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF DORCHESTER COUNTY

By: _____

James Phillips Jr.
Sheriff of Dorchester County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

DORCHESTER COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

WORCESTER COUNTY, MARYLAND

WITNESS/ATTEST

WORCESTER COUNTY, MARYLAND

By: _____

Joseph M. Mitrecic
Worcester County Commission, President

SHERIFF OF WORCESTER COUNTY

By: _____

Matthew Crisafulli
Sheriff of Worcester County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

Roscoe R. Leslie
County Attorney

SOMERSET COUNTY, MARYLAND

WITNESS/ATTEST

SOMERSET COUNTY, MARYLAND

By: _____

(NAME)
County Executive

SHERIFF OF SOMERSET COUNTY

By: _____

Ronnie Howard
Sheriff of Somerset County

Reviewed for form and legal
sufficiency and approved for

APPROVED:
execution this the ___ day of
_____, 2021.

SOMERSET COUNTY COUNCIL

(NAME)
County Attorney

By: (NAME), Council President

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

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

January 11, 2021

To: Harold Higgins, Chief Administrative Officer
Worcester County Commissioners

From: Kim Reynolds, Senior Budget Accountant 

Subject: CDBG Grant: Diakonia Shelter Renovations

Quotes were requested for Building 1 bathroom renovation for the Diakonia Shelter Renovation which is being funded by Community Development Block Grant # MD-19-HI-2. Three quotes were needed to proceed with contractor selection as follows:

Building 1 Bathroom Renovation:

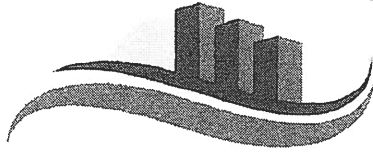
| | |
|-------------------------------|-------------|
| East Coast Contracting | \$9,427.00 |
| East Coast Construction, LLC | \$10,068.75 |
| Robert's Coastal Construction | \$18,200.00 |



After reviewing quotes with Diakonia, Inc. Board Members, they're recommendation of contractors would be either East Coast Contracting or East Coast Construction, LLC.

Copies of the quotes are attached for your review.

East Coast Contracting



Estimate

| Date | Estimate No. |
|------------|--------------|
| 11/20/2020 | 2163 |

MHIC #110254

11914 Back Creek Road
Bishopville, MD 21813

8552272505
Info@eastcoastnow.com

Diakonia Inc.
12747 Old Bridge rd
Ocean City MD. 21842

Project

Bldg 1 bathroom

| Item | Description | Qty | U/M | Rate | Total |
|--------------|--|-----|-----|----------|-----------------------------------|
| Carpentry | 1. Demo the existing connector wall in the upstairs bathroom located in building 1 and disposer of any waste. 2. Install a new 60" 4-piece sterling tub/shower combo with (new shower faucet and drain) 24" vanity combo and toilet. (Note: any unforeseen plumbing issues will be handled as a change order) 3. Install new base molding and 6 panel hollow pre hung door and frame (Caulk, putty and sand) 4. Repair all drywall imperfections and paint walls ceiling and trim (White in color) 5. Install sheet vinyl (Color TBD) and shu molding. <i>Plus - Additional options - Light fixtures etc.</i> | | | 7,427.00 | 7,427.00 |
| Total | | | | | \$7,427.00 9,427.00 |

Signature _____



East Coast Construction, LLC
 11107 Manklin Meadows Lane
 Suite A
 Ocean Pines, MD 21811
 MHIC #47627 | Plumbers #3798

www.eastcoastconstruction.net

Estimate

| | |
|-------------|-------------------|
| Date | Estimate # |
| 3/25/2020 | 2443 |

| | |
|------------|----------------|
| Rep | Project |
| | Bathroom |

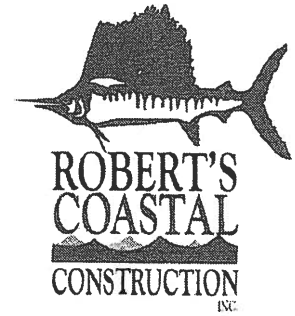
Name/Address

Diakonia, Inc
 c/o Mike Diffendal
 12747 Old Bridge Road
 Ocean City MD 21842

| Description | Cost | Qty | Total |
|--|-----------|-----|--------------------|
| Bathroom Remodel-ADA compliant Remove and dispose of existing fixtures in two upstairs bathrooms Demolish partition wall between the two bathrooms Cut ceiling and floor to expose plumbing and electric Relocate plumbing and eliminate other plumbing that is no longer needed to combine two bathrooms Purchase and install new fiberglass surround and Moen diverter Purchase and install new grab bars for shower area Sheetrock all areas where sheetrock was previously removed; Tape/Block/Skim/Sand Purchase and install new linoleum floor and vinyl cove base Purchase and install (2) wall hanging sinks and faucets Purchased and install (2) vanity lights Purchase and install new fan/light combo Paint entire bathroom and trim Purchase and install (1) toilet paper holder; (1) hand towel ring; (2) towel bars Purchase and install grab rails for toilet and sink area | 10,068.75 | | 10,068.75 |
| Total | | | \$10,068.75 |

*All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specification involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract amount. A change order will be necessary with a signature to accompany this contract in the event that changes are made. All agreements contingent upon strikes, accidents, weather or any other delays beyond our control. It is the owner/customer's responsibility to carry fire, tornado and/or any other insurance required by law. All of our employees/workers are fully covered by Workman's Compensation Insurance and a copy of our liability insurance is on file and available upon request.

ITEM 4



12-15-2020

Estimate

Diakonia

Front house rear ramp and stair rail replacement

- Remove existing rails
- Install vinyl sleeves with caps
- Install new white vinyl rails
- Remove job related debris from site
- Grab rails

Labor and materials

~~\$ 8,200~~

Second floor bathroom

- Remove existing fixtures
- Remove wall
- Frame as needed
- Rough in and trim out for plumbing and electric
- Install Hardi board on shower walls and bath floor
- Install green board
- Install tile on floor, shower walls, and shower floor
- Install bath fixtures
- Prep and paint

Labor and materials

\$ 18,200

12745 OLD BRIDGE ROAD ★ OCEAN CITY, MD ★ 21842
CELL (610) 716-1492 ★ HOME (443) 664-5229 ★ FAX (443) 664-5233
MARYLAND HOME IMPROVEMENT #124214 ★ MARYLAND HOME BUILDER #4011

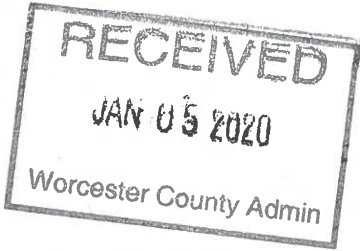


DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

TEL: 410-632-1200 / FAX: 410-632-3008
<http://www.co.worcester.md.us/departments/drp>
MEMORANDUM



ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: January 5, 2021
RE: Surplus State Highway property

I recently received the attached letter and information from Ms. Mashel Wakil, Real Property and Clearance Program Coordinator, for the Maryland Department of Transportation (MDOT). As noted in the letter, MDOT is proposing to dispose of a piece of surplus property resulting from the dualization of US Route 113. Before disposing of the property, MDOT must notify the local jurisdiction and give them an opportunity to request additional information or express an interest in acquiring the property.

The subject property in this case consists of a 0.83-acre parcel of land improved with a brick cape cod dwelling with a detached garage located on the easterly side of US Route 113 across from Newark Station. The property is shown on Worcester County Tax Map 49 as Parcel 150. The physical address is 7170 Worcester Highway in Newark. During the road construction project, it was used as a field office for the contractor, Allan Myers, Inc. As a result of the road project, access to US Route 113 has been denied to this property, rendering it landlocked. In my opinion, the property has no use to the county and is probably of no value to anyone other than the adjoining property owners. Should the County Commissioners concur, I will be happy to notify MDOT.

Should you have any questions or need additional information please don't hesitate to ask. I have included all of the information received from MDOT as well as a photograph of the house.

cc: Jennifer Keener, Deputy Director
John Tustin, Director, DPW



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Gregory Slater
Secretary

Tim Smith, P.E.
Administrator

December 21, 2020

Mr. Edward A. Tudor
Director, Development Review
Worcester County Government Center, Room 1201
One West Market Street
Snow Hill MD 21863

Dear Mr. Tudor:

The Maryland Department of Transportation State Highway Administration (MDOT SHA) anticipates the sale of MC# 20-2700 identified as the former Alan Hancock property, Item No 106237 and further described in the attached Salient Fact Sheet with Property Plat, Tax and Location Maps.

In accordance with Maryland Department of Transportation Policy and Procedures, before proceeding with any other sales activity, we will allow you a period of **60 days** to review the attached information, request additional information and to notify us of your interest, in writing, concerning the property as offered. This review period shall expire on **Monday February 22, 2021** without further notice. Please be aware that in most cases an interest in the property would require the purchase of the property based on an appraised value or, in a few cases, a cost plus interest basis. Additionally, we are not interested in a conveyance on any exchange basis.

Should you have an interest in acquiring the subject property, please contact this office, in writing, on or before the expiration of the review period. Any other extension for your consideration of this property must be requested, in writing, within the review period and shall be subject to specific written approval from this office.

If you have no interest in the property, please notify the following individual at your earliest convenience. In either case, we request you provide all responses to:

Ms. Mashel Wakil
Real Property and Clearance Program Coordinator
Office of Real Estate and Economic Development
Maryland Department of Transportation The Secretary's Office
7201 Corporate Center Drive, MS 470
Hanover MD 21076
Phone: 410-865-1234
Fax: 410-865-1385
email: mwakil@mdot.maryland.gov

Mr. Edward A. Tudor
Page Two

If you require any assistance or need additional information, please do not hesitate to contact me at 410-865-1234 or via email at mwakil@mdot.maryland.gov.

Sincerely,

Mashel Wakil

Mashel Wakil
Program Coordinator, Real Estate Services
Office of Real Estate and Economic Development

Attachments

- Salient Fact Sheet
- Plat No. 61694
- Location and Tax Maps
- Aerial

cc: Mr. Dwayne Kershner, Real Property Supervisor, Property Asset Management Division,
Maryland Department of Transportation State Highway Administration
Mr. Glen Carter, Team Leader, Office of Real Estate and Economic Development,
Maryland Department of Transportation The Secretary's Office

Salient Fact Sheet

Conveyance of Real Property
 Maryland Department of Transportation State Highway Administration
 Office of Real Estate

Date of Preparation: July 28, 2020 **Refer to MC#** 20-2700
Property Name: Alan Hancock
Property Item/Reference # 106237 **Internal Clearance:** May 19, 2020
Plat No: 61694 **Dated:** June 23, 2020
Location: Located along MD Route 113 at 7170 Worcester Highway in Newark, MD

SDAT Property Tax Information:

| | | |
|--------------------------|----------------------|--------------------|
| County: Worcester | Tax Map #: 49 | Parcel: 150 |
| Grid: | Block: 3 | Account # |

Type of Transaction: Disposition
Acreage: 0.83 acre
Improved: Yes
Description of Improvements: Cape Cod style house with attached garage
Consideration: TBD
Federal Approval: N/A

Additional Notes/Info: MDOT SHA acquired the subject property in 2014 as part of a project to dualize the US 113 corridor between Berlin and Snow Hill. After completion of the project a remnant of 0.83 +/- acres remain. The improvement was utilized as a field office by the contractor (Allan Myers Inc.) that had been awarded the contract. The property is not suitable for independent development because all access to US 113 has been denied thus the property is legally landlocked. The improvement has been vacant for over a year and will continue to depreciate. It will be offered for sale to both adjoining owners if neither a TBU nor Worcester County pursue its acquisition.

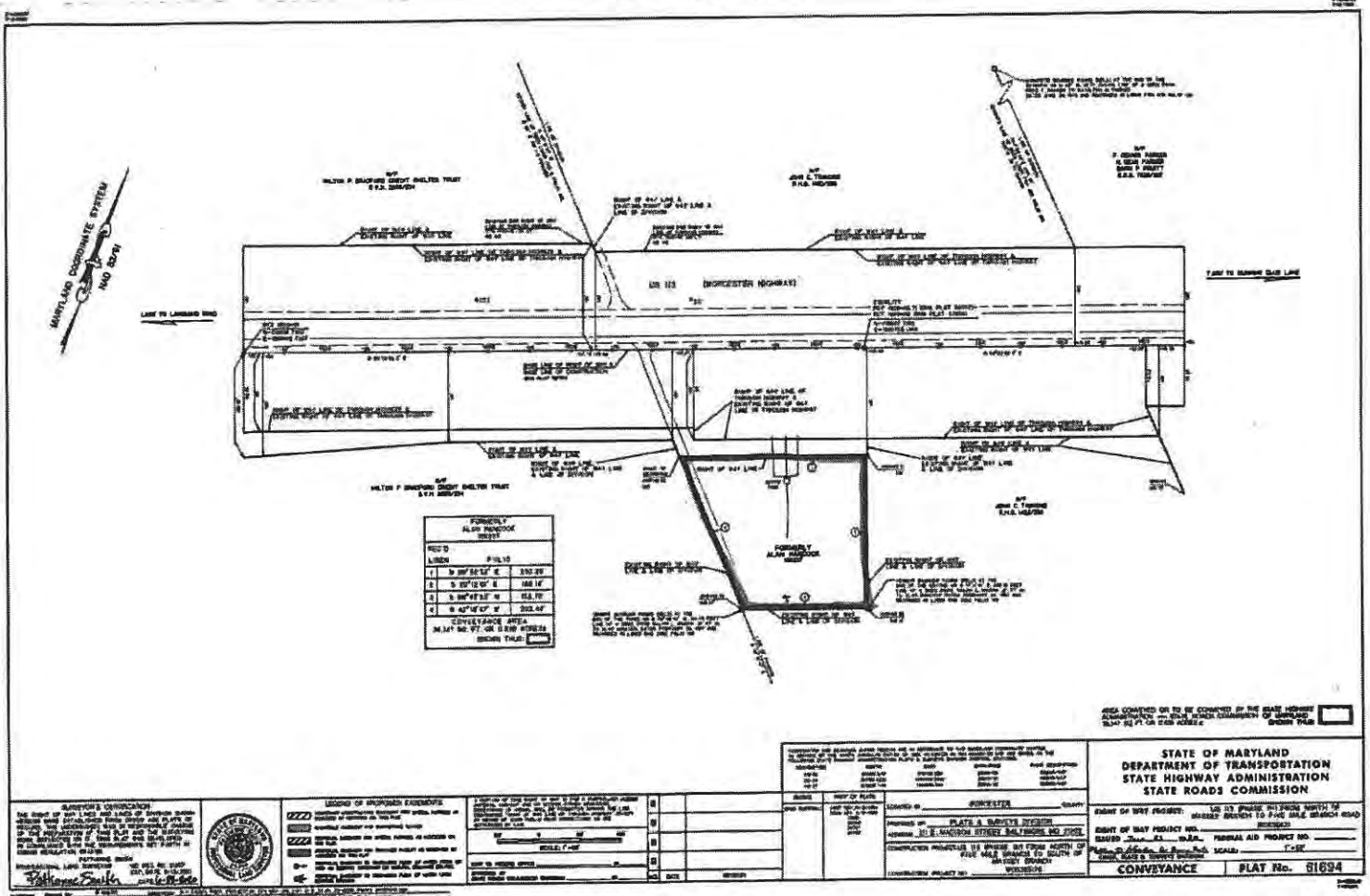
The following information is provided subject to Appraisal and is in no way warranted:

Assumed Zoning: Residential or Agriculture
Utilities Available: None
Estimated Market Value: TBD

Prepared by:

Dwayne Kershner
 Real Property Supervisor - Property Asset Management Division
 Maryland Department of Transportation State Highway Administration
 707 N. Calvert Street
 Baltimore Md, 21202

Phone: 410-545-2807
 Fax: 410-209-5023
 email: dkershner@mdot.maryland.gov



AREA COVERED OR TO BE COVERED BY THE STATE HIGHWAY ADMINISTRATION - STATE HIGHWAY CHARTER OF MARYLAND 36-47 (a) OR THIS ACT.

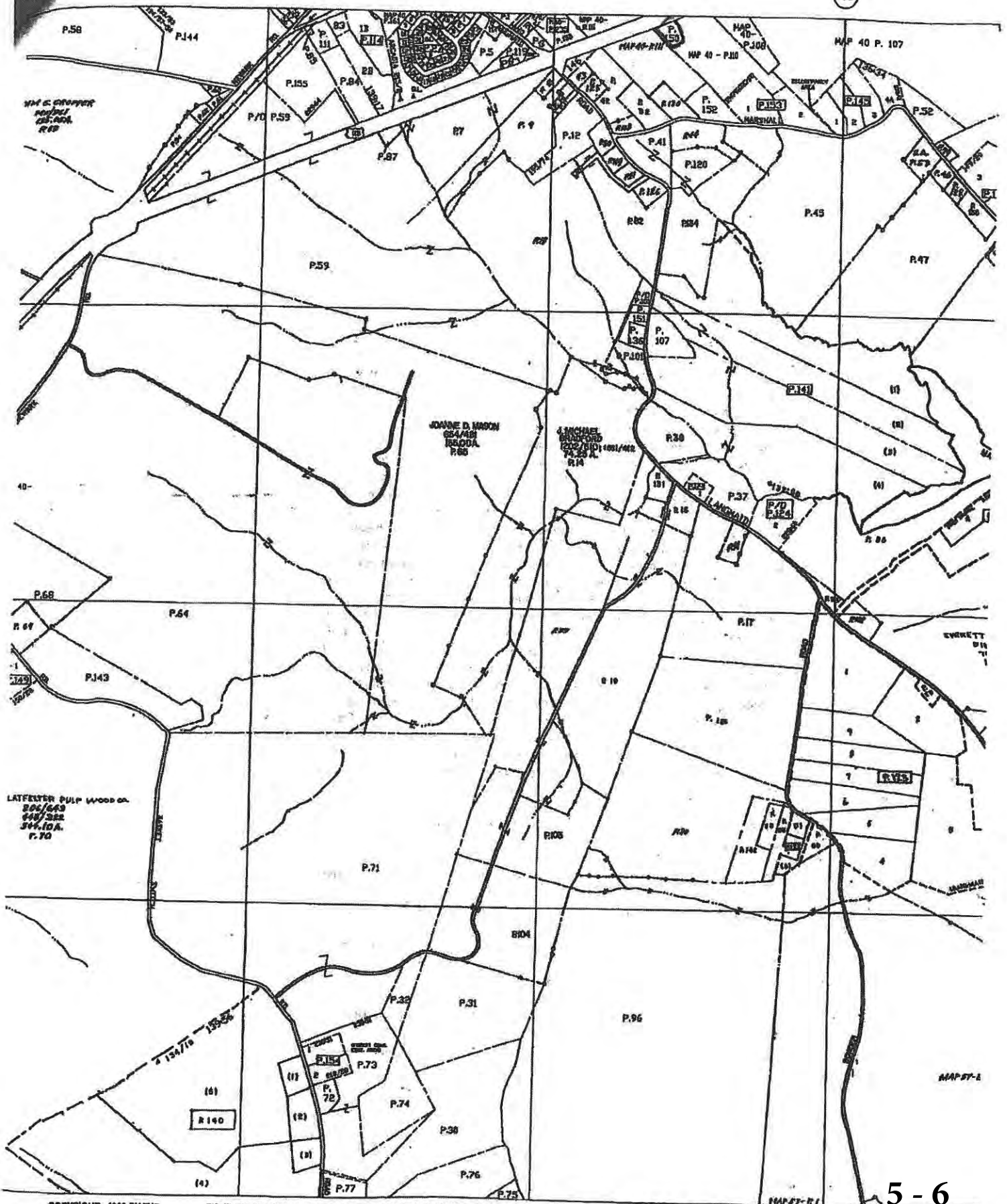
| | |
|---|--|
| STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION STATE ROADS COMMISSION | |
| COUNTY: <u>PRINCE GEORGES</u> PROJECT NO.: <u>STATE & COUNTY TRUNK</u> ADDRESS: <u>101 S. MANDERSON STREET, BALTIMORE, MD 21201</u> COMMENCING PROJECTS TO BE OPENED TO TRAFFIC SOUTH OF <u>PIKE HALL BRIDGE TO SOUTH OF BRIDGE BRIDGE</u> | RIGHT OF WAY PROJECT NO.: <u>MD 101 BRIDGE WITHIN SOUTH OF BRIDGE BRIDGE TO PIKE HALL BRIDGE ROAD</u> RIGHT OF WAY PROJECT NO.: <u>MD 101 BRIDGE WITHIN SOUTH OF BRIDGE BRIDGE TO PIKE HALL BRIDGE ROAD</u> FEDERAL AID PROJECT NO.: <u> </u> PLAN, SPECIFICATIONS AND CONTRACT DOCUMENTS SCALE: <u>1"=50'</u> SHEET NO. <u> </u> OF <u> </u> CONVOYANCE PLAT No. 61694 |

SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly qualified and sworn as a Professional Surveyor in the State of Maryland, do hereby certify that the foregoing is a true and correct copy of the original field notes and computations from which this plan was prepared, and that the same were made by me or under my direct supervision and control, and that I am a duly licensed Professional Surveyor in the State of Maryland.

LEGEND OF PROPOSED EASEMENTS
 [Symbol] Easement of Right of Way
 [Symbol] Easement of Access
 [Symbol] Easement of Utility
 [Symbol] Easement of Support
 [Symbol] Easement of Light and Air
 [Symbol] Easement of Support for Existing Structure
 [Symbol] Easement of Support for Proposed Structure
 [Symbol] Easement of Support for Existing and Proposed Structures

NOTES
 1. All dimensions are in feet and inches, rounded to the nearest hundredth of an inch.
 2. All bearings are true bearings.
 3. The area shown on this plan is subject to the provisions of the State Highway Charter of Maryland, Article 36, Chapter 47, and the State Road Act of 1924, Chapter 200, and the State Road Act of 1934, Chapter 200, and the State Road Act of 1944, Chapter 200, and the State Road Act of 1954, Chapter 200, and the State Road Act of 1964, Chapter 200, and the State Road Act of 1974, Chapter 200, and the State Road Act of 1984, Chapter 200, and the State Road Act of 1994, Chapter 200, and the State Road Act of 2004, Chapter 200, and the State Road Act of 2014, Chapter 200, and the State Road Act of 2024, Chapter 200.

40



LATEXER PULP WOOD CO.
 266/643
 448/222
 344/10A
 P. 70

JOHN D. HANSON
 254/48
 1800A
 P. 80

MICHAEL BRADFORD
 222/810; 1001/412
 P. 14

R. 15

R 140

P. 150
 P. 73
 P. 74
 P. 76
 P. 77

MAP 57-1



NEWARK STATION

ATM Machine at Network Station

7170 Worcester Hwy,
Newark, MD 21841

113

Narrow Diet Rd

Worcester Hwy

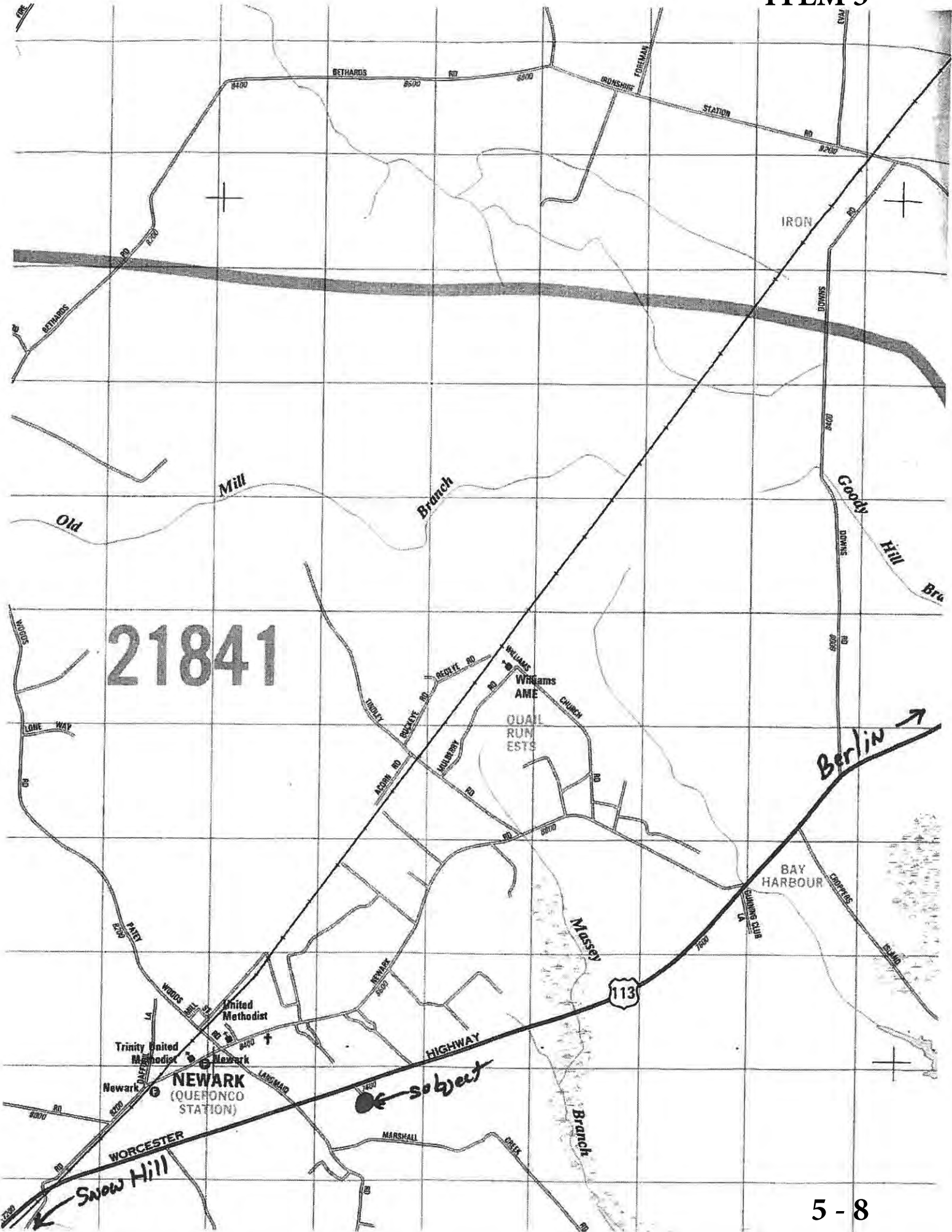
Langmaid Rd

Marshall Creek Rd

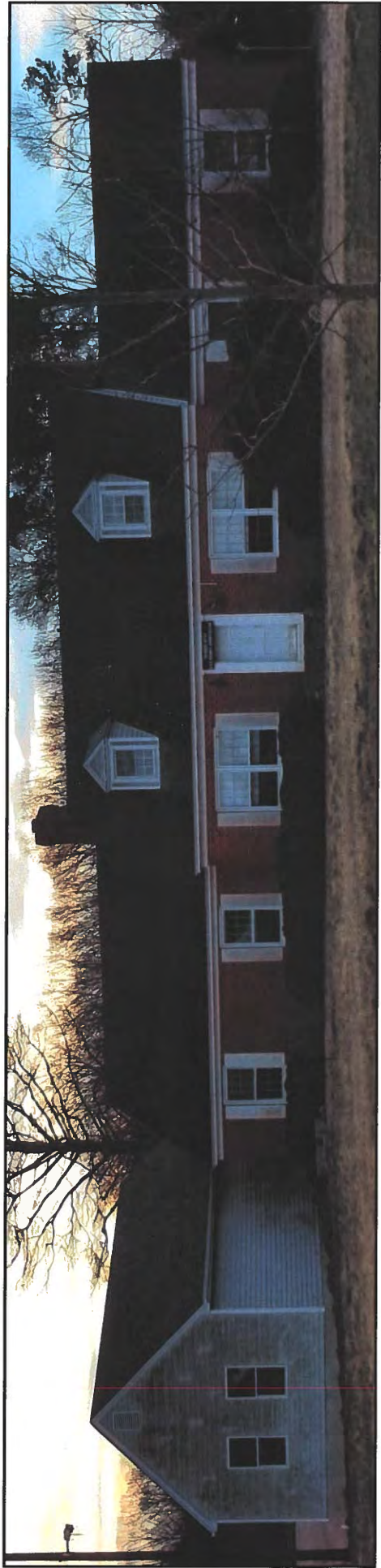
Marshall Creek Rd

Google

21841



71170 Worcester Highway—Account ID No. 24-04001788—Tax Map 49, Parcel 150



Department of Development Review & Permitting—Technical Services Division—December 2020
Source: 2019 Aerial Imagery, 12/30/2020 Photo of dwelling taken by Edward A. Tudor



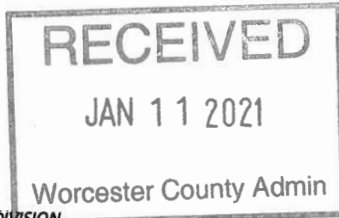
DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION



ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

MEMORANDUM

Proposed Public
Hearing on
February 16, 2021

To: Harold L. Higgins, Chief Administrative Officer
From: Edward A. Tudor, Director *E.A.T.*
Date: January 11, 2021
Re: Rezoning Case No. 431 – COF Investment Group, LLC, applicant,
Hugh Cropper, IV, Esquire attorney for the applicants

.....
Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 431, seeking to rezone approximately 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road). The case was reviewed by the Planning Commission at its meeting on December 3, 2020 and was given a favorable recommendation.

Also attached for your use is a draft public hearing notice for the required public hearing that must be held by the County Commissioners. An electronic copy has already been forwarded to Weston Young. Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

Thank you for your attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

EAT/jkk

cc: Jennifer K. Keener, Deputy Director

**NOTICE
OF
PROPOSED CHANGE IN ZONING**

**NORTHERLY SIDE OF OCEAN GATEWAY
EAST OF OLD BRIDGE ROAD**

**TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND**

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 431 has been filed by Hugh Cropper, IV on behalf of COF Investment Group, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 1.2 acres of land consisting of three separate segments on the overall parcel which totals 5.46 acres, located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road) in the Tenth Tax District of Worcester County, Maryland, from R-2 Suburban Residential District and RP Resource Protection 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, _____

AT _____

**IN THE COUNTY COMMISSIONERS' MEETING ROOM
WORCETER COUNTY GOVERNMENT CENTER – ROOM 1101
ONE WEST MARKET STREET
SNOW HILL, MARYLAND 21863**

At said public hearing the County Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 431 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. 431 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are on file and available to view electronically by contacting 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 A.M. and 4:30 P.M. (except holidays), at (410) 632-1200 as well as www.co.worcester.md.us.

Joseph M. Mitrecic, President

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 431

APPLICANT:

**COF Investment Group, LLC
c/o Kathleen Clark
12319 Ocean Gateway, Suite 201
Ocean City, MD 21842**

ATTORNEY FOR THE APPLICANT:

**Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842**

December 3, 2020

WORCESTER COUNTY PLANNING COMMISSION

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I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 431, filed on September 28, 2020.

B. APPLICANT: COF Investment Group, LLC
 c/o Kathleen M. Clark
 12319 Ocean Gateway, Suite 201
 Ocean City, MD 21842

APPLICANT'S ATTORNEY: Hugh Cropper, IV
 9923 Stephen Decatur Highway, D-2
 Ocean City, Maryland 21842

C. TAX MAP/PARCEL: Tax Map 26 - Parcel 158 - Tax District 10

D. SIZE: The petitioned area is 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres.

E. LOCATION: The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road).

F. CURRENT USE OF PETITIONED AREA: Forested and tidal and non-tidal wetlands.

G. CURRENT ZONING CLASSIFICATION: C-2 General Commercial District, R-2 Suburban Residential District and RP Resource Protection District

H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

I. ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an R-2 Suburban Residential District classification. That designation was retained in the 1978 comprehensive rezoning. In 1986, the Worcester County Commissioners approved a rezoning request for a portion of the subject property to be rezoned to B-1 Neighborhood Business District, a depth of 300' into the property (Rezoning Case No. 228). There were two conditions: 1. Vehicular access be limited to Route 50 only; and 2. There shall be a minimum 15' wide vegetated buffer strip provided to serve as a visual screen between the commercial areas and the adjacent residential properties. During the 1992 comprehensive rezoning, the front portion of the property was rezoned to B-2 General Business District for a depth of 300' and the rear of the property retained the R-2 Suburban Residential District classification. The 2009 comprehensive rezoning re-designated the commercial zoning district to C-2 General Commercial

District, and increased its depth by approximately 50', for a total of 350'. The rear of the property retained the R-2 Suburban Residential District classification. With the use of GIS, the tidal wetlands were mapped and given an RP Resource Protection District designation.

NOTE: The two conditions of approval from the 1986 rezoning case have been carried forward with each comprehensive rezoning and therefore are still applicable today. However, the property owner would be subject to these requirements regardless of whether they were conditions. The parcel only has road frontage on US Route 50, meaning that vehicular access to the parcel is limited to a commercial entrance along US Route 50 (condition #1), and a landscape screen is required between non-compatible zoning districts and uses in the Zoning Code (condition #2). Therefore, no action on these conditions is necessary.

- J. **SURROUNDING ZONING:** Adjoining properties are also zoned C-2 General Commercial District and R-2 Suburban Residential District, with mapped tidal wetlands located in the RP Resource Protection District.
- K. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center 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 a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, therefore a private well will be needed for water supply.
- M. **ROAD ACCESS:** The petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, Kathleen Clark, property owner, and Chris McCabe, environmental consultant, were present for the review. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning districts.

Mr. Cropper stated that the subject property is located along US Route 50, is almost entirely within the Commercial Center Land Use Category of the

Comprehensive Plan and is impacted by a tributary of Herring Creek. The overall parcel has three different zoning designations; the applicant is seeking to eliminate all of the R-2 Suburban Residential District from the property (consisting of 1.0 acre of land), and modify the RP Resource Protection District boundary line based upon a formal delineation of the tidal wetlands (consisting of 0.2 acres). The petitioned area would be rezoned to C-2 General Commercial District, consistent with the majority of the remainder of the subject property.

Mr. McCabe testified that the delineation of the tidal and non-tidal wetlands has been approved by the Maryland Department of the Environment (MDE). While the actual boundary of the wetlands is undulating, the proposed zoning boundary line is straight as shown on the survey provided as an exhibit with the application. Mr. McCabe explained that the proposed boundary line was a conservative estimate well to the south of the actual wetland boundary line.

Mr. McCabe stated that the purpose and intent of the Resource Protection District is to protect existing sensitive areas such as the tidal and non-tidal wetlands, therefore the zoning designation was intended to follow the wetland boundary line, especially when a property was located in a Commercial Center land use category. He agreed with Mr. Cropper's assessment that this was more of a refinement of the zoning boundary line, rather than a mistake. In his former position as Natural Resources Administrator for Worcester County, he worked with the Comprehensive Plan and agreed with Mr. Cropper that this request is consistent with the plan. He also agreed that the Resource Protection District boundary line was fairly accurate on a high-level analysis until one were to drill down into the actual site (soil) conditions. Mr. McCabe also noted that the sensitive areas of the property will still be protected by the application of wetland buffer and the Critical Area buffer for any development project.

The RP Resource Protection District boundary bisects the subject property practically in half. In regards to the R-2 Suburban Residential District, Mr. McCabe noted that it would be challenging to develop this area for residential purposes. Mr. Cropper also stated that the bisection of the property by the RP District would make it difficult to use the property for commercial purposes with a single commercial entrance, as there would be no area to allow for an internal driveway or interparcel connector. They would be required to file an application with Maryland Department of Transportation State Highway Administration (MDOT SHA) for two separate commercial entrances if the requested map amendment was not approved.

In summary of the findings that the Planning Commission must consider, Mr. Cropper stated that there has been no change in the population; that the property is within the West Ocean City Sanitary Service Area with sewer available; there would be no impact to the school system since the use of the property would be

for commercial purposes; that access to the property from US Route 50 would be improved because they would only need one commercial entrance instead of two; and the property is located between two existing commercial condominium developments, so it is compatible with surrounding development.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The Planning Commission noted that this was not applicable, since Mr. Cropper's testimony was based solely on a mistake in the current zoning classification.
- B. Regarding population change: The Planning Commission concluded that there has been no change in population since the last comprehensive rezoning, nor would this application contribute to an increase in population.
- C. Regarding availability of public facilities: The Planning Commission found that there would be no impact upon public facilities as it pertains to wastewater disposal and the provision of potable water, since this property would be served with public sewer and a private well if developed. Mr. Mitchell's memo stated that the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, and a private well will be needed for water supply. Therefore, adequate public facilities are available for the petitioned property. Additionally, fire and ambulance service will be available from the Ocean City Fire Company, approximately five minutes away from the substation on Keyser Point Road. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from either the Maryland State Police or the Worcester County Sheriff's Department. The petitioned area is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. As a commercial use, there will be no impact on the school system. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.
- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no

objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time. The Planning Commission agreed with Mr. Cropper's assessment that a single commercial entrance would be more desirable than two commercial entrances. 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 the predominant zoning of the subject parcel is C-2 General Commercial District, which could be developed with a commercial use regardless of the requested map amendment. The subject property is located between two commercial developments to the east and west, and the location of the R-2 Suburban Residential District petitioned area to the rear of the property is impractical for a residential use. They agreed with Mr. Cropper's assessment that the modification of the RP Resource Protection District boundary line was a map "refinement" rather than a mistake based upon actual ground conditions, and acknowledged that the appropriate wetlands and Critical Area buffers would still be applied to protect the tributary of Herring Creek. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned areas from R-2 Suburban Residential District (1.0 acre) and RP Resource Protection District (0.2 acres) 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 map, the petitioned area lies predominantly within the Commercial Center Land Use Category, and the majority of the subject property is commercially zoned. Split zoning is strongly discouraged, so the elimination of the R-2 Suburban Residential District would be more compatible with the goals of the Comprehensive Plan. In addition, the refinement of the RP Resource Protection District boundary line based upon actual ground conditions is consistent with the intent of the Comprehensive Plan and the purpose and intent of the RP zoning district. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection 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. The Planning Commission found that the property was located in the Commercial Center Land Use category of the Comprehensive Plan, with the majority of the property already commercially zoned, and that split zoning of a property is strongly discouraged. In addition, the development of the R-2 Suburban Residential District with a residential structure would require access through the commercial zoning and future development, which is not desirable. With respect to the Resource Protection District boundary line, the Planning Commission found that the use of GIS technology during the 2009 Comprehensive Rezoning mapped the wetlands as accurately as possible, but that the actual ground conditions and formal delineation show that the tidal wetlands are located further north than mapped. In addition, the bisection of the commercial zoning would result in two separate development areas on the subject parcel, each requiring their own commercial entrance, rather than a cohesive project with a single commercial entrance. 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. 431, seeking a rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District in the acreage and location as delineated on the zoning exhibit submitted with the application.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORTREZONING CASE NO. 431

PROPERTY OWNER: COF Investment Group, LLC
 c/o Kathleen M. Clark
 12319 Ocean Gateway, Suite 201
 Ocean City, MD 21842

ATTORNEY: Hugh Cropper, IV
 9923 Stephen Decatur Highway, D-2
 Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 26 - Parcel 158 - Tax District 10

SIZE: The petitioned area is 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres.

LOCATION: The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road).

CURRENT USE OF PETITIONED AREA: Forested and tidal wetlands.

CURRENT ZONING CLASSIFICATION: C-2 General Commercial District, R-2 Suburban Residential District and RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: The application indicates that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an R-2 Suburban Residential District classification. That designation was retained in the 1978 comprehensive rezoning. In 1986, the Worcester County Commissioners approved a rezoning request for a portion of the subject property to be rezoned to B-1 Neighborhood Business District, a depth of 300' into the property (Rezoning Case No. 228). There were two conditions: that vehicular access be limited to Route 50 only, and that there shall be a minimum 15' wide vegetated buffer strip provided to serve as a visual screen between the commercial areas and the adjacent residential properties. During the 1992 comprehensive rezoning, the front portion of the property was rezoned to B-2 General Business District for a depth of 300' and the rear of the property retained the R-2 Suburban Residential District classification. The 2009 comprehensive rezoning re-designated the commercial zoning district to C-2 General Commercial District, and increased its depth by approximately 50', for a total of 350'. The rear of the property retained the R-2 Suburban Residential District classification. With the use of GIS, the tidal wetlands were mapped and given an RP Resource Protection District designation.

SURROUNDING ZONING: Adjoining properties are also zoned C-2 General Commercial District and R-2 Suburban Residential District, with mapped tidal wetlands located in the RP Resource Protection District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center Land Use Category. With regard to the Commercial Center Land Use Category, the Comprehensive Plan states the following:

“This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. Retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers.

Commercial areas by their nature locate on prominent sites and can visually dominate a community. For this reason, special attention must be given to the volume, location and design of these uses. The first step is to balance supply with demand.” (Page 16)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

3. Maintain the character of the county’s existing population centers
4. Provide for appropriate residential, commercial, institutional, and industrial uses
5. Locate new development in or near existing population centers and within planned growth centers
6. Infill existing population centers without overwhelming their existing character
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
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
21. Promote mixed use development

(Pages 12, 13)

Additionally, in Chapter 2- Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

“Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the county’s peak seasonal population is less than 25 percent of this number.” (Page 24)

In Chapter 3 – Natural Resources, the Comprehensive Plan addresses the importance of protecting the forested tidal wetlands that serve Herring Creek:

“As a striking background for land and water recreation, Worcester County’s forested tributaries and inland creeks are important assets... The large tidal tributaries associated with the coastal bays include the St. Martin River, Turville, and Herring Creeks in the upper bays and Trappe Creek in the lower bays.

“Healthy, vegetated waterway corridors form a basic part of the natural infrastructure—they provide clean water, flood protection, and recreation along with other benefits free of charge. Protecting such corridors ensures that these benefits are maintained.” (pages 38, 39)

Chapter 4 - Economy also includes objectives related to Commercial Services. They are as follows:

1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
4. Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.
5. Locate commercial uses so they have arterial roadway access and are designed to be visually and functionally integrated into the community.

(Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

“Retailing is one of the largest employers in the county and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result.” (Page 62)

In Chapter 7 – Transportation, 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)

Also in Chapter 7, the Comprehensive Plan states:

“Commercial 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 commercially zoned land pose problems for the road system, particularly for US 50.”

“Commercial zoning on US 50 stretches from the Harry Kelly Bridge to Berlin. The Maryland Department of Transportation (MDOT) has indicated the existing commercial development has degraded existing levels of service to “D” and below in the summer season. US 50 is a critical link to the resorts and therefore maintaining its capacity is a necessary condition for the county’s economic future. For this reason, this road has designated as “impacted” and commercial zoning along it should be reduced.” (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 for 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, for example, the intersection of US 13 and MD 756 Old Snow Hill Road, intersection of MD 589 and US 50.

(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 a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, therefore a private well will be needed for water supply. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

FadA – Fallsington sandy loams, severe limitations to on-site wastewater disposal

LO – Longmarsh and Indiantown soils, severe limitations to on-site wastewater disposal

WddB – Woodstown sandy loam, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Ocean City Volunteer Fire Company, with a substation on Keyser Point Road approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Office in Snow Hill, approximately twenty-five minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time.

SCHOOLS: The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is located within the boundaries of the Atlantic Coastal Bays Critical Area (ACBCA). He states that the parcel is designated as an Intensely Developed Area (IDA) and has an associated 100-foot buffer from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. Mr. Mitchell states that IDA's are areas where residential, commercial, institutional and/or industrial uses predominate and where relatively little natural habitat occurs or remains. He recommends that a field delineation of all environmental features be provided prior to any plan approvals being granted by the Natural Resources Division of the Department of Environmental Programs. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development, including compliance with the 10% stormwater criteria.

Any rezoning application located wholly or partially within the Critical Area require that notification be sent to the Critical Area Commission (CAC). Mr. Mitchell has attached the comments provided by Michael Grassmann, Natural Resources Planner with the CAC. Mr. Grassmann states that this zoning change meets the requirements of the Critical Area law,

ITEM 6

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?

Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

PLEASE TYPE
OR PRINT IN
INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 431

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/28/2020

Date Reviewed by Planning Commission: 12/3/2020

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
- B. XXX Property Owner
- C. _____ Contract Purchaser
- D. _____ Option Holder
- E. _____ Leasee
- F. XXX Attorney for B (Insert A, B, C, D, or E)
- G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
- B. Parcel Number(s): 158
- C. Lot Number(s), if applicable: _____
- D. Tax District Number: 10th

III. Physical Description of Property

- A. Located on the North side of U.S. Route 50/Ocean Gateway.
- B. Consisting of a total of 5.46 acres of land.
- C. Other descriptive physical features or characteristics

necessary to accurately locate the petitioned area:

- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): R-2, Suburban Residential District/RP- Resource Protection
(Name and Zoning District)

- B. Acreage of zoning classification(s) in "A" above: 1.2

- C. Requested zoning classification(s): C-2, General Commercial District
(Name and Zoning District)

- D. Acreage of zoning classification(s) in "C" above: 1.2

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:

This rezoning is based upon a mistake. A more detailed summary will be provided.


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 Property Owner
 Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842
 Phone Number: 410-213-2681
 E-Mail: hcropper@bbcmlaw.com
 Date: September 28, 2020

C. Signature of Property Owner in Accordance with VI.A. above

Signature:  , attorney
 Printed Name of Owner: COF Investment Group, LLC c/o Kathleen M. Clark
 Mailing Address: 12319 Ocean Gateway, Suite 201, Ocean City, MD 21842
 Phone Number: 410-213-1633
 E-Mail: kclark@monogrambuilders.com
 Date: September 28, 2020

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment

based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

REASONS FOR REZONING

The majority of above referenced property is zoned C-2, General Commercial District. It is located in the Route 50 Commercial Corridor. The entirety of the property is designated as Commercial Center on the Land Use Map which accompanies the Worcester County Comprehensive Plan.

With respect to the RP, Resource Protection District, it appears that the zoning line followed prior wetlands maps. A field delineation will show that those maps were not accurate, and the southerly portion of the RP, Resource Protection District, is not tidal wetlands.

With respect to the residential zoning, the parcel is bisected by the commercial/residential boundary. There is no delineation in the field. The entire property should be commercial.

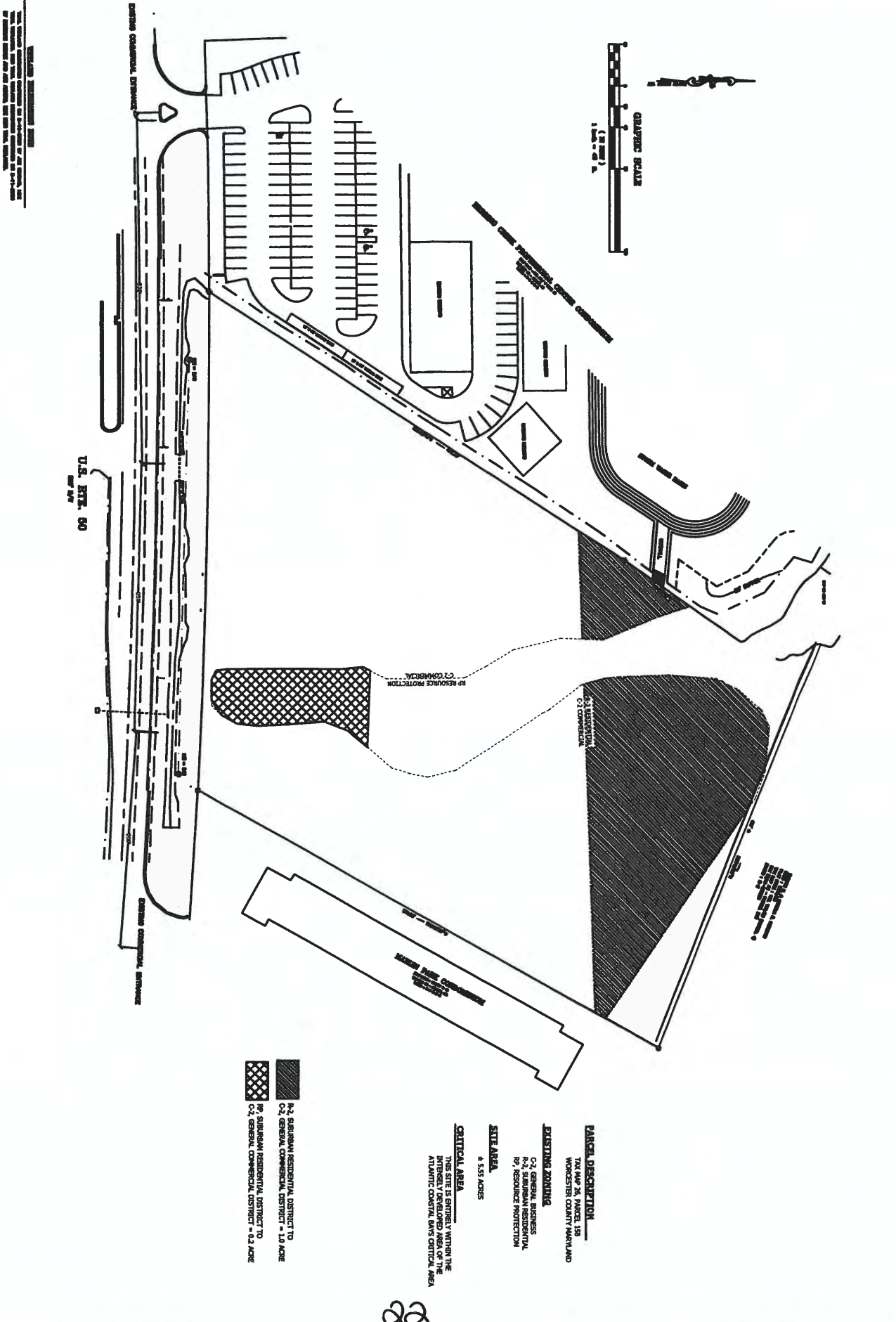
In conclusion, the applicant is alleging a mistake, and the entirety of the property should be C2, General Commercial District.

Respectfully submitted,



Hugh Cropper IV, Attorney for
Owner COF Investment Group, LLC

*see email dated 9/28/2020 & attached exhibit for specific request.



NOTES:
 1. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
 2. THE PROPOSED DRIVEWAY SHALL BE 12 FEET WIDE AND SHALL BE PAVED.
 3. THE PROPOSED DRIVEWAY SHALL BE 12 FEET WIDE AND SHALL BE PAVED.

 R-2 SUBURBAN RESIDENTIAL DISTRICT TO R-2 RESOURCES PROTECTION
 C-1 SUBURBAN RESIDENTIAL DISTRICT TO C-1 COMMERCIAL

PARCEL DESCRIPTION
 TAX MAP 76, PARCEL 158
 WORCESTER COUNTY, MASSACHUSETTS

EXISTING ZONING
 C-1 GENERAL BUSINESS
 R-2 SUBURBAN RESIDENTIAL
 R-7 RESOURCES PROTECTION

SITE AREA
 ± 5.53 ACRES

CRITICAL AREA
 THIS SITE IS SITUATED WITHIN THE INTERSECT/DESIGNED AREA OF THE ATLANTIC COASTAL BAYS CRITICAL AREA

22

Jennifer Keener

From: Hugh Cropper <hcropper@bbcmlaw.com>
Sent: Monday, September 28, 2020 1:37 PM
To: Jennifer Keener
Cc: Weston S. Young; 'kclark@monogrambuilders.com'
Subject: Rezoning
Attachments: MX-3550N_20200928_134543.pdf

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Jennifer:

Good afternoon. I am filing a rezoning application on behalf of COF Investment Group, LLC, Kathleen M. Clark, Managing Member, Worcester County Tax Map 26, Parcel 158. The area to be rezoned is approximately 1.2 acres, and Bob Hand's exhibit is attached.

I will be delivering the original application this afternoon, and I have asked Kathy to send the check payable to Worcester County in the amount of \$680.00 directly to your attention.

Have a great day. This should be the last rezoning application (although I cannot make any promises; I'm not sure who will call).

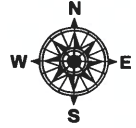
Thanks again.

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

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-213-2681. Thank you.

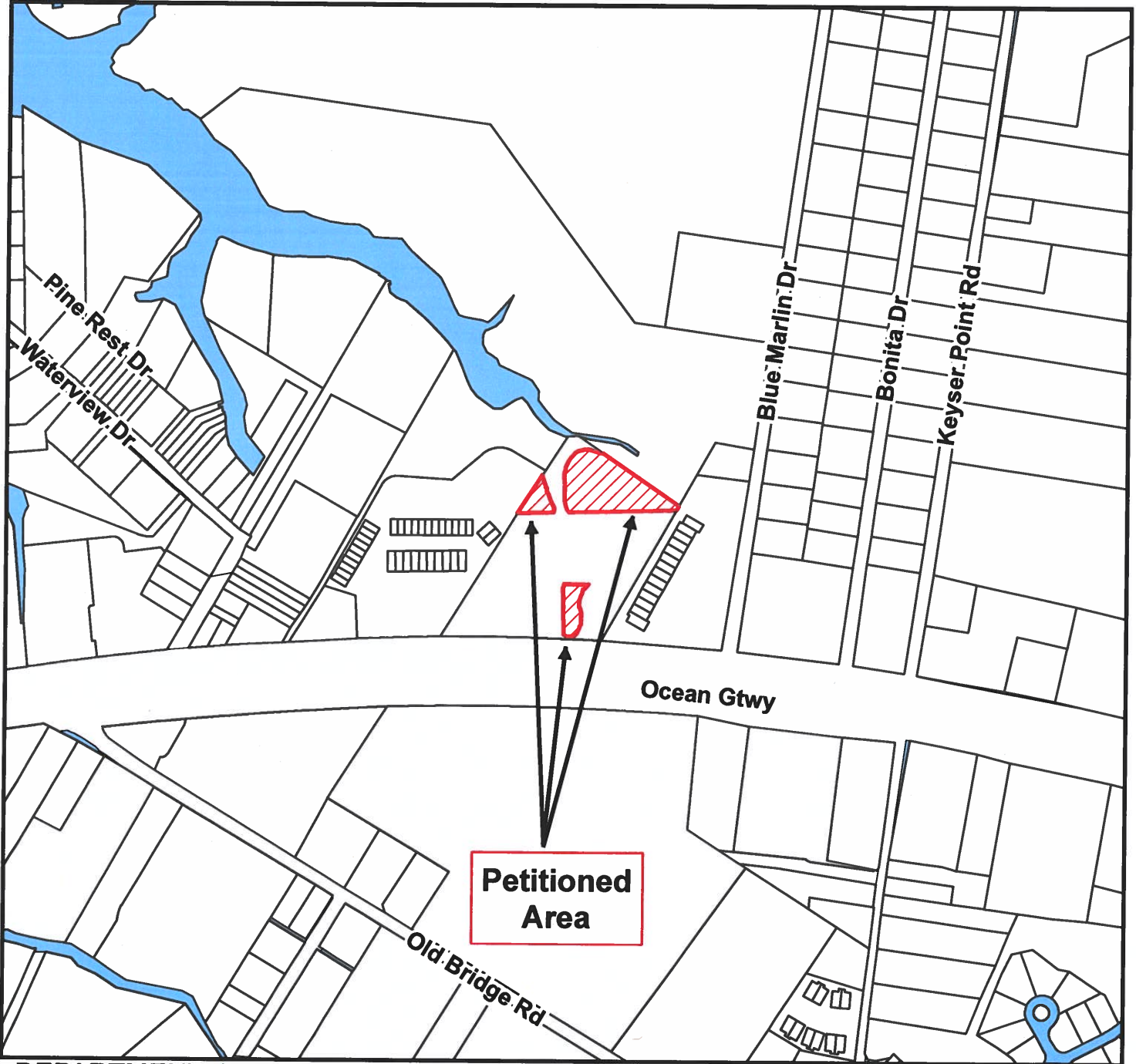


WORCESTER COUNTY, MARYLAND

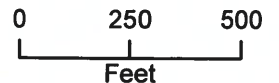


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers
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: JKK

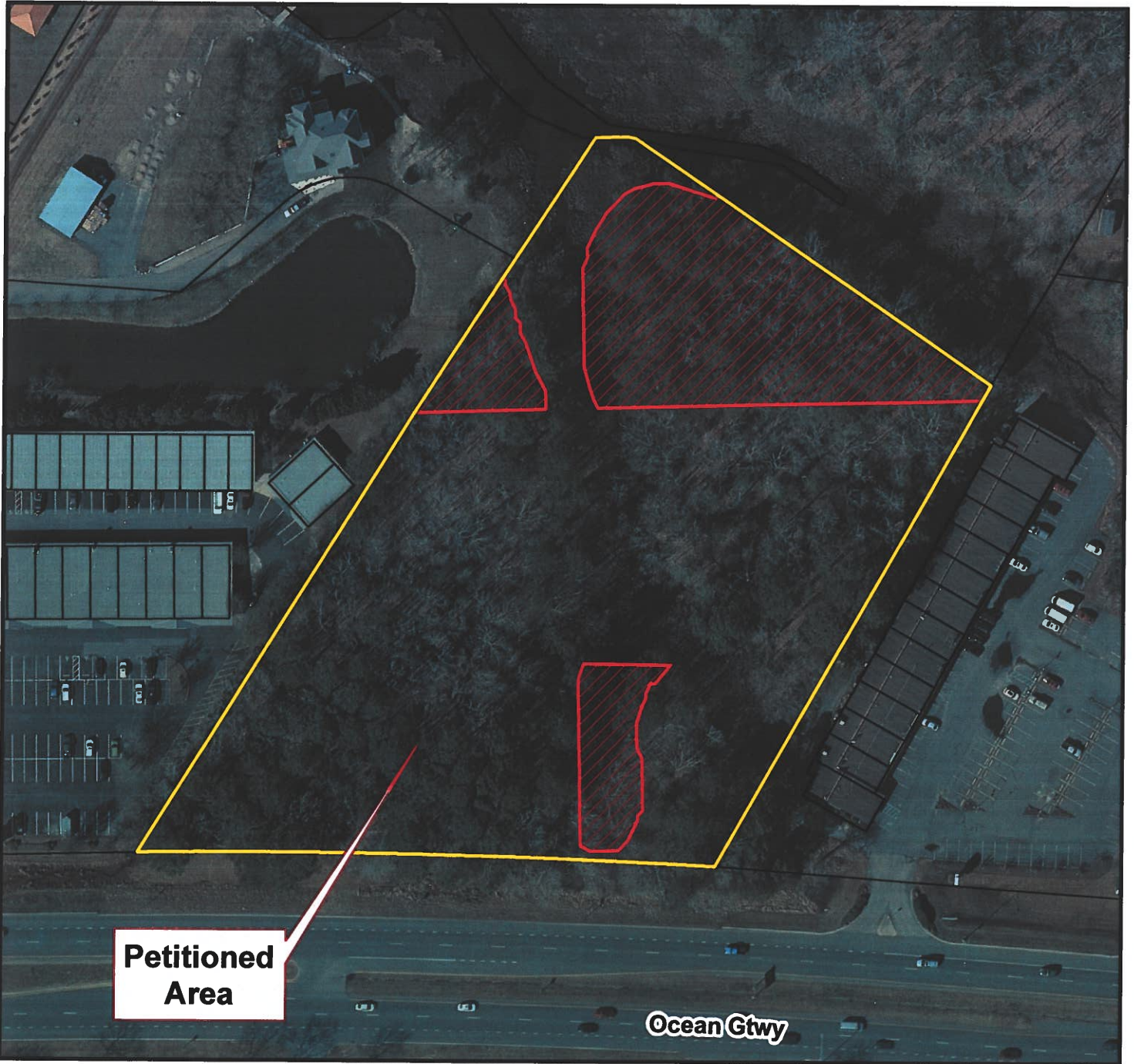


WORCESTER COUNTY, MARYLAND

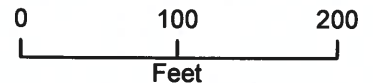


REZONING CASE NO. 431
 R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
 Tax Map: 26, Parcel 158

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, 2019 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: JKK

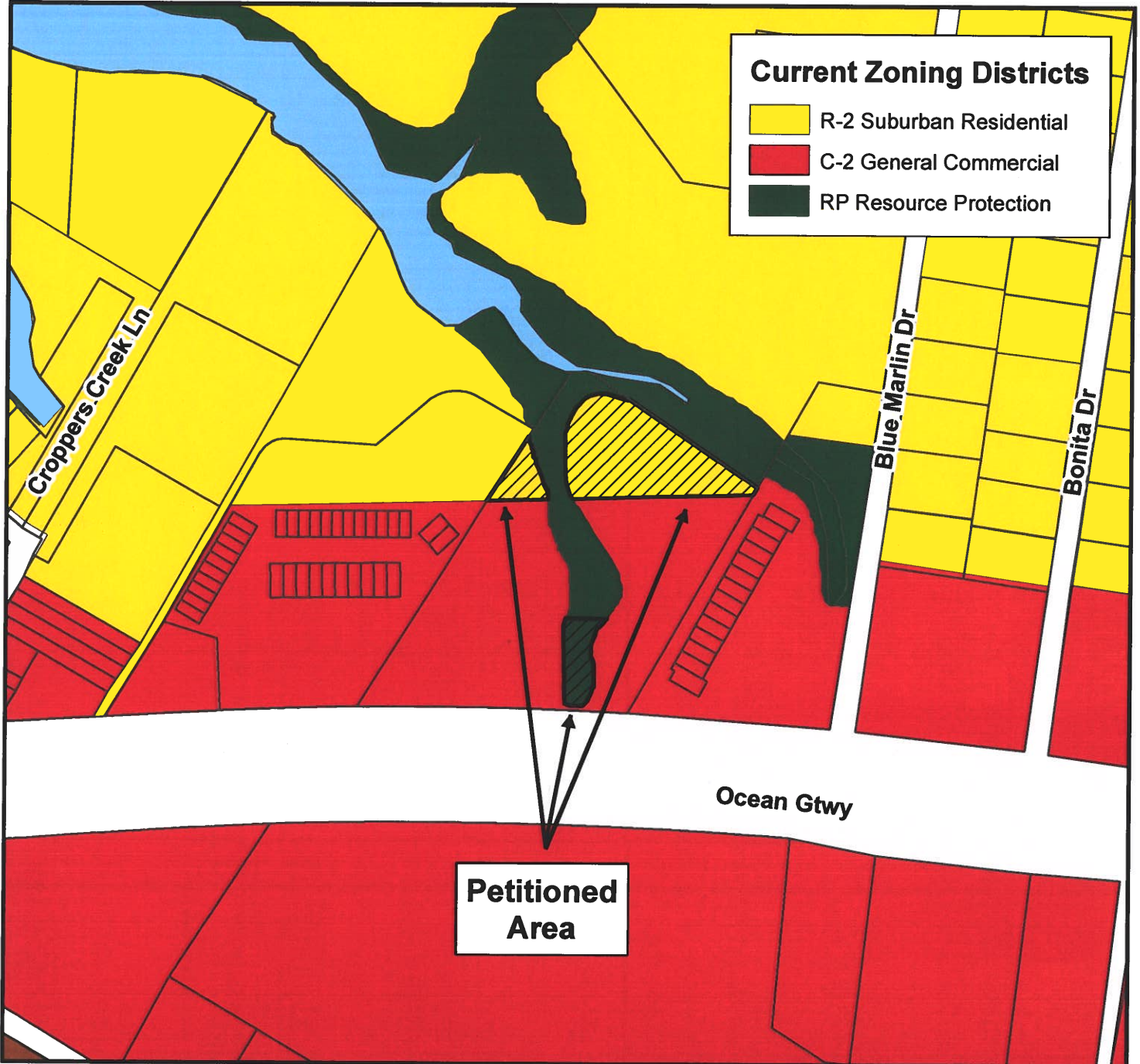


WORCESTER COUNTY, MARYLAND

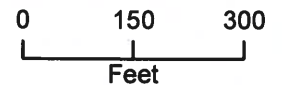


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

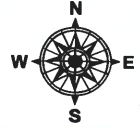


Source: Worcester County GIS Data Layers, 2009 Official Zoning District Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action. Drawn By: KLH Reviewed By: JKK

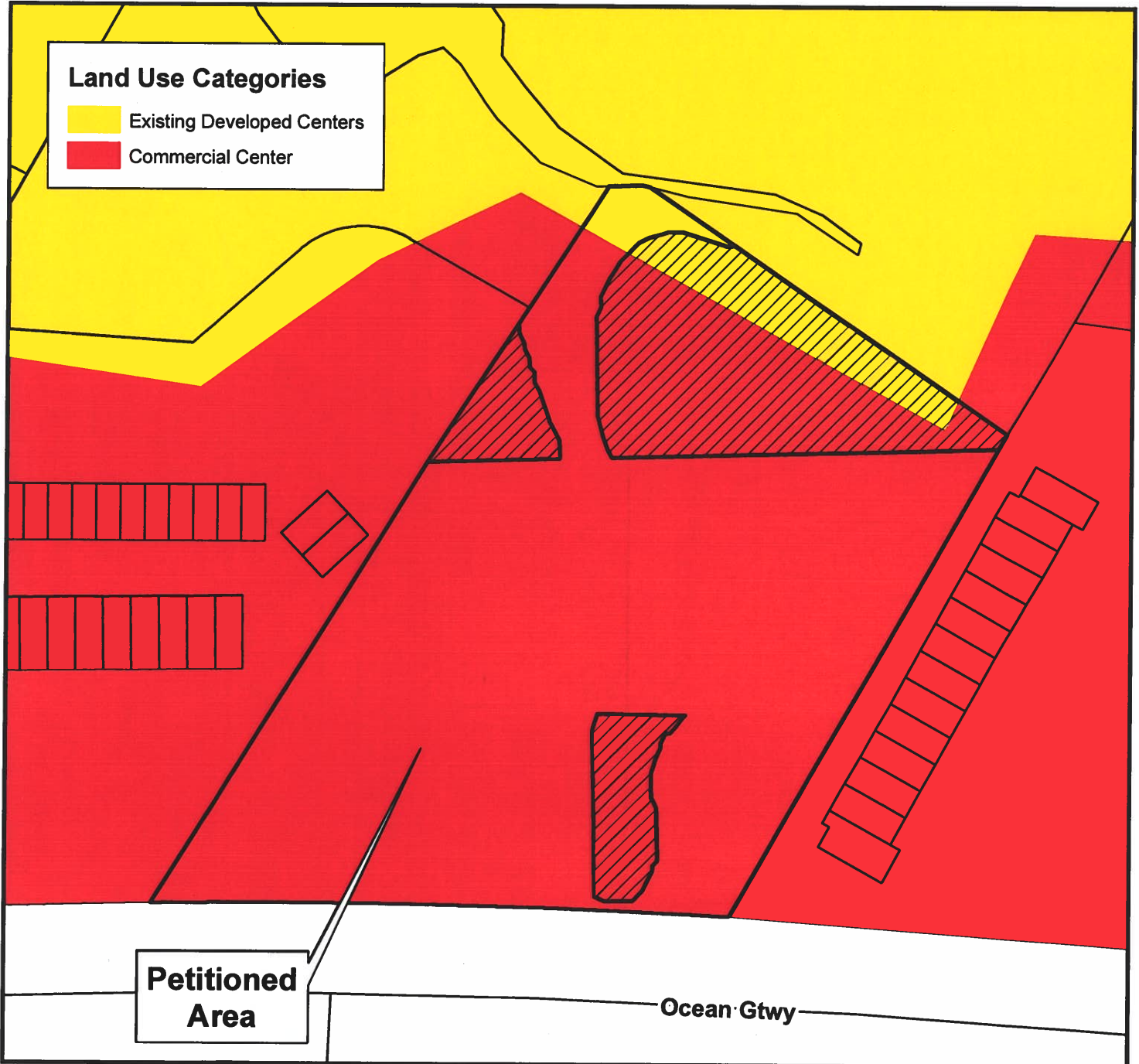


WORCESTER COUNTY, MARYLAND

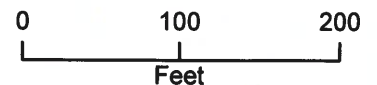


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, 2006 Land Use Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

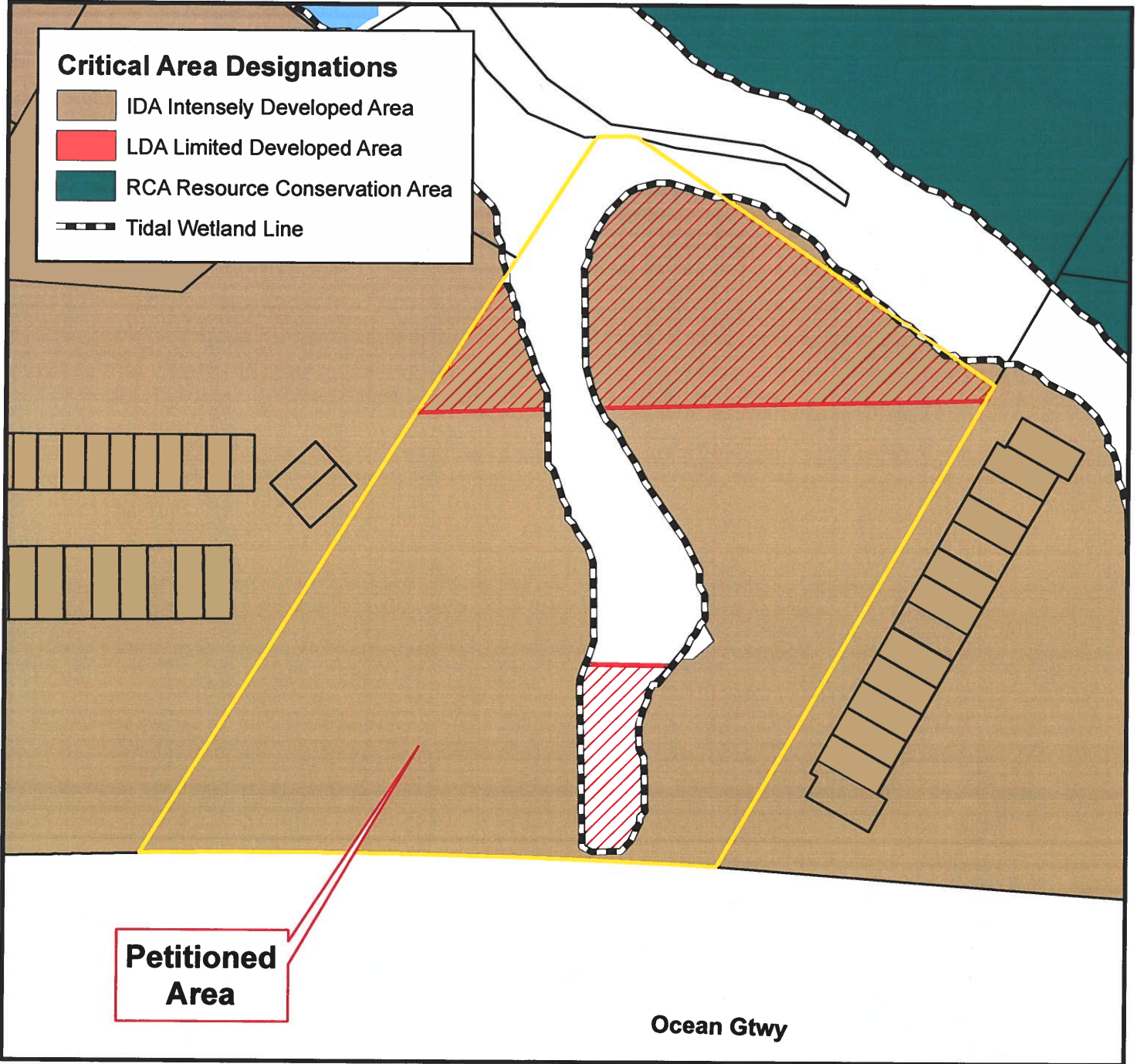


WORCESTER COUNTY, MARYLAND

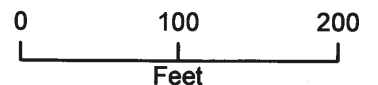


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, Atlantic Coastal Bay Critical Area Program

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: JKK

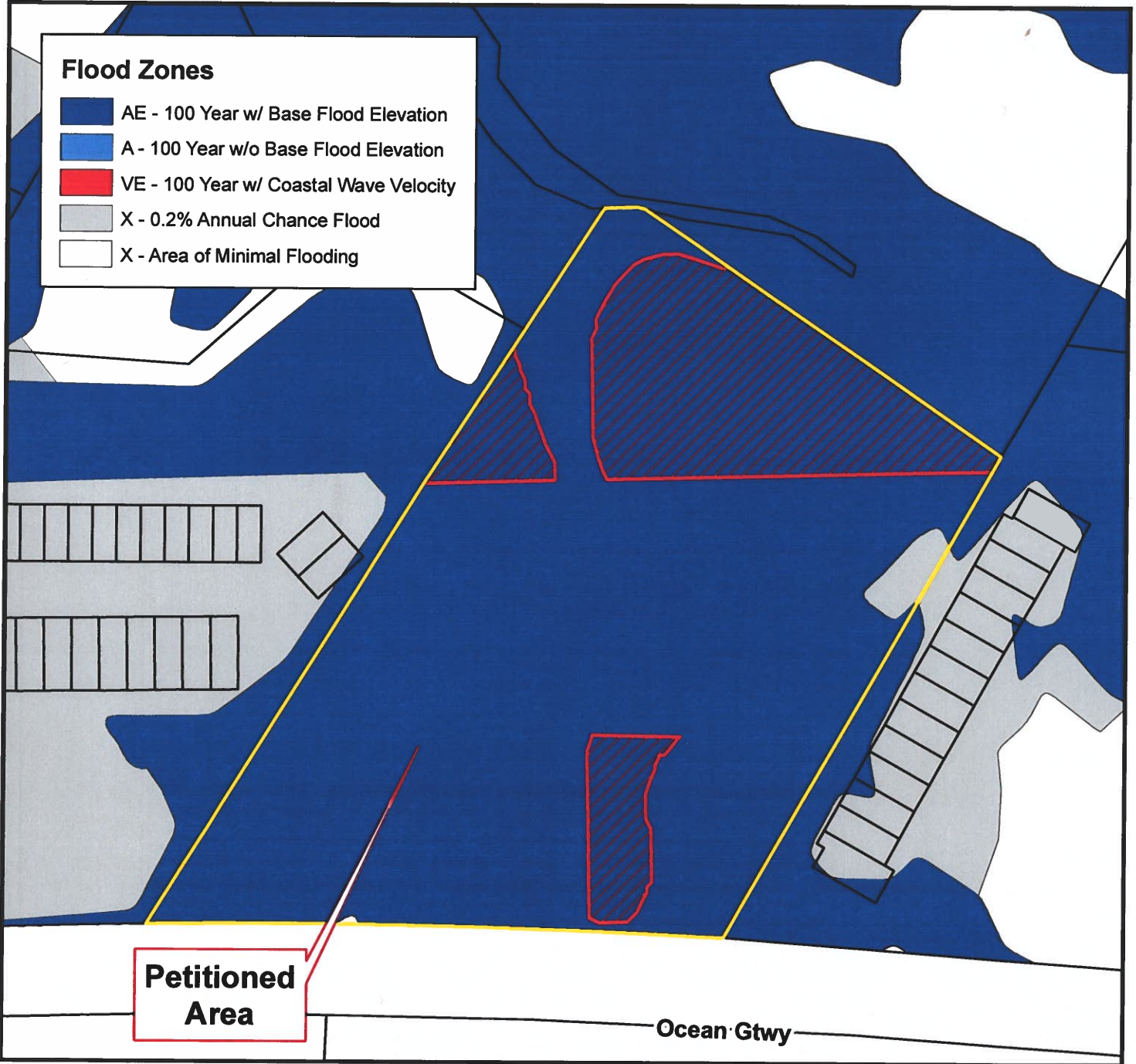


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2015 FEMA Flood Insurance Rate Map

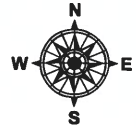
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

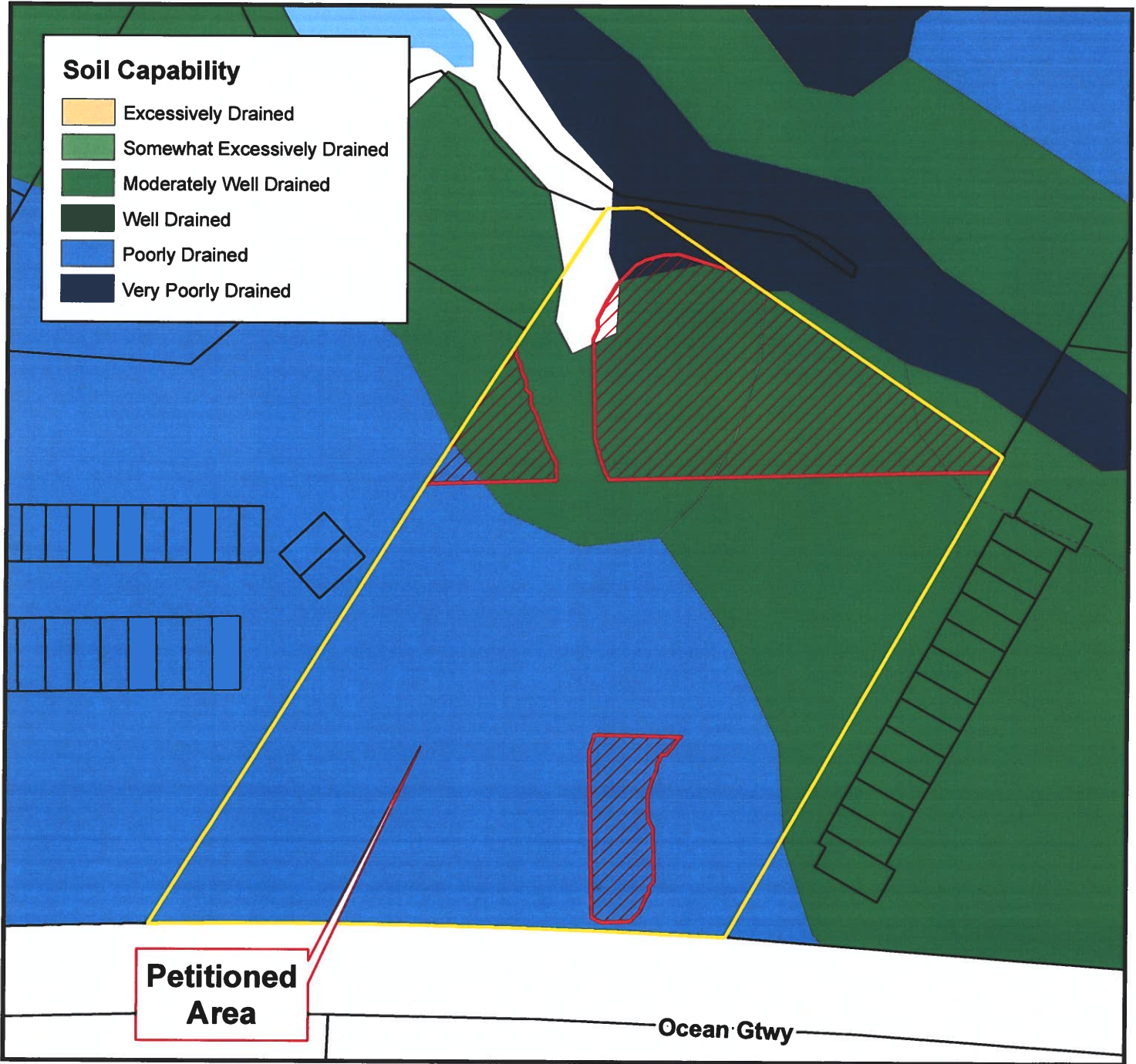


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2007 Soil Survey

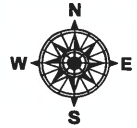
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

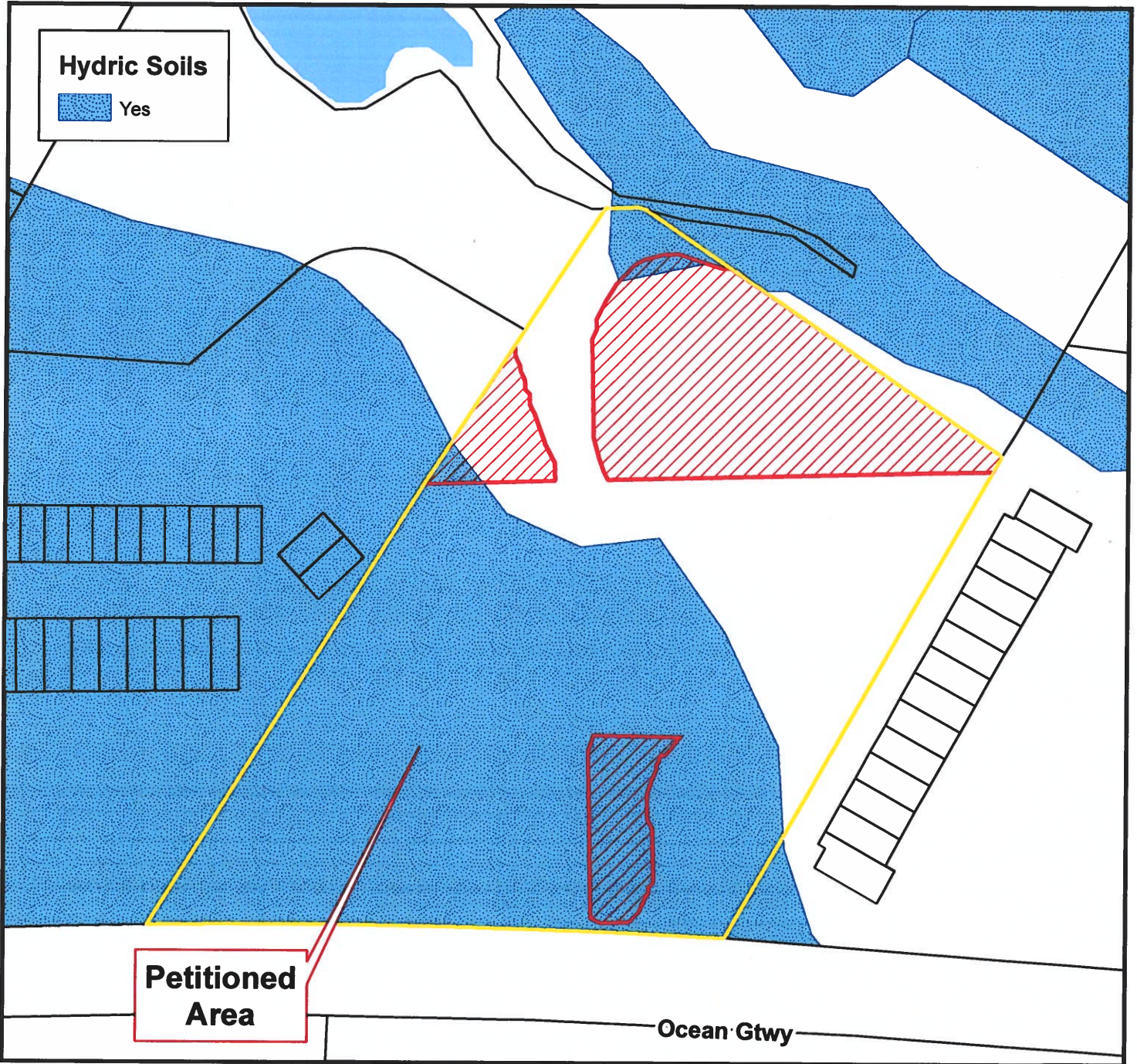


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
 R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
 Tax Map: 26, Parcel 158

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 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: JKK



Worcester County
Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell *RM*
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 431
Worcester County Tax Map 26 Parcel 158
1.2 Acres
R-1 Suburban Residential and RP Resource Protection to C-2 General
Commercial District

Date: 11/10/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced properties. 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*.

The application for zoning reclassification is for 1.2 acres of a property totaling 5.46 acres. Referring to the land use designation in the *Comprehensive Plan*, the entire property including the portion of the property for this case is designated as Commercial Center. This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. This property is surrounded by properties carrying either a Commercial Center or Existing Developed land use designation.

The Department of Environmental Programs has the following comments:

1. The subject property has a designation of Sewer Service Category S-1 (*Immediate to 2 Years*). Since there is no public water available to the property, a private well will be needed for water supply.

2. This proposed rezoning is located inside of the Atlantic Coastal Bays Critical Area (ACBCA). The parcel is presently designated as Intensely Developed Area (IDA) and has an associated 100ft buffer from the mean high water lone of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. IDAs are areas where residential, commercial, institutional, and/or industrial uses predominate and where relatively little natural habitat occurs or remains.
3. It should be noted that disturbance within the 100ft buffer cannot be authorized unless approval is granted by the Board of Zoning Appeals (BZA). Also, a field delineation of all environmental features, including, but not limited to, the 100 ft buffer, non-tidal wetlands, and tidal wetlands, will be required prior to Natural Resources Division being able to provide any plan approvals for future development plans. This will assist in verification of the noted tidal gut, which is currently designated as an RP zoning district, and if further steps will be needed for Critical Area compliance. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development. Compliance with the 10% stormwater criteria must also be met.
4. The applicant should detail to the Planning Commission their reasoning on the boundaries with respect to the wetlands present.

If you have any questions on these comments, please do not hesitate to contact me.

Attachment

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

October 27, 2020

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: COF Investment Group, LLC (TM 26, P 158)
Rezoning Application #431

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of approximately 1.2 acres within the IDA from Suburban Residential District (R-2) and Resource Protection District (RP) to General Commercial District (C-2). The petitioned area is located on the north side of US Route 50 in West Ocean City, Tax Map #26, Parcel 158. The requested zoning change is based on a change in the character of the neighborhood and a mistake in the existing zoning. This zoning change meets the requirements of the Critical Area law, including consistency with the existing Critical Area land classification of the IDA; therefore, we do not have any objections to the application.

Please note that because the property is designated as IDA, there is no limit to clearing or lot coverage, but the 10% stormwater criteria must be met for any development or redevelopment.

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. If you have any questions or concerns, please contact me at 410-260-3462 or michael.grassmann@maryland.gov.

Sincerely,

Michael Grassmann
Natural Resources Planner

File: WC 401-20

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

ITEM 6

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

October 23, 2020

Ms. Jennifer Keener
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. 431 – COF Investment Group, LLC. The property is described as Tax Map 26, Parcel number 158, Tax District number 10th, located on the north side of US 50, in Worcester County. 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, District 1 will require a concept study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary.

As reflected in our aforementioned comments, MDOT SHA has no objection to the rezoning as determined by Worcester County. Thank you for the opportunity to provide a response. If you have any questions regarding this response, please feel free to contact Mr. Daniel Wilson, District 1 Access Management Regional Engineer, via email at dwilson12@mdot.maryland.gov or by calling him directly at 410-677-4048.

Sincerely,



James W. Meredith,
District Engineer

cc: Mr. Dallas Baker, D-1 Assistant District Engineer Project Development, MDOT SHA
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, D-1 Access Management Regional Engineer, MDOT SHA

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

MEMORANDUM

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: October 13, 2020
RE: Rezoning Case No. 429, 430 and 431



Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 429: No comments at this time.

Rezoning Case 430: No comments at this time.

* Rezoning Case 431: 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/lj
\\wfile2\users\llawrence\Rezoning\Rezoning Case 429.430.431.doc

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

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

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

Jennifer Keener

From: April Mariner
Sent: Thursday, October 8, 2020 2:09 PM
To: Jennifer Keener
Subject: FW: Rezoning

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Thursday, October 8, 2020 2:06 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi April,

I am doing well, thanks.

I can vouch for the fact that the Hope Farm (case 429) and Cellarhouse Farms (case 430) have been under active forest management and members of the American Tree Farm System for decades. I have worked on forest management activities with 3 generations of the Strickland / Hope families. In both cases, their forest management activities predate my tenure here as county forester, which started in 1978. I have no other comments on these two requests.

I have no comments case 431.

Thanks for the opportunity to provide input.



Rob Clarke
 Forester
 Maryland Forest Service
 Department of Natural Resources
 10990 Market Lane
 Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
 (410) 651-2004 (O)
 (443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Thu, Oct 8, 2020 at 1:37 PM April Mariner <amariner@co.worcester.md.us> wrote:

Good Afternoon Rob, I hope this email finds you well. I have attached 3 memos requesting comment for three upcoming Rezoning Cases. Please send any comments back to me and I will pass them along. Thank you and have a great day!

April L. Mariner

Office Assistant IV

Worcester County Development Review & Permitting

amariner@co.worcester.md.us

410-632-1200 x1172

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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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

TEL: 410-632-1200 / FAX: 410-632-3008
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, 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
Tom Perlozzo, Director of Recreation and Parks, Tourism & 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
Moe Cropper, Fire Chief, Ocean City Volunteer Fire Department

FROM: Jennifer K. Keener, Deputy Director *JKK*

DATE: October 8, 2020

RE: Rezoning Case No. 431- COF Investment Group, LLC, c/o Kathleen M. Clark, Property Owner, and Hugh Cropper, IV, Attorney- North side of US Route 50 in West Ocean City

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 1.2 acres of land shown on Tax Map 26 as Parcel 158, from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. Uses allowed in the District include, but are not limited to, motels/ hotels, retail and service establishments,

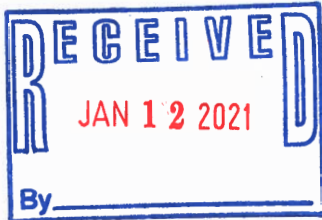
contractor shops, wholesale establishments, warehousing, storage, vehicle sales and service establishments, outdoor commercial recreation establishments, etc.

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 NOVEMBER 13, 2020, 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 jkkeener@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.


Attachments



Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: FY 21 MALPF Funding Cycle
Matching Funds Commitment

Date: January 11, 2021

As a certified county by the Maryland Agricultural Land Preservation Foundation (MALPF) since 2004, Worcester County is required to commit matching funds for our easement acquisition program. As the only certified county on the lower shore, this certification allows the county to retain 75% instead of 33% of the agricultural transfer tax the county collects. To continue to be eligible for additional matching funds from the state, we are required to contribute qualifying expenditures from a county source other than agricultural land transfer taxes to this program. This needs to be equal to 9% of the agricultural transfer taxes collected annually in the county.

As the attached memorandum from Katherine Munson details, we would need to commit a minimum contribution of **\$100,000** in match funds for purchases of easements in the FY 21 cycle and to remain certified under this program. This match comes exclusively from Agricultural Transfer Tax revenue collected by the county for the sole purpose of land preservation. We are not required to contribute any additional cash match for FY 21. The intent of the Agricultural Transfer Tax law is to impose the tax only when the land will not continue in agricultural use.

There are six (6) applications in this planning cycle representing 684+/- acres. As Ms. Munson notes, all county match is matched by the state at a 60:40 ratio up to an amount determined in the state budget process for the program.

Staff is respectfully recommending that the County Commissioners agree to provide the minimum contribution. Counties need to present this letter by February 1, 2021. A draft letter for this commitment is attached with the required amount for President Mitreic's signature.

Citizens and Government Working Together

Both Ms. Munson and I will be available to discuss this request with you and the County Commissioners.

Attachments

1. Katherine Munson's memo, dated 1-7-21
2. Draft Commitment Letter
3. Map of MALPF Easements

cc: Katherine Munson
Phil Thompson/Finance Director
Kathy Whited/Budget Officer



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

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

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE CONSTRUCTION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

To: Robert Mitchell, Director

From: Katherine Munson, Planner V *KM*

Subject: FY21 MALPF Matching Funds

Date: January 7, 2021

The Maryland Agricultural Land Preservation Foundation (MALPF) requires certified counties to commit matching funds for the agricultural preservation easement acquisition program.

Worcester County's Agricultural Land Preservation Program was certified effective as of July 1, 2004. Certified counties retain and receive more funding for agricultural easement acquisition than non-certified counties (Worcester County is the only certified county on the lower shore). It entitles the county to retain 75% instead of 33% of the agricultural transfer tax the county collects, and to be eligible for additional matching funds from the state, as available. Certification requires that the county contribute qualifying expenditures from a county source other than agricultural land transfer taxes, equal to 9% of the agricultural land transfer taxes collected annually in the county.

Worcester County received six (6) applications to sell an easement in the spring of 2020 (FY21 funding cycle).

To meet the minimum obligations to remain certified, the county needs to commit match funds for purchase of easements in the FY21 cycle. These funds would come solely from the Agricultural Transfer Tax revenue collected by the county for the sole purpose of land preservation.

Because the county provided general fund cash match for FY20 that exceeded the minimum for FY20 and FY21 (minimum general fund match is 9% of the Agricultural Transfer Tax revenue collected), no additional cash match is required for FY21.

The six (6) applications represent 684 +/- acres. Appraisals and the landowner bid determine the offer. If all applicants were to receive an offer, \$1.4 to \$1.6 million is estimated to be required. Applicants receive funding offers in order of rank, in round one, and in order of best bargain offered in round 2.

Please keep in mind that all county match is matched by the state at a 60:40 ratio (up to an amount TBD, but for the last three cycles that amount has exceeded \$1 million). For FY20 match, Worcester County offered \$66,000.00 in match (\$50,000 was general fund match). This was matched by \$99,000.00 in state funds. This allowed for purchase of an easement that would not have occurred otherwise: three (3) FY20 applicants sold an easement to MALPF.

I have attached a map showing the location of FY21 applicant properties.

The county must provide a matching funds commitment by **February 1, 2021**. Attached is a letter to be signed by the appropriate county representative.

Please contact me should you have any questions. Thank you for your attention to this matter.

Attachments

cc: **Bob Mitchell, Director**
Kathy Whited, Budget Officer
Phil Thompson, Treasurer's Office

DRAFT

January 7, 2021

Michelle Cable, Executive Director
Maryland Agricultural Land Preservation Foundation
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RE: FY21 Local Matching Funds

Dear Ms. Cable:

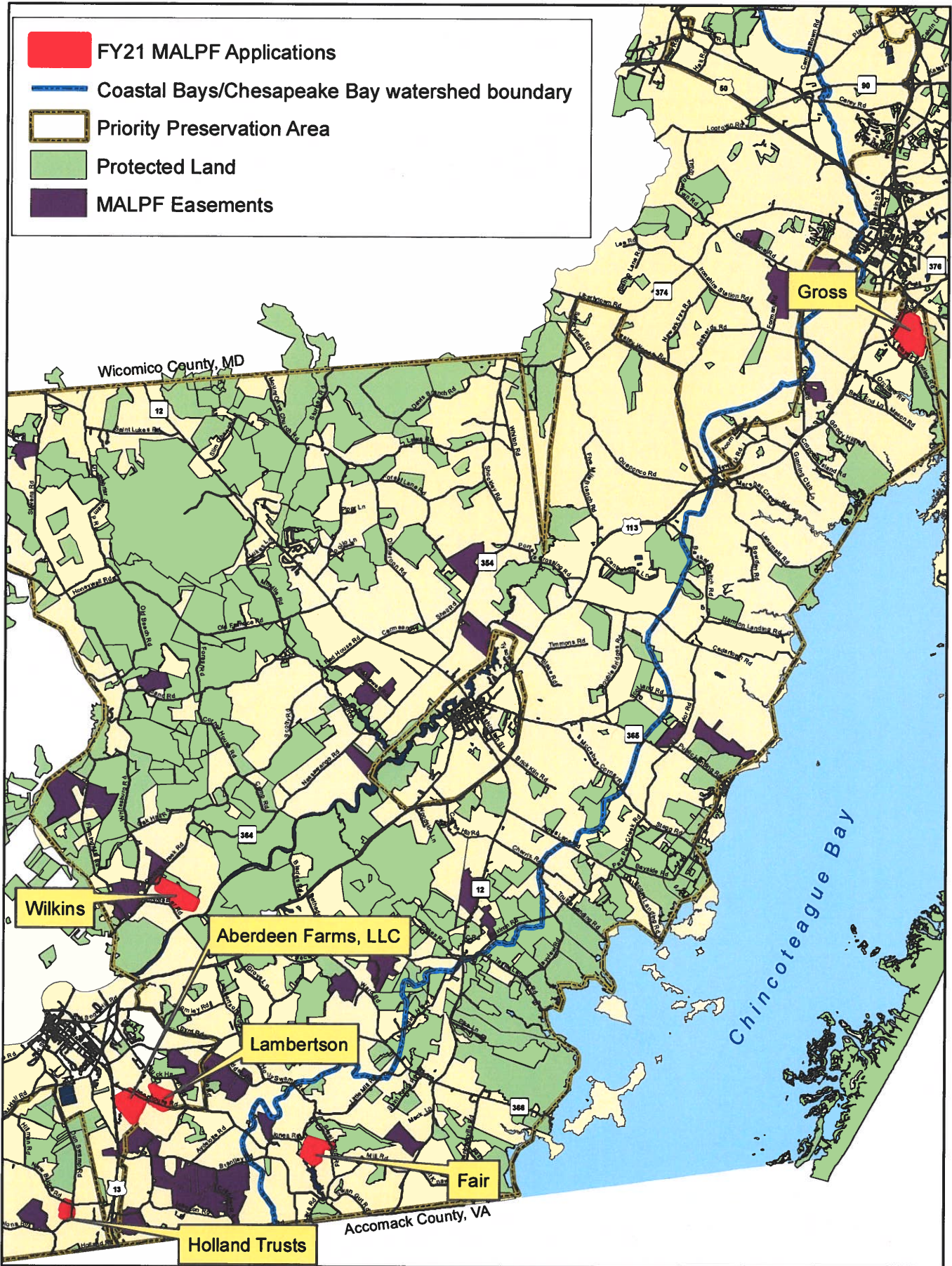
Worcester County's commitment of local matching funds for MALPF's FY21 easement acquisition program shall be **\$100,000.00**. This represents: an estimate of retained Agricultural Land Transfer Tax revenue balance of \$160,000, minus \$60,000 that was committed in FY21 (not yet billed).

If you have any questions regarding this commitment, please do not hesitate to contact Katherine Munson at 410-632-1220, ext 1302.

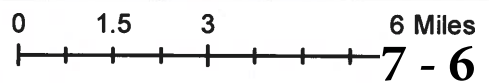
Sincerely,

Joseph Mitrecic
President
Worcester County Commissioners

FY21 MALPF Applications



June 2020






Worcester County
Department of Environmental Programs

Memorandum

To: Harold L. Higgins, Chief Administrative Officer

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

Subject: **Rural Legacy – FY 22 Grant Applications**
Coastal Bays Rural Legacy Area
Dividing Creek Rural Legacy Area

Date: January 11, 2021

Attached you will find a memorandum from Katherine Munson and applications for funding for both the Coastal Bays and Dividing Creek Rural Legacy Areas (RLA). The amount requested in these applications totals \$2,780,000. There is no required County match to participate in this state program. The County is in partnership with Somerset County for the Dividing Creek RLA and they have the Lower Shore Land Trust (LSLT) handle the administrative responsibilities as a co-grantee for easements in Somerset County.

Rural Legacy pays landowners for permanent conservation easements on their properties. The program is funded through a combination of state Program Open Space and general obligation bonds from the state's capital budget. There are two (2) approved legacy areas in Worcester County – the Dividing Creek RLA (approved 2008) and the Coastal Bays RLA (approved 1999). The funding pays for the perpetual easements and reimburses the county for administrative costs. The usual award is \$1-2MM+ per RLA. Somerset County is also reviewing for signature for their portion of the RLA.

The program requires a preference indicated each cycle for which RLA we wish to have forwarded for preferred funding. We typically alternate between the two programs. Accordingly, we recommend that the Coastal Bays RLA be listed as the preferred RLA on our application. Therefore, I respectfully recommend that the County Commissioners authorize President Mitreic to sign the letter where indicated and include the recommended preference.

Citizens and Government Working Together

If you have any questions or need any additional information please let me know. Both Ms. Munson and I will be available to discuss this request with you and the County Commissioners at your convenience.

Enclosures

1. Draft Preference letter (to be signed by President Mitrecic)
2. CBRLA application (signed by staff)
3. CBRLA property list
4. CBRLA map
5. DCRLA application (prepared by LSLT w input from Somerset and Worcester Co)
6. DCRLA property list
7. DCRLA map

cc: Roscoe Leslie
Katherine Munson
Kim Reynolds



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

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

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE CONSTRUCTION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Robert Mitchell, Director

FROM: Katherine Munson, Planner V *KM*

SUBJECT: FY22 Rural Legacy Grant Applications

DATE: January 11, 2021

Please find attached for County Commissioner approval, applications for FY22 funding for the Coastal Bays and the Dividing Creek Rural Legacy Areas for a total of \$2,780,000.00. FY22 applications are due February 9, 2021.

No county funding is required or is offered as match by these applications.

Counties with two Rural Legacy Areas are required to indicate which Area is preferred for funding. The attached letter indicates preference for Coastal Bays RLA for FY22. Typically we alternate preference each application cycle. Last year we indicated preference for Dividing Creek RLA.

The grant funds would be used to purchase perpetual conservation easements from willing landowners. The funds also reimburse the county for administrative and all other costs associated with purchasing the conservation easements and long term monitoring.

Please note that Lower Shore Land Trust is the lead sponsor on the Dividing Creek RLA.

Somerset County is also reviewing the FY22 Dividing Creek RLA application.

Please contact me with any questions. Thank you for your attention to this matter.

DATE

Rural Legacy Board
c/o Rural Legacy Program
Land Acquisition and Planning Unit
Maryland Department of Natural Resources
580 Taylor Ave., E-4
Annapolis, MD 21401

RE: Coastal Bays and Dividing Creek Rural Legacy Areas, FY22 Applications

Dear Members of the Rural Legacy Board:

The Worcester County Commissioners are pleased to submit requests for funding for both the Coastal Bays Rural Legacy Area (RLA) and the Dividing Creek RLA. Since we are requesting funding for more than one RLA, we are asked to indicate which application we favor for funding in FY22. We place higher priority on the Coastal Bays RLA application this year, as last year, higher priority was placed on the Dividing Creek RLA application.

Thank you for considering our FY2@ applications. We look forward to continuing to work with the Rural Legacy Program on our shared land protection goals in FY22.

Sincerely,

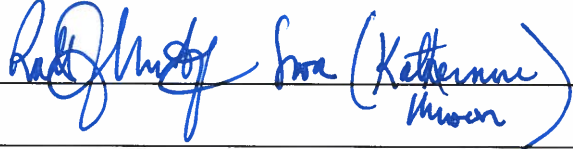
Joseph M. Mitrecic
President

cc: Bob Mitchell, Director, Environmental Programs (EP)
David Bradford, Deputy Director, EP
Katherine Munson, Planner V, EP

Cover Sheet Rural Legacy Application

Please complete this Cover Sheet and submit it with all Attachments.

| | |
|---|---------------------|
| Rural Legacy Area Name: Coastal Bays | |
| Name of Sponsor: Worcester County | |
| County or Counties Where Eligible Properties Located: Worcester County | |
| Name of Sponsor's Lead Contact: Katherine Munson | |
| Contact's Title: Planner V | |
| Daytime Phone Number: 410-632-1220 ext 1302 | Fax #: 410-632-2012 |
| E-Mail Address: kmunson@co.worcester.md.us | |
| Address: Department of Environmental Programs; 1 West Market Street, 1306 | |
| Worcester County Government Center, Snow Hill, MD 21863 | |

| | |
|---|----------------|
| As authorized representative of the above referenced Sponsoring organization, I hereby certify that the information in this application is accurate and complete to the best of my knowledge. | |
| Signature:  (Katherine Munson) | Date: 12/11/21 |

6. What is the total amount of Rural Legacy Program (RLP) grant funds being requested in this Application? \$1,000,000.00
7. How many acres, including the acres proposed in this Application, do you plan to protect with RLP funds over the next 10 years of the Program? 3,200
8. Estimate the amount of additional RLP funds that will be needed to preserve the RLA goal acreages (based on current easement prices and the acreages currently preserved in the RLA). \$6,750,000.00

SECTION II: Leveraging RLP Funds

1. Describe ways the Sponsor utilized their own funds in the past 12 months to permanently conserve land in the RLA. (such as not seeking reimbursement for administrative, program compliance, or incidental costs) None
2. Detail all funding sources/conservation programs that were utilized in the past 12 months to permanently conserve land in the RLA (ex: REPI/ACUB, MALPF, MET, County, Federal, Private, Installment Purchase Programs, etc. If unsure, consider contacting the local County MALPF Administrator or other County staff to obtain number of easements and acreages preserved through all programs, including County open space acreage preserved.). None this year

SECTION III: Bonus Points

1. What was the average width of riparian buffers for RLA properties acquired in the past 12 months? One Hundred (100) feet
2. Describe any form of public access that has been permitted on properties during the past 12 months, i.e., hunting, educational school trips, trail access? Many RL properties are leased for hunting; one property is used for the annual Worcester County Herp Search in May; another property is used by Delmarva Birding Weekend for a walking tour and for landowner educational outreach conducted by Lower Shore Land Trust annually. Some of this may be limited this year due to COVID restrictions.
3. Describe any social benefits that resulted because of RLA properties preserved during the past 12 months, i.e., support for local food supply, farm-to-schools, benefits to underserved communities, innovative partnerships, linking children to nature? None
4. Describe any enhanced best management practices included in RLA easements during the past 12 months (these would be in addition to the standard practices such as impervious surface limitation of 2%; CAFO restriction; 100 foot stream buffers; Soil Conservation and

Water Quality Plan; and Forest Stewardship Plan/compliance with the *Soil Erosion and Sediment Control Guidelines for Forest Harvest Operations in Maryland*) None

SECTION IV: Special Circumstances

Describe any unique circumstances or specific projects that should be considered for potential RLP funding. Please limit your response (if any) to one (1) page.

Porter Mill Properties (#1) is ready to go to settlement once funds are available. Appraisals have been completed. Property owner has accepted offer. Boundary surveys are already complete.

SECTION V: Multiple County Priority Designation

For Sponsors of more than one RLA in the same County, please submit a letter of RLA funding preference.

SECTION VI: Proposed Property Acquisitions

Complete the Proposed Acquisition List Form for the top ten (10) proposed acquisitions in the RLA for Fiscal Year 2022 funding (submit Form with Application).

SECTION VII: FOR EXPANSION REQUESTS ONLY

Submit digital geographic information (GIS data) for the boundary of the RLA. This should be transmitted electronically by email or other type of online file transfer service (*Dropbox, WeTransfer, Box, etc.*) to the Rural Legacy Program as an ArcView shapefile in state plane 83 meters projection. This information must be submitted simultaneously with the Application (it can be as a separate email but should immediately follow the initial email with this Application) or the Application will be considered incomplete.

SECTION VIII: Annual Report

If the Annual Report for the calendar year that just ended (January – December) has not already been submitted it **MUST** be included with this Application.

SECTION IX: Stewardship

All monitoring reports that were due in the prior calendar year (January – December) that have not yet been submitted are now **DUE** and **MUST** accompany submission of this Application.

Please submit an electronic copy (in Word or PDF format) of the Application and all Attachments.

SUBMIT COMPLETED RURAL LEGACY PROGRAM GRANT APPLICATIONS TO:

**Rural Legacy Program
Land Acquisition and Planning Unit**

**Tom McCarthy, Conservation Easement Supervisor
Tom.mccarthy@maryland.gov**

***Fiscal Year 2022 Grant Application submission deadline): Second Tuesday in February by 5:00 p.m.
(*unless otherwise given specific permission)***

State of Maryland Department of Natural Resources
Rural Legacy Program Application














Proposed Acquisitions – Fiscal Year 2022

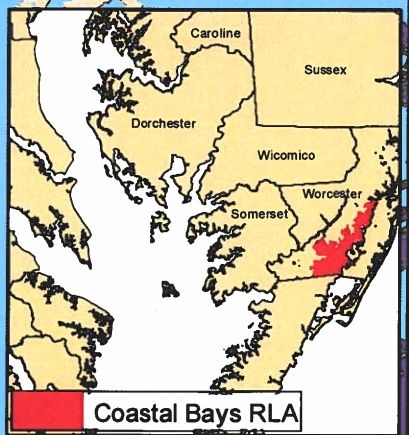
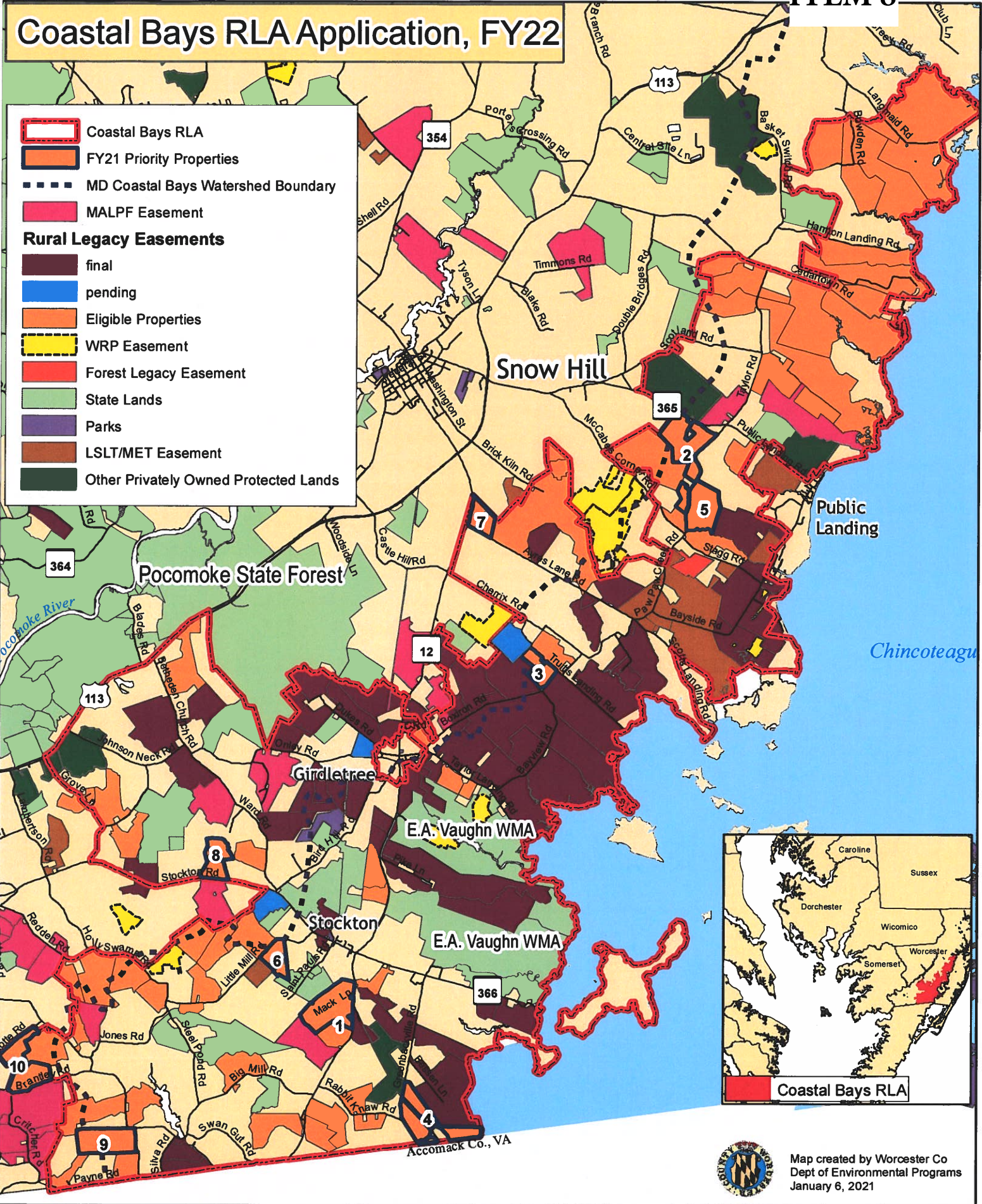
Rural Legacy Area Name Coastal Bays

| PROPERTY | Owner's Name | Property Address | Estimated Cost | Acres | Tax Map Information | | | | | Easement or Fee (E or F) | Buffer Width | Public Access (Y or N) | Social Benefits (Y or N) |
|----------|---|----------------------------|----------------|---------|---------------------|----------------------------------|------|--------------|-----|--------------------------|--------------|------------------------|--------------------------|
| | | | | | Tax Map | Account ID # | Grid | Parcel | Lot | | | | |
| 1 | Porter Mill Properties, LLC ("Ward Farm") | W side Snow Hill Road | \$500,000.00 | 236.64 | 94 | 08008051 08008043 08008086 | 3, 8 | 7, 9, 173 | | E | 100 | N | N |
| 2 | Blank, William Berger, Jr. | 7440 Public Landing Road | \$550,000.00 | 283.69 | 64 | 02008580 | 17 | 112 | | E | 100 | N | N |
| 3 | Truitts Landing Farm | Truitts Landing Road | \$200,000.00 | 92.9843 | 80 | 02014904 | 2 | 10 | | E | 100 | N | N |
| 4 | Long Point Farm, Inc. | E side Greenbackville Road | \$500,000.00 | 232.44 | 94 | 08007209 | 23 | 44 | | E | 100 | N | N |
| 5 | Connor, Mary Twilley | 4308 Paw Paw Creek Road | \$400,000.00 | 177 | 72 | 02012138 | 6 | 50 | | E | 100 | N | N |

| PROPERTY | Owner's Name | Property Address | Estimated Cost | Acres | Tax Map Information | | | | | Easement or Fee (E or F) | Buffer Width | Public Access (Y or N) | Social Benefits (Y or N) |
|----------|--------------------------------|-----------------------|----------------|--------|---------------------|--------------|------|--------|-----|--------------------------|--------------|------------------------|--------------------------|
| | | | | | Tax Map | Account ID # | Grid | Parcel | Lot | | | | |
| 6 | Pusey, Joseph et al | 5174 Little Mill Road | \$250,000.00 | 106 | 86 | 08005281 | 19 | 36 | | E | 100 | N | N |
| 7 | Holland, Dale | Snow Hill Road | \$180,000.00 | 78.54 | 71 | 02011735 | 6 | 5 | | E | 100 | N | N |
| 8 | John T. Payne Trust | N side Stockton Road | \$200,000.00 | 113.22 | 85 | 08003319 | 12 | 23 | | E | 100 | N | N |
| 9 | Aydelotte, Benjamin and Brooks | W side Payne Road | \$300,000.00 | 190 | 101 | 01014609 | 3 | 21 | | E | 100 | N | N |
| 10 | Jones, Richard | Brantley Road | \$120,000.00 | 81 | 93 | 01011413 | 13 | 71 | | E | 100 | N | N |

Coastal Bays RLA Application, FY22

-  Coastal Bays RLA
-  FY21 Priority Properties
-  MD Coastal Bays Watershed Boundary
-  MALPF Easement
- Rural Legacy Easements**
-  final
-  pending
-  Eligible Properties
-  WRP Easement
-  Forest Legacy Easement
-  State Lands
-  Parks
-  LSLT/MET Easement
-  Other Privately Owned Protected Lands



Map created by Worcester Co
Dept of Environmental Programs
January 6, 2021



Cover Sheet Rural Legacy Application

Please complete this Cover Sheet and submit it with all Attachments.

| | |
|--|------------|
| Rural Legacy Area Name: DIVIDING CREEK | |
| Name of Sponsor: Somerset and Worcester Counties, Lower Shore Land Trust | |
| County or Counties Where Eligible Properties Located: Somerset and Worcester | |
| Name of Sponsor's Lead Contact: Jared R. Parks, Lower Shore Land Trust | |
| Contact's Title: Land Programs Manager | |
| Daytime Phone Number: 443-234-5587 | Fax #: N/A |
| E-Mail Address: jparks@lowershorelandtrust.org | |
| Address: 100 River Street, Snow Hill, MD 21863 | |

| | |
|---|-------|
| As authorized representative of the above referenced Sponsoring organization, I hereby certify that the information in this application is accurate and complete to the best of my knowledge. | |
| Signature: | Date: |

| |
|--|
| Rural Legacy Area Name: Dividing Creek |
|--|

**RENEWAL AND AREA EXPANSION
GRANT APPLICATION**

SECTION I: RLA Statistical Information

1. What is the total acreage of the existing Rural Legacy Area (RLA)? 67,812
2. With this Application, is a RLA boundary expansion being requested? No (Yes or No)
If so, how many additional acres are in the expansion area? N/A
What is the total acreage of the proposed RLA with expansion: N/A
Please describe in detail the adjustments to the boundaries of the approved RLA. N/A
3. i. How much of the acreage within the existing RLA (in acres), is:
 - a. Unprotected land: 39,796
 - b. Protected land (all sources): 26,533
 - c. Developed land: 1,483
- ii. Expansion Only - If an expansion is proposed, how much of the acreage within the entire (existing plus proposed expansion) RLA (in acres), is: N/A
 - a. Unprotected land _____
 - b. Protected land (all sources) _____ *(Through permanent conservation programs – MALPF, MET, CREP Permanent easements, County conservation easements, etc.)*
 - c. Developed land _____
4. How many acres do you propose to protect with the funds requested in this Application?
828 acres
5. What is the projected total cost per acre for land acquisition proposed in this Application? (Include land and transactional costs, i.e. administrative, indirect and compliance costs.)

Easement: \$2200/acre farmland; \$1500/acre woodland
Fee Simple: N/A
6. What is the total amount of Rural Legacy Program (RLP) grant funds being requested in this Application? \$1,780,000
7. How many acres, including the acres proposed in this Application, do you plan to protect with RLP funds over the next 10 years of the Program? We have a goal to protect 50% of non-developed and within the DCRLA. The goal is 67,812 acres – 1,483 acres of developed lands divided by 2, or 33,165 acres. 26,533 acres are already protected, 1,712 are under

contract, and 140 acres are to be protected in MALPF, so we have 4,780 acres to protect in 10 years to reach the 50% goal.

8. Estimate the amount of additional RLP funds that will be needed to preserve the RLA goal acreages (based on current easement prices and the acreages currently preserved in the RLA). \$9,082,000 (4,780 acres @ \$1,900/acre)

SECTION II: Leveraging RLP Funds

1. Describe ways the Sponsor utilized their own funds in the past 12 months to permanently conserve land in the RLA.

In 2020, LSLT and MET finalized a donated easement on the lands of Daryl Insley and Terissa Layfield over their 70 acre property located within the DCRLA. Both own properties individually adjacent to this recently eased property that are slated for RLP protection with FY21 funds (shown at the top of the priority list).

2. Detail all funding sources/conservation programs that were utilized in the past 12 months to permanently conserve land in the RLA.

Worcester County is currently working on a MALPF easement on the 140-acre Wilkins property.

SECTION III: Bonus Points

1. What was the average width of riparian buffers for RLA properties acquired in the past 12 months? The Carey easement was the only project with required buffers. The easement requires 50-foot buffers on Dublin Lead Ditch.
2. Describe any form of public access that has been permitted on properties during the past 12 months, i.e., hunting, educational school trips, trail access? Leased hunting is permitted on all properties.
3. Describe any social benefits that resulted because of RLA properties preserved during the past 12 months, i.e., support for local food supply, farm-to-schools, benefits to underserved communities, innovative partnerships, linking children to nature? N/A
4. Describe any enhanced best management practices included in RLA easements during the past 12 months. N/A

SECTION IV: Special Circumstances

Describe any unique circumstances or specific projects that should be considered for potential RLP funding. Please limit your response (if any) to one (1) page.

The below properties are all in Worcester County and represent properties listed as #s 1-5 on the attached priority list. The funds awarded in this RLA generally flip from year to year between

the two counties for a relatively even distribution of funds over time. The next funding cycle will be used for Worcester as the grant award for FY21 is slated largely for Somerset County.

Ennis—this property is adjacent to a MALPF easement that the Ennis family recently purchased. Protection of this property, which has never been subdivided, would extend protection over the Ennis family’s entire farm operation. The property is mostly in cropland use but includes woodland on the west side of Dividing Creek Road.

Anderson brothers—this property has been a priority since the establishment of the area. The property is managed for hunting and wildlife but also includes valuable farmland and Pocomoke River shoreline. It is adjacent to the 711-acre+ Barnes property and would build on protection of Pocomoke River shoreline.

Boyer family—the property includes Pocomoke River shoreline and is next to a 122 acre MALPF easement. Both properties contain woodland that provides important riparian habitat. The property has never been subdivided. The family is very interested in conservation.

Fulton properties (adjacent to each other). The Fultons own multiple farms containing some of the highest quality farmland in the county. These two properties are adjacent to Nassawango Creek Nature Preserve.

SECTION V: Multiple County Priority Designation

For Sponsors of more than one RLA in the same County, please submit a letter of RLA funding preference. Letter Attached

SECTION VI: Proposed Property Acquisitions

Complete the Proposed Acquisition List Form for the top ten (10) proposed acquisitions in the RLA for Fiscal Year 2021 funding (submit Form with Application).

SECTION VII: FOR EXPANSION REQUESTS ONLY

Submit digital geographic information (GIS data) for the boundary of the RLA. This should be transmitted electronically by email or other type of online file transfer service (*Dropbox, WeTransfer, Box, etc.*) to the Rural Legacy Program as an ArcView shapefile in state plane 83 meters projection. This information must be submitted simultaneously with the Application (it can be as a separate email but should immediately follow the initial email with this Application) or the Application will be considered incomplete. N/A

SECTION VIII: Annual Report

If the Annual Report for the calendar year that just ended (January – December) has not already been submitted, it MUST be included with this Application. Attached

SECTION IX: Stewardship

All monitoring reports that were due in the prior calendar year (January – December) that have not yet been submitted are now DUE and MUST accompany submission of this Application.

Please submit an electronic copy (in Word or PDF format) of the Application and all Attachments.

SUBMIT COMPLETED RURAL LEGACY PROGRAM GRANT APPLICATIONS TO:

**Rural Legacy Program
Land Acquisition and Planning Unit
Tom McCarthy, Conservation Easement Supervisor
Tom.mccarthy@maryland.gov**

***Fiscal Year '22 Grant Application submission deadline): Second Tuesday in February by 5:00 p.m.
(*unless otherwise given specific permission)***

State of Maryland Department of Natural Resources
Rural Legacy Program Application

Proposed Acquisitions – Fiscal Year 2022

Rural Legacy Area Name DIVIDING CREEK

| PROPERTY | Owner's Name | Property Address | Estimated Cost | Acres | Tax Map Information | | | | | Easement or Fee (E or F) | Buffer Width | Public Access (Y or N) | Social Benefits |
|--------------|---|------------------------|----------------|--------|---------------------|----------------------|------|--------|--------|--------------------------|--------------|------------------------|-----------------|
| | | | | | Tax Map | Account ID # | Grid | Parcel | Lot | | | | |
| Pending | Barnes Parcel #28 on list | Dividing Creek Road | \$949,116.25 | 734.37 | WO 77 | 07006322 | 15 | 8 | | E | 100 | N | N |
| Pending | E.S. Adkins Parcel #22 on list | South of Whitesburg RD | \$845,925.38 | 978.29 | WO 16 | 07006829 | 15 | 8 | | E | 100 | N | N |
| FY21 Funding | Insley Parcel #77 on list | Perryhawkin Road | \$222,000 | 101.56 | SO 16 | 15017325 | 17 | 7 | | E | 100 | N | N |
| FY21 Funding | Layfield Parcel #79 on list | Perryhawkin Road | \$297,000 | 135.39 | SO 16 | 15005157 15005149 | 17 | 5 | 2 lots | E | 100 | N | N |
| FY21 Funding | Bishop Parcel #34 on list | 33713 Dublin Road | \$121,000 | 55.6 | SO 25 | 04060660 | 23 | 19 | | E | 100 | N | N |
| 1 | Ennis Parcel #92 on list | 4016 Whitesburg Road | \$320,000 | 165.55 | WO 69 | 07005776 | 21 | 21 | | E | 100 | N | N |
| 2 | Anderson Parcel #27 on list | 2422 McMaster Road | \$900,000 | 406.46 | Wo 77 | 07006306 | 10 | 5 | | E | 100 | N | N |
| 3 | Boyer Family LLC Parcel #49 on list | Nassawango RD | \$560,000 | 256 | WO 62 | 07005040 | 24 | 24 | | E | 100 | N | N |

8 - 18

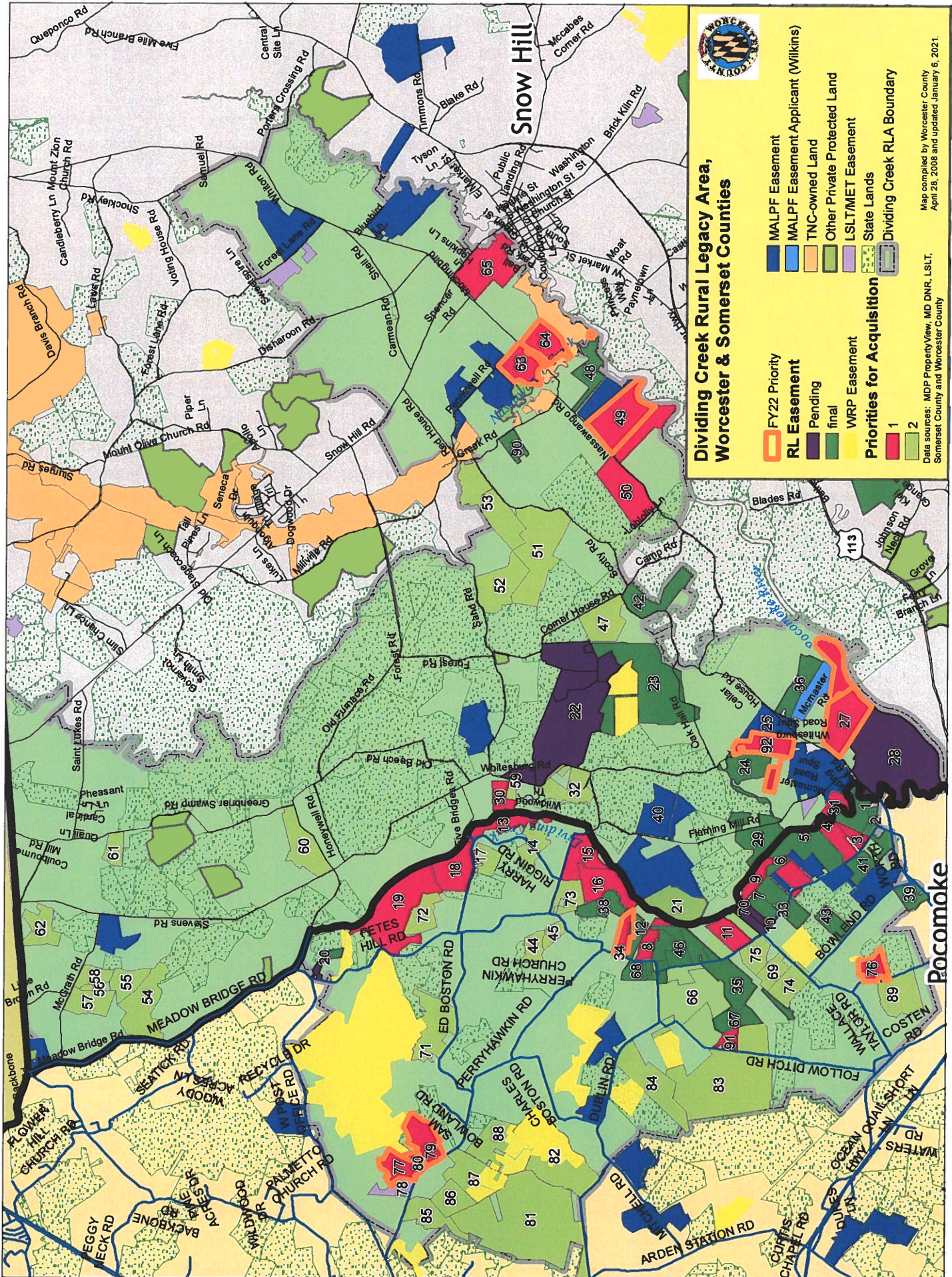
ITEM 8

| PROPERTY | Owner's Name | Property Address | Estimated Cost | Acres | Tax Map Information | | | | | Easement or Fee (E or F) | Buffer Width | Public Access (Y or N) | Social Benefits |
|----------|--|------------------------|----------------|--------|---------------------|----------------------|------|------------|-----|--------------------------|--------------|------------------------|-----------------|
| | | | | | Tax Map | Account ID # | Grid | Parcel | Lot | | | | |
| 4 | Manufacturers and Traders Trust Co Parcel #64 on list | Nassawango Road | \$250,000 | 144.48 | WO 63 | 02007819 | 7 | 85 | | E | 100 | N | N |
| 5 | Fulton, Martha and Jennie Parcel #63 on list | 4824 Pennewell Road | \$350,000 | 151.3 | WO 63 | 02007371 | 7 | 83 | | E | 100 | N | N |
| 6 | Steve Beauchamp Parcel 91 on list | 9237 Follow Ditch Road | \$104,000 | 47.5 | SO 34 | 04060571 | 14 | 54 | | E | 100 | N | N |
| 7 | Double J's Hunting Parcel #19 on list | Pete's Hill Road | \$660,000 | 329.1 | SO 17 | 15007729 | 11 | 7 | | E | 100 | N | N |
| 8 | Dryden Parcel #76 on list | Hayward Road | \$135,000 | 116 | SO 42 | 04073134 04063031 | 16 | 10, 195 | | E | 100 | N | N |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

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ITEM 8

| PROPERTY | Owner's Name | Property Address | Estimated Cost | Acres | Tax Map Information | | | | | Easement or Fee (E or F) | Buffer Width | Public Access (Y or N) | Social Benefits |
|----------|--------------|------------------|----------------|-------|---------------------|--------------|------|--------|-----|--------------------------|--------------|------------------------|-----------------|
| | | | | | Tax Map | Account ID # | Grid | Parcel | Lot | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |





Worcester County Office of Tourism

104 West Market Street | Snow Hill MD 21863 | (410) 632-3110 | www.VisitMarylandsCoast.org

Memorandum

To: Harold Higgins, CAO
Commission President Joe Mitrecic
Weston Young, ACAO

From: Melanie Pursel, Director
Worcester County Office of Tourism & Economic Development

Date: December 15, 2020

Re: Trademark engagement agreement approval

Please see the attached engagement agreement from attorney Arlette Bright for services to trademark the Maryland's Coast logo. Our goal is to trademark Maryland's Coast logo mark, word mark and tagline "Naturally Cool".

The purpose is also to protect it from being used by others either without our permission and/or in a manner that is not aligned with the brand. Another important purpose is to allow the county to establish terms and conditions for licensing the Maryland's Coast brand (i.e., merchandise).

After internal discussions it was recommended that we go outside of the county and pursue legal representation that has experience in working through the trademarking process.

We are requesting review, approval and signature. Kindly, let me know if you have any questions.

CC: Roscoe Leslie, Attorney
Tom Perlozzo, Worcester County Recreation and Parks, Tourism & Economic Development

BRIGHT TRADEMARKS, LLC

**LAW OFFICE OF ARLETTE BRIGHT,
P.C.**

Telephone: 443.736.3044
 Fax: 443.736.3091
 Cellular Phone: 443.880.1531
 EM: arlette@brightlaw.net
 WEB: www.brightlaw.net

Salisbury Office:
 1002 Eastern Shore Drive
 Unit B
 Salisbury, Maryland 21804

ENGAGEMENT AGREEMENT

Via Electronic Mail at mpursel@co.worcester.md.us

December 8, 2020

Worcester County Office of Tourism & Economic Development
 C/O: Melanie Pursel, Director
 104 West Market Street
 Snow Hill, MD 21863

Re: Trademark/Service Mark Registration with the United States Patent and Trademark Office

Dear Melanie:

This letter will confirm your agreement to retain Bright Trademarks, LLC and The Law Offices of Arlette Kelly Bright, P.C. (the "Firm") to provide you with trademark and/or service mark matters and to serve as your legal counsel in connection therewith. As a condition of our representation in this matter, the Client is also required to pay our firm an initial engagement fee of \$5,000.00. The Firm's time will be billed against this fund. The retainer fee will be placed in the Firm's escrow account, and the Firm will bill against this retainer amount until it is depleted based upon hourly rates as set forth below. It is understood that this retainer is refundable except for the time expended on behalf of the Client at the hourly rates as set forth. This agreement shall become effective upon our receipt of a countersigned copy of this agreement.

As indicated to you, professional fees for this matter are determined solely by the number of hours spent by me and other members of the firm based upon customary hourly rates, which are as follows: the billing rate for Arlette Bright, Esquire is **\$285.00/hour** and paralegal rate is **\$95.00/hour**.

It is understood that it is possible that more than one person in the Firm will expend time in representing the Client on this matter. While the Firm will make every attempt to minimize multiple billing, there are occasions when it is necessary for more than one person to expend time in representing the Client at the same time.

It is understood that the above hourly rates are guaranteed for the period of one (1) year from the date of the execution of this Agreement, and that thereafter, at the option of the Firm, and upon providing the Client with a minimum of ten (10) days prior notice, the hourly rates charged

may be increased and the Client further understands that he will be charged accordingly and bound thereby unless the Client elects to terminate the Firm's representation within that time.

The Client further agrees to pay, in addition to attorney's fees, all expenses and costs involved herein, including, but not limited to filing fees, postage, couriers, a \$35.00 returned check charge, and any other costs or fees incidental to the work provided in this matter and incurred as they arise. These costs are IN ADDITION to attorney's fees and are payable in advance or, if billed, within fifteen (15) days of billing for said expenses. It is further agreed that the Firm is authorized to bill the Client for costs or other expenses, payable upon receipt, which are advanced on behalf of the Client and may require the Client at any time to pre-pay such costs and expenses prior to their incurrence.

The Firm agrees to keep accurate time records, with the minimum time entry to be six (6) minutes, including telephone conferences and travel time, if required. Statements for services rendered shall be mailed periodically. It is understood that the Client will not be charged for valid inquiries regarding billing matters. The Client agrees to pay such statement within fifteen (15) days after receipt. THEREAFTER, a service charge shall accrue on any unpaid balance at a rate of one and one-half percent (1.5%) per month, or eighteen percent (18%) annually. The failure to pay any statement within fifteen (15) days may be construed as a discharge of the Firm. It is expressly understood and agreed that failure of such payment shall entitle the Firm and any attorney at their option to immediately terminate the services of the Firm and to petition any appropriate court or agency to withdraw from the case.

The Client understands that they are responsible for the payment of the entire bill with the Firm regardless of any agreement or court order that any other person or entity must contribute to or pay the attorney's fees of the Client.

~~If the case is referred to an attorney for collection or if suit is filed to collect any amount owed, the Client shall be responsible for the payment of attorney's fees in an amount agreed to be twenty percent (20%) of the amount owed.~~

This Agreement refers only to the matter above set forth and is not intended to cover any other services or any other matter not specifically enumerated.

Once again, we very much appreciate the opportunity to work with you, and I encourage you to call me if you have any questions about this letter. If this agreement meets with your approval, please sign the original below and return it to me. Please retain a copy for your records.

Very truly yours,
**BRIGHT TRADEMARKS, LLC AND
THE LAW OFFICES OF ARLETTE KELLY BRIGHT, P.C.**

Accepted and Agreed: _____ Date: _____

Joseph Metrecic, President, County Commissioners of Worcester County,

AKB/klw



Worcester County Recreation & Parks

6030 Public Landing Road | Snow Hill MD 21863 | (410) 632-2144 | www.PlayMarylandsCoast.org

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
 Weston Young, Assistant Chief Administrative Officer

FROM: Tom Perlozzo, Director of Recreation, Parks, Tourism & Economic Development
 Melanie Pursel, Director Economic Development & Tourism

DATE: January 12, 2021

SUBJECT: STEM and STAT Proposed Changes in the County

Thank you so much for the opportunity to present this proposed operational change to Economic Development. After consideration of the current situation within the county, we feel it important to take a long-term proactive approach to the workforce problems. This is not a singular issue as every municipality has struggled for years and includes the filling of county positions as well. Therefore, we are recommending the hiring of a new position using the existing funds for consideration that will recognize the following goals: (not all inclusive and no additional funds needed)

1. Grow our workforce from within by targeting high demand industries in Worcester County – connect with youth, adults, dislocated workers etc.
2. Build a competitive workforce to attract and retain business
3. Provide career ready programs and opportunities with the appropriate educational platforms.
4. Create and provide work base learning for all ages (STEM, STAT, Interns, etc.) by connecting with area businesses
5. Fill Worcester County government open positions

COVID has drastically reduced the ability to administer the STEM program in 2020 and uncertainty continues for 2021. We are recommending this program be placed on hold using the modification of still continuing to place interns, etc. at various businesses. Here's a short list for your review and others to be added:

Hardwire LLC
 Benelli
 Bel-Art
 Northup Grumman
 Worcester County Water & Wastewater
 Worcester County Public Works
 Worcester County Parks

We believe that we can provide measurable goals and accountability for this position
Examples are as follows;

- Training (On and off the job, academic opportunities, etc.)
- Job Placement (Are we attracting, retaining employees for growth)
- Long Term Employment (Are we converting to full time employment)
- Wage/Income (Is the wage commensurate to the position)
- Increases in Wage/Salary based on training and certifications
- Job Satisfaction (Live work and play)
- Business Return on Investment (Repeat Business)
- Market Facilitation (Are we linking employees with employers)

Specific Sample job Performance:

- Coordinate regular “mobile” Job Fairs in Pocomoke, Snow Hill and Berlin
- Research and apply for Federal and State grant opportunities
- Work with the libraries to facilitate career labs in the county as well as career readiness software/programs.
- Network/coordinate with the various chambers and other business organizations as well as the CTE, Lower Shore Workforce Alliance, Department of Labor, Community College and higher education (SU/UMES).
- Integrated operation with tourism efforts to address business needs required to effectively serve guests visiting Worcester.



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: January 11, 2021
SUBJECT: Bid Waiver Request – Snow Hill Shop Vehicle Lifts

DIVISIONS

The Department of Public Works – Roads Division is requesting approval to waive the formal bidding process and accept the Alan Tye & Associates Sourcewell (NJPA) contract price for the purchase of Stertil-Koni Mobile Vehicle Lifts with accessories to be utilized at the Snow Hill Shop. Sourcewell streamlines the procurement process by receiving competitive solicitations that meet or exceed local requirements. The Town of Ocean City Maintenance Shop has had great success and continues to purchase these units on a regular basis due to the quality of materials and service. After speaking with the Director of Public Works and the Shop Supervisor with the Town of Ocean City, I strongly recommend that we purchase these vehicle lifts due to their experience with Stertil-Koni. Alan Tye & Associates did meet the required mobile vehicle lift specifications and warranty for a total contract price of \$122,057.00. I have attached for your review and approval the vehicle lift specifications and price quote.

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

After thoroughly investigating our options with other vendors offering similar equipment, I would respectfully request consideration in waiving of the formal bid process and request the County Commissioners to accept Alan Tye & Associates proposal in the amount of \$122,057.00. Funding in the amount of \$152,155.00 for the purchase of mobile vehicle lifts is available in the Assigned Fund Balance.

Should you have any questions regarding this matter, please feel free to call me.

Attachments

cc: Frank J. Adkins



9669-D Main Street
Fairfax, VA 22031
1-800-347-3440
www.alantyelifts.com



SALES ♦ SERVICE ♦ INSTALLATION ♦ SAFETY INSPECTIONS

Date: November 23, 2020

**Worcester County, MD
Steril-Koni Surface Mounted Skylift 250 – 33'**

Worcester County
5764 Worcester Hwy
Snow Hill, MD 21863
Attn: Frank Adams
410-632-2244

Pricing based upon Sourcewell (NJPA) contract 061015-SKI

Issuance of NJPA Purchase Orders & Payment to Steril-Koni, USA orders@steril-koni.com

➤ **Steril-Koni Equipment**

Furnish –

- One (1) Model ST1100-3FWA set of 6 wireless mobile columns, 132,000 total capacity, 24 volts DC, control box on every column, adjustable forks. - **\$72,965.00**
- Twelve (12) SKCVP3658-18 Jack Stands, w/wheels and handles, spring loaded center tube, pin stop w/36"-58" fine adjustment. 1 fixed wooden head - 12 x \$1,153 ea. = **\$13,836.00**
- One (1) SKTJ401 Heavy duty transmission jack, table 26"x16", 3,500 lbs. capacity, 38"x52" base, 74" lifting height, pneumatic operation - **\$7,920.00**
- One (1) item 38000950 Multi-Purpose Wide Reach Adapter. 2 pieces, reduced capacity, includes two U shaped sliding adapters - **\$5,135.00**
- One (1) SKWD-500 High Lift Wheel Dolly with chain guard, 1,000 lbs. capacity, 52" lifting height, pneumatic operation - **\$7,201.00**

**Lift Warranty = 2 years on parts, 1 year on labor.

**Estimated Annual Inspection - \$865.00 (may be less if we can schedule with other local work.)

Equipment Price = \$107,057.00

➤ **Construction – 1 bay**

Scope of work –

- Customer responsible for pumping out pits prior to our arrival
- Remove existing lift parts and remove oil from system
- Fill pits with gravel and concrete to finished floor.
- Please note we will be leaving the fixed outer casing in the floor. Oil will be removed and unit back filled with gravel.

Construction Price = \$15,000.00

****Note – if 2 bays are completed at the same time. Total construction price will be \$22,000.00**

| Total Price Summary | |
|-----------------------------------|---------------------|
| Equipment – 1 lift | \$107,057.00 |
| Construction | \$15,000.00 |
| Tax – will be added is applicable | Not included. |
| Total | \$122,057.00 |

Exclusions:

1. Quote excludes cost of any required bonds, or taxes.
2. Quote excludes cost of any required permits or cost of certified shop drawings needed to obtain permits.
3. Quote excludes any de-watering or removal of fluids in existing lift pit.
4. Quote excludes certified payrolls.
5. Quote excludes payment and performance bonds.

Customer Installation Responsibilities:

1. Provide clear and unobstructed unloading area, within close proximity (not to exceed 100'-0) to the installation area.
2. Provide clear/unobstructed path from receiving area (*loading dock if available*) to installation area.
3. Provide clear and unobstructed workspace for the staging of items and the safe and effective installation of the unit(s).
4. Provide access (not to exceed 100'-0) to 110 V AC power for operation of power tools, etc.
5. Provide access to a dumpster for the disposal of all trash.
6. Debris removal and costs associated are the responsibility of the client, unless specifically noted in this offer.
7. Provide, without cost, a secure parking area for installation technician vehicles.

Terms: Due Upon Receipt

1. Issuance of Purchase Orders & Payment to:
 Stertil Koni Lift
 200 Log Canoe Circle, Stevensville MD 21666
orders@stertil-koni.com
2. Quote valid for 30 days.

Any and all applicable taxes are purchaser responsibility.

ACCEPTANCE:

ITEM 11

MOBILE COLUMN LIFT

ST 1085 - ST 1100

Capacity 18,500 lbs.
or 22,000 lbs.

sterdil® KONI



ebright
SMART CONTROL SYSTEM



STERDIL
SUPERIOR SOLUTIONS BY
QUALITY PEOPLE

Superior solutions by quality people



The Stertil Group provides customized and technically advanced lifting solutions for heavy-duty customers worldwide, as well as the best possible after-sales service from factory trained local partners. These superior solutions are conceived, developed and implemented by a team of specialized professionals with unique experience. Thanks to its quality people, its total in-house production process and its international organization, Stertil-Koni is the world leader in the field of heavy-duty vehicle lifting systems.

Wireless...

Our wireless mobile column lifts with the ebright Smart Control System represent the latest in mobile column lifting technology. Using the innovative ID key, you can connect up to 32 columns in a single lift set. In most cases, the special deep cycle batteries only need to be recharged every two weeks. No time is wasted connecting up cables and the mechanic has maximum access to the vehicle, without any tripping hazards

sterdil KONI

Wireless mobile column lifts

with ebright Smart Control System



TOUCH SCREEN



WIRELESS



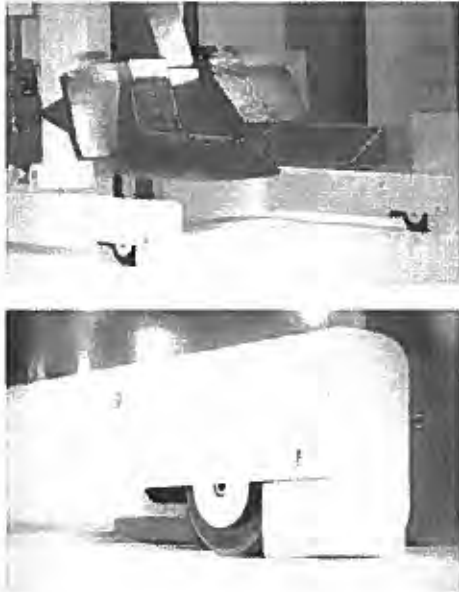
... or cabled, it's up to you

If you predominantly work in a fixed location the cabled mobile column lifts could be the best solution for you. This setup offers the possibility to connect up to 32 columns in a single lift set. All interconnection cables are equipped with heavy-duty plugs at both ends. Both the wireless and the cabled column lifts are equipped with a control panel on each individual column. Columns can be operated individually, in pairs or simultaneously as a complete set with the touch of a button. Each column can therefore be used at any given location.

Full color touch screen control

The revolutionary **ebright Smart Control System** combines intuitive ease of use with maximum visual information about the lifting process. The main advantages:

- 7" full color touch screen, works even when wearing gloves
- User configured options, such as choice of language, safety warnings and scheduled maintenance notifications
- All relevant information available at a glance
- Customizable ID-Key to prevent unauthorized operation
- Wireless Mesh network for optimal connectivity



Reliable hydraulic technology

- Extended column life and minimal maintenance thanks to low friction design
- Stringent testing before leaving the factory
- Manual lowering in case of a power outage
- Maximum protection of the cylinder and seal against damage

Adjustable pick-up forks

ST 1085 mobile column lifts have a fork length of 14", ideal for picking up a variety of vehicles, including vehicles with super single tires in a safe and secure manner. The fork length for the ST 1100 mobile column lift is 12". Both models can handle wheels with rim diameters from R12 to R22.5 with an adjustable fork that is easy to move manually and includes a mechanical lock.

Retractable wheels

Both the wireless and the cabled mobile column lifts are available with retractable wheels. This unique Stertil Koni design is the best available on the market. This prevents high point loading on the floor and reduces the floor surface pressure by a factor of 10. The system is fast, efficient, very stable and extremely reliable.

Adjustable lowering speed

If you need to lower the vehicle more slowly for precision placement of under carriage components, this is easily done with a single touch.



Power supply

The Stertil-Koni wireless mobile column lifts operate on 24 VDC and are easily recharged by means of a 110 VAC wall receptacle. The Stertil-Koni cabled mobile column lifts operate on three phase at 208/230, 460/480 and 575 VAC, as well as single phase at 220 VAC.

Fast lifting and lowering

The ST 1085 and ST 1100 only take 94 seconds to reach its maximum lifting height of 73". This makes them one of the fastest mobile column lifts in the world.

Well thought out in all aspects



MAX 32 LINKED
COLUMNS



ADJUSTABLE
LOWERING SPEED



OVERLOAD
PROTECTION



UNIQUE
SYNCHRONIZATION
SYSTEM

Easy to move

Stertil-Koni mobile column lifts are indeed mobile, thanks to the synthetic roller wheels and hydraulic pallet jack mechanism with patented overload protection.

Safe working space

As an extra safety feature, we have also designed ample working space between the column and the vehicle. This ensures that the vehicle will not come into contact with the column in the event of sagging vehicle suspension.

Unique synchronization

The synchronization system is activated at a height difference of just 9/16". This ensures a safe and smooth lifting and lowering cycle, even in cases where the distribution of the vehicle weight is extremely uneven.

Lifetime guarantee

The innovative synthetic runner wheels within the column come with a lifetime parts guarantee.



• High resolution 7" touch screen

• Intuitive controls

ebright Features

- High resolution 7" touch screen
- Owner/User configurable system with user ID key
 - Individual user settings for setting language and units of measure
 - Protection against unauthorized use, thanks to personalized ID key
- Maintenance notifications
- Visual display of maximum programmable lifting height
- Warning and failure information
- Operation manual available on-screen
- Tracking of specific operations and information codes
- Intuitive controls with actual data about the lift:
 - Indication for Single, All or Pair operation mode
 - Information about how many columns are in the set (up to 32 columns)
 - Actual lifting height displayed
 - Lowering speed can be manually adjusted on the touch screen
 - Battery status information
 - Customizable ID-Key to prevent unauthorized operation
- Wireless Mesh network with continuous active channel search offering optimal connectivity

Everything under control



| Overview of ST 1085 – ST 1100 models | ebright wireless ST 1085-FWA ST 1100-FWA | ebright wireless ST 1085-RWA ST 1100-RWA | ebright cabled ST 1085-FSA ST 1100-FSA | ebright cabled ST 1085-RSA ST 1100-RSA |
|---|--|--|--|--|
| ebright Smart Control System with a control box on each individual mobile column | ● | ● | ● | ● |
| Touch screen with important information about the system e.g. lifting height, operation mode | ● | ● | ● | ● |
| Wireless Mesh network with continuous active channel search offering optimal connectivity | ● | ● | | |
| These columns utilize a power outlet in the workshop and communicate with each other via interconnecting cables | | | ● | ● |
| Adjustable lowering speed for slow or normal lowering | ● | ● | ● | ● |
| Hydraulic pallet truck mechanism with patented overload protection | ● | ● | ● | ● |
| 14"-long adjustable fork, suitable for super single tires | ST 1085 | ST 1085 | ST 1085 | ST 1085 |
| 12"-long adjustable fork | ST 1100 | ST 1100 | ST 1100 | ST 1100 |
| Fixed synthetic wheels that reduce the floor surface pressure | ● | | ● | |
| Retractable synthetic wheels integrated into the base frame, for 10x less floor pressure | | ● | | ● |

Technical specifications

- Lifting capacity: 18,500 lbs. or 22,000 lbs
- Lift system: hydraulic lifting system with microprocessor controlled synchronization
- Lifting height: maximum 73", automatic stop at the highest position
- Lifting time: 94 seconds
- Motor rating: 3 hp / 4 hp per column (Cabled/Wireless)
- Weight: 1,350 lbs per column (Wireless)
- Column lift height: 97"

Highest safety requirements

- ANSI/ALI-ALCTV certified (USA), CSA certified (Canada), CE certified (Europe)
- Independent mechanical locking system engaged at 5" above finished floor. Locking pawl engaged by gravity. The locking system is always active when the column is turned off
- Locking profile with locking increments of 1/16"
- Synchronization between the mobile lifting columns starts at a height difference of 9/16"
- Automatic overload protection
- Low voltage control panel with emergency stop
- Each column is equipped with hold-to-run push buttons
- Each individual mobile lifting column is tested prior to leaving the factory
- Splash-proof electrical system (IP 65).

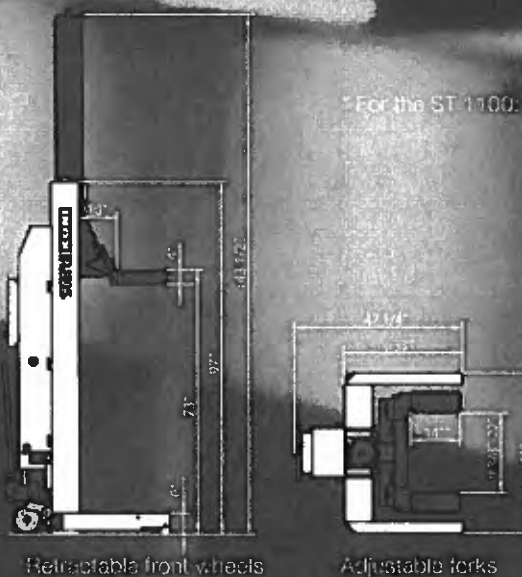
Accessories & options

Stertil-Koni offers an extensive package of accessories & options tailored to fit your specific needs.



Fixed front wheels

Adjustable forks



Retractable front wheels

Adjustable forks

More information?

For more information about the ST 1085, ST 1100, or any of Stertil-Koni's other top products, please do not hesitate to contact us. We will be pleased to assist you.



Stertil-Koni U.S.A. Inc.
 200 Log Canoe Circle
 Stevensville, Maryland 21666
 Tel. 410-643-9001
 Toll free 800-336-6637
 Fax 410-643-8901
www.steril-koni.com
lifts@steril-koni.com
 Facebook: SterilKoniUSA Twitter: @SterilKoniUSA

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Applications without notice and without making changes reserved.

09303907 ST1100 USA 12-2016 / Stertil is a registered trademark of Stertil B.V.



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: January 11, 2021
SUBJECT: Ocean Pines New Operations Center

DIVISIONS

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

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

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

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

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

On Monday December 21, 2020, seven bids were opened for construction of the Operations Center at the Ocean Pines Wastewater Treatment Plant. The following table summarizes the attached bids, the Deduct Alternate was for changing the metal roof to a conventional asphalt shingle roof.

| Bidder | Deduct Alternate | Bid Price |
|--|---------------------|-------------|
| Harkins Contracting, Inc. Salisbury, MD | \$27,643 | \$949,700 |
| GGI Builders, Inc. Salisbury, MD | \$34,000 | \$976,600 |
| Apex Business Solutions Ocean City, MD | \$28,334 | \$1,059,000 |
| Willow Construction Easton, MD | \$27,643 | \$1,073,000 |
| Bancroft Construction Company Salisbury, MD | \$27,600 | \$1,081,000 |
| Delmarva Veteran Builders Salisbury, MD | \$30,000 | \$1,081,000 |
| Harper & Sons, Inc. Easton, MD | \$30,000 | \$1,124,000 |

The Water and Wastewater Division has no direct experience working with any of the bidders on the project so we deferred the qualification evaluation to the building architect.

Attached is a letter from the building architect, George, Miles and Buhr (GMB). They have extensive experience working with most of the bidders and are satisfied that Harkins has the experience needed to complete this project.

Attached is a letter from the building architect, George, Miles and Buhr (GMB). They have extensive experience working with most of the bidders and are satisfied that Harkins has the experience needed to complete this project.

Funding for the work was included in the 2019 bond issue in the amount of \$600,000 which is less than the low bidder. However, because we changed the scope of the filter press work and completed the work at the Ocean Pines North Tower under budget, an additional \$600,000 is available for this project and to finalize the rest of the work done under the bond issue.

Based on the information provided above, we recommend awarding the work to Harkins Contracting, Inc. for the \$949,700. We are recommending that we not accept the deduct alternate as the metal roof will provide a longer life for the building roof.

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

Attachments

cc: Michelle Carmean, Enterprise Fund Controller
John S. Ross, P.E. Deputy Director



♦ ♦ ♦ ♦

ARCHITECTS
ENGINEERS206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

♦ ♦ ♦ ♦

JAMES H. WILLEY, JR., PE
PETER A. BOZICK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRUCE FOXWELL, PE
A. REGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
DAVID A. VANDERBEEK, PE
ROLAND E. HOLLAND, PE
JASON M. LYTLE, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDOCKY, PE
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, PEJOHN E. BURNSWORTH, PE
VINCENT A. LUCIANI, PE
ANDREW J. LYONS, JR., PE
W. NICHOLAS LLOYD
AUTUMN J. WILLIS

January 5, 2021

Commissioners of Worcester County
County Government Center
1 West Market Street, Room 103
Snow Hill, MD 21863Re: *Recommendation to Award Construction Contract*
New Operations Center
Ocean Pines WWTP
Worcester County, Maryland
GMB File R160049.00

To the Commissioners:

Bids were received for this project on December 21, 2020. A total of seven (7) bids were received ranging from a low bid submitted by Harkins Contracting, Inc. of Nine Hundred Forty-Nine Thousand Seven Hundred Dollars (\$949,700) to a high bid submitted by Harper and Sons, Inc. of One Million One Hundred Twenty-Four Thousand Dollars (\$1,124,000). The attached bid summary illustrates the breakdown of bids across the field of seven (7) bidders.

We reviewed all the bids in detail to verify their completeness as required by the bid documents. Apex Business Solutions and Harper & Sons, Inc. each omitted required entries on their bid form as shown in the summary, but since they did not submit one of the two (2) lowest bids, we believe it unnecessary to ask them for clarification.

GGI Builders, Inc. submitted second low bid of Nine Hundred Seventy-Six Thousand Dollars (\$976,000) which represents a 2.7% spread between the two (2) low bidders.

As low bidder, Harkins Contracting submitted a complete and responsive bid. GMB has worked with Harkins Contracting on several projects in the last four (4) years including the Millville Municipal Building (2017), the NASA Mission Launch Control Building, Wallops Flight Facility (2017), the Ocean City Country Inn and Suites (2018), the Fenwick Sands Condominium (2021), and the Ross I and II mixed residential/commercial development, Salisbury, (current). In our experience, we have found Harkins Contracting to be qualified and able to successfully manage projects in a wide range of types and complexity.

Based on our review, we believe the bids received have been submitted in general compliance with the requirements of the bid documents. Accordingly, we recommend contract award be made to Harkins Contracting, Inc. of Salisbury, Maryland.

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

Sincerely,

Morgan H. Helfrich, AIA, LEED AP

MHH/sh

Enclosure: Bid Summary



OCWWTP OPERATIONS BUILDING
 BID SUMMARY
 BID DATE 12-21-20

| CONTRACTOR | BASE BID | PP PREMIUM | ALTERNATE #1 | CALNDR DAYS | ADDENDA | SUB LIST | BID BOND | A305 |
|---|----------------------------|------------|--------------|-------------|---------|----------|----------|------|
| HARKINS CONTRACT. <i>w/alternate</i> | \$949,700 \$922,057 | \$10,485 | (\$27,643) | 210 | 1,2 | YES | A310 | YES |
| GGI BUILDERS, INC. <i>w/alternate</i> | \$976,000 \$942,000 | \$9,888 | (\$34,000) | 140 | 1,2 | YES | A310 | YES |
| APEX BUSINESS SOL. <i>w/alternate</i> | \$1,059,864 \$1,031,530 | \$14,258 | (\$28,334) | NO ENTRY | 1,2 | YES | SURETY | YES |
| WILLOW CONSTR. <i>w/alternate</i> | \$1,073,000 \$1,045,357 | \$12,100 | (\$27,643) | 252 | 1,2 | YES | A310 | YES |
| DELMARVA VB <i>w/alternate</i> | \$1,081,000 \$1,053,400 | \$13,300 | (\$27,600) | 240 | 1,2 | YES | A310 | YES |
| BANCROFT CONSTR. <i>w/alternate</i> | \$1,081,000 \$1,051,000 | \$11,027 | (\$30,000) | 210 | 1,2 | YES | A310 | YES |
| HARPER & SONS, INC. <i>w/alternate</i> | \$1,124,000 \$1,094,000 | \$19,000 | (\$30,000) | 300 | 1,2 | YES | A310 | NO |

NOTES:

1. Willow Construction submitted a preliminary construction schedule.
2. Apex Business Solutions omitted a value for construction calendar days.
3. Harper & Sons omitted an A305 qualification statement.
4. Bid standings do not change after Alternate #1 is applied except Bancroft pulls ahead of Delmarva VB by \$2400.
5. All bidders submitted copies of their Maryland Contractor's License.
6. The calculated square foot cost for the low bid is \$298.64/SF.



TOWN OF OCEAN CITY

The White Marlin Capital of the World

December 1, 2020

Joseph Mitrecic, President
Worcester County Commissioners
1 West Market Street – Room 1103
Snow Hill, MD 21863



RE: Tax Differential FY22

Dear Honorable President Mitrecic and Distinguished Commissioners,

Pursuant to Sections 6-305 and 6-306 of the Tax-Property Article of the Annotated Code of Maryland, the Town of Ocean City requests that the County provide in its FY-22 Budget a tax differential for Ocean City taxpayers who pay Worcester County property taxes. This tax differential will recognize and credit the Ocean City taxpayer for services provided by the Town paid for by Town property taxes which the County does not provide our taxpayers.

The Worcester County study on tax differential in 2016 concluded that Ocean City taxpayers should receive a differential, although the amount of the tax differential did not agree with the amount that Ocean City identified in its study. There have been meetings in the past with Town and County staff members, but they did not determine a mutually agreeable model to formulate a fair tax differential.

We look forward to meeting and having a productive conversation on this issue. We share many common interests as we all represent citizens and taxpayers in Worcester County. We want to thank the Commissioners for working with the Town last year to develop a formula to offset the cost to the town of providing EMS services to the West Ocean City area. This service remains vital to the residents and visitors of this area. It is our hope that we use this as an example of how we can work together to resolve pending issues and build an even stronger relationship between the Town of Ocean City and Worcester County. As we move forward into 2021, we would again suggest that we work together with representatives from all County Fire Departments and all Worcester County Municipalities to explore the idea of establishing Fire/EMS Districts to fund this essential service to the unincorporated areas throughout our County.

This has been a challenging year for all of us and in particular for our local businesses. Their future is critical to the economic success of both Ocean City and Worcester County. We believe that now, more than ever, sports marketing and the building of a first-class Sports Complex to host major tournaments and sporting events can be the catalyst for future economic success. Now

MAYOR
RICHARD W. MEEHAN

CITY COUNCIL

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President

ANTHONY J. DELUCA
Secretary

PETER S. BUAS
JOHN F. GEHRIG, JR.
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P.O. BOX 158 • OCEAN CITY, MARYLAND • 21843-0158



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2001

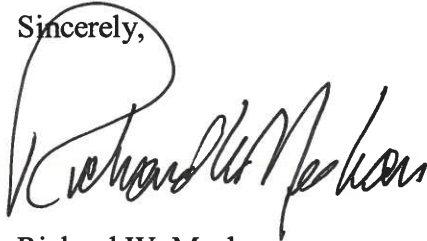
Town of Ocean City, Maryland

Page 2

is the time to take advantage of the tourism related infrastructure we have in place to support this type of economic development. The building of this type of partnership could also be another step toward resolving our tax differential issues. We believe working together is the future.

I respectfully request that we meet to discuss these issues prior to the passage of the County 2022 budget.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Meehan". The signature is written in a cursive style with a large, looping initial "R".

Richard W. Meehan
Mayor

cc: Harold Higgins, Chief Administrative Officer for Worcester County, MD
Commissioner Nordstrom
Commissioner Church
Commissioner Bunting
Commissioner Elder
Commissioner Purnell
Commissioner Bertino
Ocean City Council
City Manager Miller

DRAFT

January 19, 2021

Mr. Richard Meehan, Mayor
Ocean City Mayor & Council
P. O. Box 158
Ocean City, MD 21843

RE: Property Tax Differential

Dear Mayor Meehan:

The County Commissioners received your request on December 4, 2020 for a property tax setoff in the form of a tax differential for Ocean City taxpayers for the fiscal year beginning July 1, 2021. Pursuant to Sections 6-305 and 6-306 of the Tax-Property Article of the Annotated Code of Maryland with an amount yet to be determined. The County is in receipt of the Towns Tax Differential Study of February 2013, the City's adopted Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2020 and the Town's Fiscal Year 2021 Operating Budget.

The County promptly submits to the Town of Ocean City the County Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2020 and the County Fiscal Year 2021 Operating Budget.

The County Chief Administrative Officer will contact you in the near future to schedule a meeting with you and the Town of Ocean City representatives to discuss the nature of the Ocean City tax setoff request.

Sincerely,

Joseph M. Mitrecic
President

Attachments

H:\FY22 Budget\Towns\2022 Tax Differential OC.docx

Cc: County Commissioners

Harold L. Higgins, Chief Financial Officer

Phillip Thompson, Finance Officer

Roscoe R. Leslie, County Attorney

Kathy Whited, Budget Officer



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
ROSCOE R. LESLIE
COUNTY ATTORNEY

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Worcester County

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

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Weston S. Young, Assistant Chief Administrative Officer *WSY*
DATE: January 13, 2021
RE: Fire Department Work Session

President Mitrecic has requested that an invitation go out to the Worcester County Fire Departments to schedule a work session to discuss forming a fire service committee and proposed funding changes.

I have invited fire department leadership and am proposing the work session be held at 11am at the January 19, 2021 Commissioners' Meeting.